



**TELECONFERENCE/VIRTUAL
DENTISTRY EXAMINING BOARD**
Virtual, 4822 Madison Yards Way, Madison
Contact: Will Johnson, (608) 266-2112
January 7, 2026

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Pledge of Allegiance**
- B. Adoption of Agenda (1-4)**
- C. Approval of Minutes of November 5, 2025 (5-9)**
- D. Reminders: Conflicts of Interest, Scheduling Concerns**
- E. Administrative Matters**
 - 1) Department, Staff and Board Updates
 - 2) **2026 Meeting Dates (10)**
 - 3) **Annual Policy Review (11-14)**
 - 4) **Election of Officers, Appointment of Liaisons and Alternates, Delegations of Authorities (15-36)**
 - 5) Board Members – Term Expiration Dates
 - a. Alton, Troy – 7/1/2025
 - b. Bahr, Lisa – 7/1/2026
 - c. Bistan, Matthew – 7/1/2025
 - d. Fox, Joan – 7/1/2025
 - e. Govani, Shaheda – 7/1/2026
 - f. Gundersen, David – 7/1/2026
 - g. Jorgenson, Linda – 7/1/2028
 - h. Kolste, Debra – 7/1/2028
 - i. Schrubbe, Katherine – 7/1/2026
 - j. Sheild, Peter – 7/1/2026
- F. Administrative Rule Matters – Discussion and Consideration (37-82)**
 - 1) Rule Drafting for DE 1, 5, and 6 on Unprofessional Advertising **(38-58)**
 - 2) Rule Drafting for DE 1 and 2 on Licensure Requirements **(59-65)**

- 3) Rule Drafting for DE 1 to 17 on Dentist and Dental Hygienist Compact **(66-77)**
- 4) Scope Statement on DE 1, 3, and 5 on Scope of Practice for Dental Hygienists **(78-79)**
- 5) Scope Statement on DE 11 on Sedation Permits Obsolete Provisions **(80-81)**
- 5) Pending or possible rulemaking projects **(82)**

G. Dentist and Dental Hygienist Compact – Discussion

H. Legislative and Policy Matters – Discussion and Consideration

I. Discussion and Consideration of Items Added After Preparation of Agenda:

- 1) Introductions, Announcements and Recognition
- 2) Administrative Matters
- 3) Election of Officers
- 4) Appointment of Liaisons and Alternates
- 5) Delegation of Authorities
- 6) Education and Examination Matters
- 7) Credentialing Matters
- 8) Practice Matters
- 9) Legislative and Policy Matters
- 10) Public Health Emergencies
- 11) Administrative Rule Matters
- 12) Liaison Reports
- 13) Board Liaison Training and Appointment of Mentors
- 14) Informational Items
- 15) Division of Legal Services and Compliance (DLSC) Matters
- 16) Presentations of Petitions for Summary Suspension
- 17) Petitions for Designation of Hearing Examiner
- 18) Presentation of Stipulations, Final Decisions and Orders
- 19) Presentation of Proposed Final Decisions and Orders
- 20) Presentation of Interim Orders
- 21) Petitions for Re-Hearing
- 22) Petitions for Assessments
- 23) Petitions to Vacate Orders
- 24) Requests for Disciplinary Proceeding Presentations
- 25) Motions
- 26) Petitions
- 27) Appearances from Requests Received or Renewed
- 28) Speaking Engagements, Travel, or Public Relation Requests, and Reports

J. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

K. Division of Legal Services and Compliance (DLSC) Matters

- 1) **Proposed Stipulations, Final Decisions and Orders**
 - a. 23 DEN 196 – Parul Ahuja **(83-88)**

- b. 25 DEN 0040 – Robert J. Goeckermann (89-95)
- 2) **Case Closings**
 - a. 24 DEN 0149 – T.W.S. (96-98)
 - b. 25 DEN 0031 – H.M.N. (99-105)
 - c. 25 DEN 0084 – B.J.B. and M.T.D. (106-112)
 - d. 25 DEN 0123 – S.J.W. (113-118)

L. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Order
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training
- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

M. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

N. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

O. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: MARCH 4, 2026

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the

commencement of any agenda item may be changed by the board for the convenience of the parties. The person credentialed by the board has the right to demand that meeting at which final action may be taken against the credential be held in open session. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer or reach the Meeting Staff by calling 608-267-7213.

**HYBRID (IN-PERSON/VIRTUAL)
DENTISTRY EXAMINING BOARD
MEETING MINUTES
NOVEMBER 5, 2025**

PRESENT: Troy Alton, DDS; Lisa Bahr, RDH (*via Zoom*); Matthew Bistan, DDS; Joan Fox, DDS; Shaheda Govani, DDS; David Gundersen, DDS; Linda Jorgenson, RDH; Debra Kolste (*via Zoom*); Katherine Schrubbe, RDH; Peter Sheild, DDS (*via Zoom*)

STAFF: Will Johnson, Executive Director; Jameson Whitney, Legal Counsel; Jacob Pelegrin, Administrative Rules Coordinator; Ashley Sarnosky, Board Administration Specialist; and other Department staff

CALL TO ORDER

Shaheda Govani, Chairperson, called the meeting to order at 9:34 a.m. A quorum was confirmed with ten (10) members present.

ADOPTION OF AGENDA

MOTION: David Gundersen moved, seconded by Joan Fox, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF SEPTEMBER 3, 2025

MOTION: Troy Alton moved, seconded by Joan Fox, to approve the Minutes of September 3, 2025, as published. Motion carried unanimously.

INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION

Introduction and Welcome – Marquette University

MOTION: Troy Alton moved, seconded by David Gundersen, to acknowledge and thank Marquette University School of Dentistry for hosting the Wisconsin Dentistry Examining Board. Motion carried unanimously.

Introduction and Welcome – DSPS Deputy Secretary Jennifer Garrett

MOTION: Linda Jorgenson moved, seconded by Katherine Schrubbe, to acknowledge and thank Deputy Secretary Jennifer Garrett, for their appearance to the Board. Motion carried unanimously.

**9:30AM PRELIMINARY PUBLIC HEARING ON SCOPE STATEMENT FOR DE 1, 5, 8,
10, AND 18 RELATING TO DENTAL PRACTICE RECORD MANAGEMENT AND
DENTAL FRANCHISING**

MOTION: David Gundersen moved, seconded by Joan Fox, to affirm the Board has reviewed the public comments received on Scope Statement DE 1, 5, 8, 10, and 18 relating to Dental Practice Record Management and Dental Franchising. Motion carried unanimously.

Pending or Possible Rulemaking Projects

MOTION: Matthew Bistan moved, seconded by David Gundersen, to request DSPS staff draft a scope statement on chapter DE 11 relating to Sedation Permits. Motion carried unanimously.

MOTION: Matthew Bistan moved, seconded by Troy Alton, to request DSPS staff draft a scope statement on chapter DE 3 relating to Scope of Practice for Dental Hygienists. Motion carried unanimously.

CLOSED SESSION

MOTION: Troy Alton moved, seconded by Joan Fox, to convene to Closed Session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.). Shaheda Govani, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Troy Alton-yes; Lisa Bahr-yes; Matthew Bistan-yes; Joan Fox-yes; Shaheda Govani-yes; David Gundersen-yes; Linda Jorgenson-yes; Debra Kolste-yes; Katherine Schrubbe-yes; and Peter Sheild-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:28 a.m.

CREDENTIALING MATTERS

Application Review*B.Q. – Renewal Application (IA-689019)*

MOTION: Peter Sheild moved, seconded by Lisa Bahr, to deny the Renewal application (IA-689019). **Reason for Denial:** Wis. Stat. s. 447.07(3)(e), conviction substantially related to the practice of Dentistry without adequate rehabilitation; Wis. Admin. Code s. DE 5.02(15) & Wis. Stats. s. 111.335(4)(a), violating a law the circumstances of which substantially relate to the practice of a dentist; Wis. Admin. Code s. DE 5.02(6), obtaining controlled substances without prescription; Wis. Stat. s. 440.08(4), denial necessary to protect public health, safety, and welfare; Wis. Stat. s. 440.03(13)(am) & Wis. Admin. Code SPS 4.09(2), failure to report conviction within 48 hours of entry of judgment. Motion carried unanimously.

D.H. – Renewal Application (IA-693954)

MOTION: Peter Sheild moved, seconded by Linda Jorgenson, to authorize Board Counsel to request additional information from Applicant (IA-693954). Once the additional information is received the liaison may act on the application. Motion carried unanimously.

S.V. – Initial Application (IA-673181)

MOTION: Matthew Bistan moved, seconded by Shaheda Govani, to deny the Initial application (IA-673181), once all requirements are met. **Reason for Denial:** Wis. Stat. s. 447.07(3)(f), violating Wis. Stat. ch. 447 or any federal or state statute or rule relating to the practice of dentistry. Motion carried unanimously.

J.M. – Renewal Application (IA-696655)

MOTION: Peter Sheild moved, seconded by David Gundersen, to approve the Renewal application (IA-696655), once all requirements are met. Motion carried unanimously.

T.Z. – Dental Hygienist Late Renewal After 5 Years Applicant (IA-687798)

MOTION: Peter Sheild moved, seconded by Linda Jorgenson, to approve the Late Renewal After 5 Years application (IA-687798), once all requirements are met. Motion carried unanimously.

David Gundersen was excused at 12:21 p.m.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations, Final Decisions and Orders

24 DEN 0040 – Eric J. Meeker

MOTION: Lisa Bahr moved, seconded by Peter Sheild, to reject the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Eric J. Meeker, DLSC Case Number 24 DEN 0040. Motion carried unanimously.

MOTION: Joan Fox moved, seconded by Lisa Bahr, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of the following cases:
23 DEN 028 – Mark E. Berger
24 DEN 0043 – Charles C. Anderson
25 DEN 0020 – Vishavdeep Singh
Motion carried unanimously.

Administrative Warnings

25 DEN 0117 – P.L.W.

MOTION: Troy Alton moved, seconded by Peter Sheild, to issue an administrative warning in the matter of P.L.W., DLSC Case Number 25 DEN 0117. Motion carried unanimously.

Case Closings

MOTION: Linda Jorgenson moved, seconded by Katherine Schrubbe, to close the following DLSC Cases for the reasons outlined below:
23 DEN 147 – A.S. – No Violation
24 DEN 0063 – J.B.P. – Prosecutorial Discretion (P1)
24 DEN 0089 – S.E.D. and D.M.S. – No Violation
24 DEN 0125 – N.N.S. – No Violation
25 DEN 0027 – S.S.A. – No Violation
25 DEN 0134 – O.A.M. – No Violation
25 DEN 0136 – J.R.S. – No Violation
Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Lisa Bahr moved, seconded by Peter Sheild, to reconvene in Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 12:33 p.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Peter Sheild moved, seconded by Katherine Schrubbe, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: Joan Fox, seconded by Linda Jorgenson, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:34 p.m.

DENTISTRY EXAMINING BOARD
2026 Meeting Dates

| Meeting Date | Start time | Location | Agenda Item Deadline |
|------------------------------|-------------------|-----------------|-----------------------------|
| Wednesday, January 7, 2026 | 9:00 AM | Virtual | 12/25/2025 |
| Wednesday, March 4, 2026 | 9:00 AM | Virtual | 2/20/2026 |
| Wednesday, May 6, 2026 | 9:00 AM | Hybrid | 4/24/2026 |
| Wednesday, June 24, 2026 | 9:00 AM | Hybrid | 6/12/2026 |
| Wednesday, September 2, 2026 | 9:00 AM | Virtual | 8/21/2026 |
| Wednesday, November 4, 2026 | 9:00 AM | Hybrid | 10/23/2026 |

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

- 1) Name and title of person submitting the request: Audra Cohen-Plata, DPD Division Administrator
 - 2) Date When Request Submitted: 12/11/2025
 - 3) Name of Board, Committee, Council, Section: **All Boards**
 - 4) Meeting Date: **First Meeting of 2026**
-
- 5) Attachments: **Yes**
 - 6) How should the item be titled on the agenda page? **Administrative Matters: Annual Policy Review**
 - 7) Place Item in: **Open Session**
 - 8) Is an appearance before the Board being scheduled? No
 - 9) Name of Case Advisor(s), if applicable: N/A
-
- 10) Describe the issue and action that should be addressed:

Please be advised of the following policy item attachments:

- 1) 2026 Annual Policy Review Memo
- 2) Timeline of a Meeting
- 3) Sample Per Diem Report



DATE: January 1, 2026
TO: DSPP Board, Council, and Committee Members
FROM: Division of Policy Development
SUBJECT: 2026 Administrative Policy Reminders

Please be advised of the following policy items:

1. In-Person and Virtual Meetings: Depending on the frequency of scheduled meetings, discussion topics, and member availability, DSPP may host one or more in-person meetings. Virtual connection options are available for all board meetings. If you are traveling internationally, please see item 9 below.
2. Attendance/Quorum: Thank you for your service and commitment to meeting attendance. If you cannot attend a meeting or have scheduling conflicts impacting your attendance, please let us know as soon as possible. A quorum is required for Boards, Sections, and Councils to meet pursuant to Open Meetings Law. Connect to / arrive at meetings 10 minutes before posted start time to allow for audio/connection testing, and timely Call to Order and Roll Call. Virtual meetings include viewable onscreen materials and A/V (speaker/microphone/video) connections.
3. Walking Quorum: Board/Section/Council members must not collectively discuss the body's business outside a properly noticed meeting. If several members of a body do so, they could be violating the open meetings law.
4. Mandatory Training: All Board Members must complete Public Records and Ethics Training, annually. [Register to set up an account](#) in the Cornerstone LearnCenter online portal or [Log in](#) to an existing account.
5. Agenda Deadlines: Please communicate agenda topics to your Executive Director before the agenda submission deadline at 12:00 p.m., eight business days before a meeting. (Attachment: Timeline of a Meeting)
6. Travel Voucher and Per Diem Submissions: Please submit all Per Diem and Reimbursement claims to DSPP within 30 days of the close of each month in which expenses are incurred. (Attachment: Per Diem Form) Travel Vouchers are distributed on travel approval.
7. Lodging Accommodations/Hotel Cancellation Policy: Lodging accommodations are available to eligible members for in-person meetings. Standard eligibility: the member must leave home before 6:00 a.m. to attend an in-person meeting by the scheduled start time.
 - a. If a member cannot attend a meeting, they must cancel their reservation with the hotel within the applicable cancellation timeframe.
 - b. If a meeting is changed to occur remotely, is canceled, or rescheduled, DSPP staff will cancel or modify reservations as appropriate.
8. Inclement Weather Policy: In inclement weather, the DSPP may change a meeting from an in-person venue to a virtual/teleconference only.
9. International Travel: Use of State-managed IT resources and access of State data outside the United States are strictly prohibited, as they cause an unacceptable level of cybersecurity risk. This prohibition includes all State-provided or State-managed IT resources housed on personal devices. Please advise your Executive Director of any planned international travel commitments that may coincide with board meetings or other board business in advance of your departure.

Timeline of a Meeting

At least 2 weeks (10 business days) prior to the meeting

Submit Agenda Item suggestions to the Board's Executive Director. Include background materials. Copyright-protected materials must be accompanied by written permission from the publisher to share documents.

8 business days prior to the meeting

The Agenda is drafted. (All agenda materials are due to the Department by 12:00 p.m.)

7 business days prior to the meeting

The draft agenda is submitted to the Executive Director; the Executive Director transmits it to the Chair for review and approval.

5 business days prior to the meeting

The approved agenda is returned to the Board Administration Specialist (BA) for agenda packet production and compilation.

4 business days prior to the meeting

Agenda packets are posted on the DSPS Board SharePoint site and on the Board webpage.

Agenda Item Examples:

- | | |
|---|--|
| <ul style="list-style-type: none">• Open Session Items<ul style="list-style-type: none">• Public Hearings and Administrative Rules Matters• Administrative Matters• Legislation and Policy Matters• Credentialing Matters• Education and Exam Issues• Public Agenda Requests• Current Issues Affecting the Profession | <ul style="list-style-type: none">• Closed Session items<ul style="list-style-type: none">• Deliberations on Proposed Disciplinary Actions• Monitoring Matters• Professional Assistance Procedure (PAP) Issues• Proposed Final Decisions and Orders• Orders Fixing Costs/Matters Relating to Costs• Credentialing Matters• Education and Exam Issues |
|---|--|

Thursday of the Week Prior to the Meeting

Agendas are published for public notice on the Wisconsin Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

1 business day after the Meeting

"Action" lists are distributed to Department staff detailing board actions on closed session business.

5 business days after the Meeting

"To Do" lists are distributed to staff to ensure that board open session decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the Wisconsin Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

Department of Safety and Professional Services
PER DIEM REPORT

INSTRUCTIONS: Record board-related activities by date, indicate relevant purpose code, the duration of time spent in B-code activities, location, and activity description. Only one \$25.00 per diem payment will be issued on any given calendar day. Submit one form per month and within 60 days of the last activity being reported. Send completed forms to your Board's Administrative Specialist.

Purpose Codes:

| | |
|---------------|--|
| A CODE | Official meetings including Board Meetings, Hearings and Examinations and Test Development Sessions (automatic day of per diem) Examples: board, committee, board training or screening panels; Senate Confirmation hearings, legislative and disciplinary hearings, or informal settlement conferences; test administration, test review or analysis events, national testing events, tour of test facilities, etc. |
| B CODE | Other (One (1) per diem will be issued for every five (5) hours spent in category B, per calendar month): i.e., review of disciplinary cases, consultation on cases, review of meeting materials, board liaison work, e.g., contacts regarding Monitoring, Professional Assistance Procedure, Credentialing, Education and Examinations |

[illegible]

CLAIMANT'S CERTIFICATION The Board/Council member named above, certifies, in accordance with § 16.53, Wis. Stats., that this account for per diem, is just and correct; and that this claim is for service necessarily incurred in the performance of duties required by the State, as authorized by law.

(Rev. 04/24)

Board Member Approval & Date:

TOTAL DAYS CLAIMED: _____ @ \$25.00 = _____ Supervisor Approval & Date: _____

DENTISTRY EXAMINING BOARD
2025 Officers and Liaisons

| 2025 ELECTION RESULTS | |
|------------------------------|-----------------|
| Chairperson | Shaheda Govani |
| Vice Chairperson | Troy Alton |
| Secretary | David Gundersen |

| LIAISON APPOINTMENTS | |
|--|---|
| Credentialing Liaisons | Lisa Bahr (<i>Dental Hygiene</i>), Shaheda Govani (<i>Dentistry</i>) <i>Alternate:</i> Troy Alton |
| Education and Examination Liaison | David Gundersen, Linda Jorgenson <i>Alternate:</i> Katherine Schrubbe |
| Monitoring Liaison | Peter Sheild <i>Alternate:</i> Debra Kolste |
| Professional Assistance Procedure (PAP) Liaison | Peter Sheild, Joan Fox <i>Alternate:</i> Christine Kenyon |
| Legislative Liaison | Shaheda Govani, Debra Kolste <i>Alternate:</i> David Gundersen |
| Travel Authorization Liaison | Shaheda Govani <i>Alternate:</i> Katherine Schrubbe |
| Website Liaison | Matthew Bistan <i>Alternate:</i> Lisa Bahr |
| PDMP Liaison/ Appointed to Controlled Substances Board as per Wis. Stats. §15.405(5g) | David Gundersen <i>Alternate:</i> Troy Alton |
| Screening Panel Members | Troy Alton, Peter Sheild, Debra Kolste, Katherine Schrubbe <i>Alternate:</i> |

| | |
|--|---|
| Licensure Forms Committee | Lisa Bahr, Shaheda Govani <i>Alternate:</i> Matthew Bistan |
| Dentist and Dental Hygienist Compact Commissioner | Matthew Bistan |

Updated 12/19/2025

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

| | | | |
|---|--|--|--|
| 1) Name and title of person submitting the request: Paralegal Richanda Turner, on behalf of Attorney Jameson Whitney | | 2) Date when request submitted: 12/19/2025 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small> | |
| 3) Name of Board, Committee, Council, Sections: Dentistry Examining Board | | | |
| 4) Meeting Date: 01/07/2026 | 5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6) How should the item be titled on the agenda page? Reaffirming 2025 delegations and new 2026 delegations | |
| 7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session | 8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 9) Name of Case Advisor(s), if applicable: N/A | |
| 10) Describe the issue and action that should be addressed: The Board members need to review and consider reaffirming 2025 delegations and new delegations for 2026. | | | |
| 11) Authorization <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 60%;"> <i>Richanda Turner</i> </div> <div style="width: 35%; text-align: right;"> <i>12/19/25</i> </div> </div> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 5px;"> <div style="width: 60%;">Signature of person making this request</div> <div style="width: 35%; text-align: right;">Date</div> </div> <hr/> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 5px;"> <div style="width: 60%;">Supervisor (Only required for post agenda deadline items)</div> <div style="width: 35%; text-align: right;">Date</div> </div> <hr/> <div style="display: flex; justify-content: space-between; align-items: center; margin-top: 5px;"> <div style="width: 60%;">Executive Director signature (Indicates approval for post agenda deadline items)</div> <div style="width: 35%; text-align: right;">Date</div> </div> | | | |
| Directions for including supporting documents: 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. | | | |



State of Wisconsin
DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES
CORRESPONDENCE / MEMORANDUM

DATE: January 1, 2026

TO: Board, Council, and Committee Members

FROM: Legal Counsel

SUBJECT: Liaison Definitions and Delegations Explanations

Executive Summary

This memorandum provides an overview of the liaison roles and common delegation authorities that enable DSPS Boards, Sections, and Committees to efficiently fulfill their statutory responsibilities. It explains the function of each liaison position, such as, Credentialing, Monitoring, PAP, Education and Examination, Legislative, Travel Authorization, and Communication Liaisons, as well as Screening Panel Members, and outlines how these roles support Board operations between meetings. This memorandum also includes model motions for liaisons, Department staff, and Department attorneys to ensure timely processing of credential applications, monitoring requests, disciplinary matters, and administrative tasks. The delegations promote consistency, reduce delays, and allow the Department and Boards to respond promptly to legal and operational needs while maintaining their responsibility to protect public health, safety, and welfare.

Overall Purpose of Liaison Appointments

Each Board/Section (Board) has inherent authority that is established in our Wisconsin Statutes. This authority may change from Board to Board. Further information on your Board's authority can be found in Wis. Stat. ch. 15. Generally, each Board has authority to grant credentials, discipline credential holders, and set standards for education and examinations and unprofessional conduct. In order to efficiently accomplish these tasks, Boards may appoint Liaisons. Liaisons assist with the operations of the Boards' purpose by weighing in on legislative matters, traveling to national conferences, or communicating with stakeholders.

At the first Board meeting of each year, the Department asks the Boards to make Liaison appointments. Your practical knowledge and experience as an appointed member of a professional board are essential in making determinations regularly. The Liaison positions listed below assist

the Department to complete operations between Board meetings. In most cases, Liaisons can make decisions for the full Board in their designated area. However, these areas are determined through the delegation process. Please note a Liaison may also decide to send the delegated matter to the full Board for consideration as appropriate. Delegations assist the Board in defining the roles and authorities of each Liaison and other Board functions.

Liaison Definitions

Credentialing Liaison: The Credentialing Liaison is empowered by the Board to review and make determinations regarding certain credential applications. The Credentialing Liaison may be called on by Department staff to answer questions that pertain to qualifications for licensure, which may include whether a particular degree is suitable for the application requirements, whether an applicant's specific work experience satisfies the requirements in statute or rule for licensure, or whether an applicant's criminal or disciplinary history is substantially related to the practice of the profession in such a way that granting the applicant a credential would create a risk of harm to the public. The Credentialing Liaison serves a very important role in the credentialing process. If the Credentialing Liaison has a question on a request, it is advisable for the Liaison to consult further with Department staff or bring the matter to the full Board for consideration.

Monitoring Liaison: The Monitoring Liaison is empowered by the Board to make decisions on any credential that is subject to Monitoring either through a disciplinary order or initial licensure. The Department Monitors will send requests from credential holders to the Monitoring Liaison. A common request could be to remove a limitation that has been placed on a credential or to petition for full licensure. The Monitoring Liaison can review these requests and make decisions on behalf of the Board. If the Monitoring Liaison has a question on a request, it is advisable for the Liaison to consult further with Department staff or bring the matter to the full Board for consideration.

Professional Assistance Procedure (PAP) Liaison: PAP is a voluntary program open to credential holders with substance abuse issues who wish to seek help by being held accountable through treatment and monitoring by the Department and Board. As part of PAP, the credential holder enters into an agreement with the Department to undergo testing, counseling, or other rehabilitation. The PAP Liaison's role includes responding to credential holders' requests for modifications and terminations of provisions of the agreement. Similar to the Monitoring Liaison, the Department Monitors will send requests from credential holders to the PAP Liaison for further review.

Education and Examination Liaison: Some Boards are required by statute or rule to approve qualifying education and examinations. The Education and Examination Liaison provides guidance to Department staff to exercise authority of the Board to approve or decline examinations and educational programs and related requests. This determination requires a level of professional expertise and should be performed by a professional member of the Board. For some Boards, the Education and Examination Liaison will also be tasked with approving continuing education programs and courses.

Legislative Liaison: The Legislative Liaison is not the Board's designated lobbyist and should exercise their delegated authority carefully. The Legislative Liaison is permitted to act and speak

on the Board's behalf regarding pending and enacted legislation or actions being considered by the legislature outside of Board meetings. Please review Wis. Stat. ch. 13 for important reminders on lobbying.

Travel Authorization Liaison: The Travel Authorization Liaison is authorized to approve a Board member to travel to events and speak or act on the Board's behalf between Board meetings. The Travel Authorization Liaison is called upon to make decisions when sufficient notice was not received, and the full Board could not determine a representative to travel. The Travel Authorization Liaison is tasked with making determinations if the Board appointed representative is not able to attend or if the Board becomes authorized to send additional members as scholarship and funding streams can be unpredictable.

Communication Liaison: The Communication Liaison responds to questions that arise on behalf of the Board. The Communication Liaison works with the Department to cultivate an appropriate response which will be sent by the Executive Director or Board Counsel. The Communication Liaison **can** be responsible for all types of communication on behalf of the Board. However, the Board can appoint a separate **Website Liaison** to work with DSPS staff to make changes and ensure the Board webpage contains updated and accurate information. Additionally, for the Boards that are required by statute to produce a newsletter or digest, the Board can appoint a separate **Newsletter/Digest Liaison** to assemble and approve content for those communications.

Screening Panel Members: Screening Panel Members review incoming complaints against credential holders and determine which complaints should be opened for investigation and which complaints should be closed without further action. The complexity and amount of work in this role depends substantially on your Board. As a member of the Screening Panel, you are asked to apply your professional expertise to determine if a complaint alleges unprofessional conduct.

Delegations Explanations

CREDENTIALING DELEGATIONS

The overall purpose of credentialing delegations is to allow the credentialing process to proceed as efficiently and effectively as possible.

Delegation of Authority to Credentialing Liaison (Generic)

MOTION EXAMPLE: to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications.

PURPOSE: To allow a representative of the Board to assist Department staff with credentialing applications and eliminate the need for the entire Board to convene to consider credential application content or questions. Additionally, it is most efficient to have the designated liaison

who has assisted with the credentialing process be able to effectuate decisions which require a signature.

Delegation of Authority to DSPS When Credentialing Criteria is Met

MOTION EXAMPLE: to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review.

PURPOSE: To permit Department staff to efficiently issue credentials and eliminate the need for Board/Section/Liaison review when all credentialing legal requirements are met in an application. This delegation greatly decreases the workload of Board members and cuts down processing time on applications.

Delegation of Authority for Predetermination Reviews

MOTION EXAMPLE: to delegate authority to the Department attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f).

PURPOSE: In general, the Wisconsin Fair Employment Act (codified in Wis. Stat. Ch. 111) prohibits licensing agencies from discriminating against applicants because of their arrest and/or conviction record. However, there are exceptions which permit denial of a license in certain circumstances. Individuals who do not possess a license have a legal right to apply for a determination of whether they are disqualified from obtaining a license due to their conviction record. This process is called “Predetermination.” Predetermination reviews must be completed within 30 days. This delegation allows Department attorneys to conduct predetermination reviews and efficiently make these legal determinations without need for Board/Section/Liaison review.

Delegation of Authority for Conviction Reviews

MOTION EXAMPLE: to delegate authority to the Department attorneys to review and approve applications with convictions which are not substantially related to the relevant professional practice.

PURPOSE: As used here, “substantially related” is a legal standard that is used in the Wisconsin Fair Employment Act. The concept of what is “substantially related” is informed by case law. This delegation permits Department attorneys to independently conduct conviction reviews and efficiently approve applications if convictions are not substantially related to the practice of the profession. Applications that contain conviction records that may be substantially related to the practice of a profession will still be submitted to the Credentialing Liaison for input.

Delegation to DSPS When Applicant's Disciplinary History Has Been Previously Reviewed

MOTION EXAMPLE: to delegate authority to Department staff to approve applications where Applicant's prior discipline has been approved for a previous credential and there is no new discipline.

PURPOSE: Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison for a lower-level credential.

Delegation to DSPS When Applicant's Conviction History Has Been Previously Reviewed

MOTION EXAMPLE: to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous credential and there is no new conviction record.

PURPOSE: Some Boards offer progressive levels of credentials. This delegation eliminates the need for a re-review of conviction history that has already been reviewed and approved for a lower-level credential.

Delegation of Authority for Reciprocity Reviews

MOTION EXAMPLE: to delegate authority to the Department attorneys to review and approve reciprocity applications in which the out-of-state license requirements meet Wisconsin license requirements. (Specific legal standards are referenced in the motion depending on credential/profession type.)

PURPOSE: Applications via reciprocity or endorsement require comparison of Wisconsin licensing requirements to the licensing requirements of another jurisdiction. These reviews consider the legal standard for reciprocity, which varies by profession, as well as the specified legal requirements to obtain licensure in the profession. This delegation permits Department attorneys to independently conduct reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

Delegation of Authority for Military Reciprocity Reviews

MOTION EXAMPLE: to delegate authority to the Department attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09.

PURPOSE: The law permits service members, former service members, and their spouses to be licensed if they hold licensure in other jurisdictions that qualify them to perform acts authorized by the credential they are seeking in Wisconsin. This is a shortened path to licensure that does not require meeting the specific requirements/standards for licensure/reciprocity in a profession. By law, the Department/Board must expedite the issuance of a reciprocal license via military

reciprocity. This delegation permits Department attorneys to independently conduct military reciprocity reviews and efficiently approve applications if legal standards and requirements are met for licensure. Applications for which reciprocity may not be available will still be submitted to the Credentialing Liaison for input.

Delegation of Authority for Application Denial Reviews

MOTION EXAMPLE: to delegate authority to the Department's attorney supervisors to serve as the Board designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential.

PURPOSE: When an application is denied, the applicant has a legal right to appeal the denial determination. Applicants must meet a specified legal standard in order to have an appeal granted. Additionally, Wisconsin law sets specific time frames for appeal decisions. This delegation permits Department attorney supervisors to independently review and efficiently act on requests for hearing as a result of a denial of a credential.

Delegation to Department Attorneys to Approve Duplicate Legal Issue

MOTION EXAMPLE: to delegate authority to Department attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already addressed by the Board and there are no new legal issues for that credential holder.

PURPOSE: The intent of this delegation is to be able to approve prior discipline by the Board for the renewal applicant. This delegation eliminates the need for a re-review of discipline that has already been considered and approved by the Board/Section/Liaison.

Delegation to Department Attorneys to Approve Prior Discipline

MOTION EXAMPLE: to delegate authority to Department attorneys to approve an applicant's prior professional discipline which resulted in a forfeiture/fine/other monetary penalty, remedial education, and/or reprimand, that is 10 years old or older, and the previously disciplined credential is currently in good standing.

PURPOSE: In order to continue improving processing application legal reviews in a timely matter, this delegation gives Department attorneys authority to approve prior professional discipline which meets all of the following criteria: (1) it is at least ten years old; (2) it resulted in a monetary penalty, remedial education, and/or reprimand; and (3) the previously disciplined credential is currently in good standing.

MONITORING DELEGATIONS

The overall purpose of monitoring delegations is to be able to enforce the Boards orders and limited licenses as efficiently and effectively as possible. Monitoring delegations have two categories: delegations to the Monitoring Liaison and delegations to the Department Monitor.

Delegation of Authority to Department Monitor

MOTION EXAMPLE: to delegate authority to the Department Monitor:

- a. to grant full reinstatement of licensure if education is the only limitation and credential holder has submitted the required proof of course completion.
- b. to suspend the credential if the credential holder has not completed Board ordered education, paid costs, paid forfeitures, within the time specified by the Board Order.
- c. to lift a suspension when compliance with education and costs provisions have been met.

PURPOSE: These delegations allow for the Department Monitor to automatically act on requests when certain criteria are met or not met without needing to burden the Monitoring Liaison. The Board can set their own criteria for what actions they would like to be handled by the Department, the Monitoring Liaison, and the full Board.

Delegation of Authority to Monitoring Liaison

MOTION EXAMPLE: to delegate authority to the Monitoring Liaison to approve or deny all requests received from the credential holder.

PURPOSE: These delegations allow the Board to set criteria for what decisions can be made by the Board member(s) serving as the Monitoring Liaison and what matters should be decided by the full Board.

Education and Examination Delegations

MOTION EXAMPLE: to delegate authority to the Education and Examination Liaison(s) to address all issues related to qualifying education, continuing education and examinations. Motion carried unanimously. (Differs by Board.)

PURPOSE: Some Boards are responsible for approving qualifying educational programs or continuing education courses. A delegation is executed in order for an Education and Examination Liaison to make these determinations on behalf of the Board and with assistance of the Department. Additionally, some Boards review examinations and individual scores to qualify for a credential.

MISCELLANEOUS DELEGATIONS

Document Signature

MOTION EXAMPLE: to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION EXAMPLE: in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the

Executive Director, Board Counsel, or DPD Division Administrator, the authority to sign on behalf of a Board member as necessary. Motion carried unanimously.

PURPOSE: To take the action approved at Board meetings, the Department may need to draft correspondence and/or Orders after the meetings have adjourned. These actions then need to be signed by a Board Member. This interaction usually takes place over email and a Board member can authorize the use of their signature that is kept on file.

Urgent Matters

MOTION EXAMPLE: in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

PURPOSE: Allows for quick responses to urgent matters that may need Board approval or for which the Department requires guidance from the Board.

Delegation to Chief Legal Counsel-Due to Loss of Quorum

MOTION EXAMPLE: to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

PURPOSE: Sometimes Boards can struggle to meet quorum necessary to conduct business. This happens for a multitude of reasons, but this delegation allows for the Boards to have disciplinary cases decided by Chief Legal Counsel if the Board fails to meet quorum for two consecutive meetings.

Delegation to Chief Legal Counsel-Stipulated Resolutions

MOTION EXAMPLE: to delegate to the Department's Chief Legal Counsel the authority to act on behalf of the Board concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Board meetings. The Board further requests that Chief Legal Counsel only act on such matters when the best interests of the Board, Department, and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Board meeting. Motion carried unanimously.

PURPOSE: For matters of public safety, it may be necessary to take immediate action on a stipulated agreement rather than allowing a credential holder to continue practicing unencumbered until the next scheduled meeting. This delegation allows Chief Legal Counsel to act on behalf of the Board when there is a stipulated agreement. A stipulated agreement is an agreement to which all relevant parties have consented to the terms.

Voluntary Surrenders

MOTION EXAMPLE: to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter.

MOTION EXAMPLE: to delegate authority to the Department to accept the voluntary surrender of a credential when there is no pending complaint or disciplinary matter with the Department pursuant to Wis. Stat. § 440.19.

PURPOSE: Credential holders can ask the Boards to accept surrender of their credentials at any time. These delegations are in place for the different situations that arise from those requests. If a credential holder is seeking to surrender their credential because they wish to leave the profession, that can be processed with this delegation by the Department if they have no pending disciplinary complaints. If the credential holder wishes to surrender while they have a pending disciplinary complaint, that request is reviewed by the individual Board member assigned to the case.

DLSC Pre-screening

MOTION EXAMPLE: to delegate pre-screening decision making authority to the DSPS screening attorney for opening cases where the credential holder has failed to respond to allegations contained in the complaint when requested by intake (case will be opened on failure to respond and the merits of the complaint).

PURPOSE: Pre-screening delegations exist so the Board can define specific parameters where the Department can review disciplinary complaints and open those cases if they meet certain criteria. Boards also have the authority to set certain criteria that would allow the Department to review and close a case if the criteria is met.

Delegation to Handle Administrative Rule Matters

MOTION EXAMPLE: to delegate authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to act on behalf of the Board regarding administrative rule matters between meetings. Motion carried unanimously.

PURPOSE: In order to advance the administrative rules process, action may need to occur between meetings. This allows for quick responses to urgent matters that may need Board approval or for which the Department requires guidance from the Board.

DENTISTRY EXAMINING BOARD
JANUARY 8, 2025
2025 Delegations

New Delegations for 2025

Pre-Screening Authority Delegations, Amended

Delegation to Department Attorney to Open Cases

MOTION: Shaheda Govani moved, seconded by Linda Jorgenson to delegate pre-screening decision-making authority to the Department screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
 2. Reciprocal discipline cases.
 3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.
 4. Pending charges, and/or conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111.
 5. After three requests from intake to provide a response to the allegations, along with patient records and films, the respondent fails to provide all requested information and/or documentation.
 6. Respondent's response is non-responsive to the complaint and/or does not contain all requested information.
 7. X-rays provided are not of diagnostic quality and/or patient notes and records are not legible.
 8. Response is provided by someone other than Respondent.
 9. Complaint based upon a settlement in a dental malpractice case.
 10. Unlicensed practice occurring during the 5-year right to renew period.
- Motion carried unanimously.

Delegation to Approve Opioid Abuse Report

MOTION: Matthew Bistan moved, seconded by Joan Fox, to authorize the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession) to review and approve the opioid abuse report required by Wis. Stat. § 440.035 (2m)(c)1., for filing with the Legislature. Motion carried unanimously.

Delegation to Department Attorneys to Approve Prior Discipline

MOTION: Joan Fox moved, seconded by Matthew Bistan, to delegate authority to Department Attorneys to approve an applicant's prior professional discipline which resulted in a forfeiture/fine/other monetary penalty, remedial education, and/or reprimand, that is 10 years old or older, and the previously disciplined credential is currently in good standing. Motion carried unanimously.

Delegation to Handle Administrative Rule Matters

MOTION: Troy Alton moved, seconded by Shaheda Govani, to delegate authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to act on behalf of the Board regarding administrative rule matters between meetings. Motion carried unanimously.

Review and Approval of 2024 Delegations including new modifications

MOTION: David Gundersen moved, seconded by Shaheda Govani, to reaffirm all delegation motions made in 2024, as reflected in the January 8, 2025 agenda materials, which were not otherwise modified or amended during the January 8, 2025 meeting. Motion carried unanimously.

All Combined Delegations for 2025

Review and Approval of 2024 Delegations including new modifications

MOTION: David Gundersen moved, seconded by Shaheda Govani, to reaffirm all delegation motions made in 2024, as reflected in the January 8, 2025 agenda materials, which were not otherwise modified or amended during the January 8, 2025 meeting. Motion carried unanimously.

Document Signature Delegations

MOTION: Peter Sheild moved, seconded by Diana Whalen, to delegate authority to the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to sign

documents on behalf of the Board in order to carry out its duties. Motion carried unanimously.

MOTION: Peter Sheild moved, seconded by Lisa Bahr, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director, Board Counsel or DPD Division Administrator, the authority to sign on behalf of a Board member as necessary. Motion carried unanimously.

Delegated Authority for Urgent Matters

MOTION: Matthew Bistan moved, seconded by Troy Alton, that in order to facilitate the completion of urgent matters between meetings, the Board delegates its authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to appoint liaisons to the Department to act in urgent matters. Motion carried unanimously.

Delegation to Chief Legal Counsel Due to Loss of Quorum

MOTION: Matthew Bistan moved, seconded by Debra Kolste, to delegate the review and authority to act on disciplinary cases to the Department's Chief Legal Counsel due to lack of/loss of quorum after two consecutive meetings. Motion carried unanimously.

Delegation to Chief Legal Counsel for Stipulated Resolutions

MOTION: Matthew Bistan moved, seconded by Peter Sheild, to delegate to DSPS Chief Legal Counsel the authority to act on behalf of the Board concerning stipulated resolutions providing for a surrender, suspension, or revocation of a credential, where the underlying merits involve serious and dangerous behavior, and where the signed stipulation is received between Board meetings. The Board further requests that Chief Legal Counsel only act on such matters when the best interests of the Board, Department and the Public are best served by acting upon the stipulated resolution at the time the signed stipulation is received versus waiting for the next Board meeting. Motion carried unanimously.

Monitoring Delegations

Delegation of Authorities for Legal Counsel to Sign Monitoring Orders

MOTION: Matthew Bistan moved, seconded by Diana Whalen, to delegate to Legal Counsel the authority to sign Monitoring orders that result from Board

meetings on behalf of the Board Chairperson. Motion carried unanimously.

Delegation to Monitoring Liaison

MOTION: David Gundersen moved, seconded by Katherine Schrubbe, to delegate authority to the Monitoring Liaison(s) to make any determination on Orders under monitoring and to refer to the Full Board any matter the Monitoring Liaison deems appropriate. Motion carried unanimously.

Delegation to Department Monitor

MOTION: Matthew Bistan moved, seconded by Troy Alton, to delegate authority to the Department Monitor as outlined below:

1. to grant reinstatement of licensure if education and/or costs are the sole condition of the order and the credential holder has submitted the required proof of completion for approved courses and paid the costs.
2. to suspend the license if the credential holder has not completed Board ordered education and/or paid costs and forfeitures within the time specified by the Board order. The Department Monitor may remove the suspension and issue an order when proof of completion and/or payment has been received.
3. to suspend the license (or remove stay of suspension) if a credential holder fails to enroll and participate in an Approved Program for drug and alcohol testing within 30 days of the order, or if credential holder ceases participation in the Approved Program without Board approval. This delegated authority only pertains to respondents who must comply with drug and/or alcohol testing requirements.
4. to grant or deny approval when a credential holder proposes treatment providers, mentors, and supervisors unless the Order specifically requires full-Board or Board designee approval.
5. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete Board ordered continuing, disciplinary, or remedial education.
6. to grant a maximum of one 90-day extension or payment plan for proceeding costs and/or forfeitures if warranted and requested in writing by a credential holder.
7. to grant a maximum of one 90-day extension, if warranted and requested in writing by a credential holder, to complete a Board ordered evaluation or exam.

Motion carried unanimously.

Pre-Screening Authority Delegations

Delegation to Department Attorney to Open Cases

MOTION: Shaheda Govani moved, seconded by Linda Jorgenson to delegate pre-screening decision-making authority to the Department screening attorney for opening cases as outlined below:

1. OWIs of 3 or more that occurred in the last 5 years.
2. Reciprocal discipline cases.
3. Impairment and/or diversion at work that includes a positive drug/alcohol test or admission by respondent.
4. Pending charges, and/or conviction of a misdemeanor or felony that the attorney believes is substantially related and is not otherwise excluded from consideration via Wis. Stat. ch. 111.
5. After three requests from intake to provide a response to the allegations, along with patient records and films, the respondent fails to provide all requested information and/or documentation.
6. Respondent's response is non-responsive to the complaint and/or does not contain all requested information.
7. X-rays provided are not of diagnostic quality and/or patient notes and records are not legible.
8. Response is provided by someone other than Respondent.
9. Complaint based upon a settlement in a dental malpractice case.
10. Unlicensed practice occurring during the 5-year right to renew period.

Motion carried unanimously.

Delegation to Department Attorney to Close Cases

MOTION: Matthew Bistan moved, seconded by Debra Kolste, to delegate prescreening decision making authority to the Department screening attorney for closing cases as outlined below:

1. One OWI that is non-work related and if AODA assessment completed, assessment does not indicate dependency.
2. Complaints that even if allegations are true, do not amount to a

violation of law or rules, lack subject matter jurisdiction, and/or lack personal jurisdiction.
Motion carried unanimously.

Credentialing Authority Delegations

Delegation to Department Attorneys to Approve Duplicate Legal Issue

MOTION: Lisa Bahr moved, seconded by Matthew Bistan, to delegate authority to Department Attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already addressed by the Board and there are no new legal issues for that credential holder. Motion carried unanimously.

Delegation of Authority to Credentialing Liaison

MOTION: Matthew Bistan moved, seconded by Lisa Bahr, to delegate authority to the Credentialing Liaison(s) to serve as a liaison between the Department and the Board and to act on behalf of the Board in regard to credentialing applications or questions presented to them, including the signing of documents related to applications. Motion carried unanimously.

Delegation of Authority to Department When Credentialing Criteria is Met

MOTION: Shaheda Govani moved, seconded by Matthew Bistan, to delegate credentialing authority to the Department to act upon applications that meet all credentialing statutory and regulatory requirements without Board or Board liaison review. Motion carried unanimously.

Delegation of Authority for Predetermination Reviews

MOTION: Matthew Bistan moved, seconded by Peter Sheild, to delegate authority to the Department Attorneys to make decisions regarding predetermination applications pursuant to Wis. Stat. § 111.335(4)(f). Motion carried unanimously.

Delegation of Authority for Conviction Reviews

MOTION: Matthew Bistan moved, seconded by Lisa Bahr, to delegate authority to the Department Attorneys to review and approve applications with convictions which are not substantially related to the practice of Dentistry. Motion carried unanimously.

Delegated Authority for Application Denial Reviews

MOTION: Matthew Bistan moved, seconded by Shaheda Govani, to delegate authority to the Department's Attorney Supervisors to serve as the Board's

designee for purposes of reviewing and acting on requests for hearing as a result of a denial of a credential. Motion carried unanimously.

Delegation of Authority for Military Reciprocity Reviews

MOTION: Matthew Bistan moved, seconded by Debra Kolste, to delegate authority to the Department Attorneys to review and approve military reciprocity applications in which the individual meets the requirements of Wis. Stat. § 440.09. Motion carried unanimously.

Delegation to Department When Applicant's Discipline History Has Been Previously Reviewed

MOTION: Shaheda Govani moved, seconded by Matthew Bistan, to delegate authority to Department staff to approve applications where Applicant's prior discipline has been approved for a previous credential and there is no new discipline. Motion carried unanimously.

Delegation to Department When Applicant's Conviction History Has Been Previously Reviewed

MOTION: Matthew Bistan moved, seconded by Diana Whalen, to delegate authority to Department staff to approve applications where criminal background checks have been approved for a previous credential and there is no new conviction record. Motion carried unanimously.

Delegation to Department Attorneys to Approve Prior Discipline

MOTION: Joan Fox moved, seconded by Matthew Bistan, to delegate authority to Department Attorneys to approve an applicant's prior professional discipline which resulted in a forfeiture/fine/other monetary penalty, remedial education, and/or reprimand, that is 10 years old or older, and the previously disciplined credential is currently in good standing. Motion carried unanimously.

Voluntary Surrenders

MOTION: Matthew Bistan moved, seconded by Troy Alton, to delegate authority to the assigned case advisor to accept or refuse a request for voluntary surrender pursuant to Wis. Stat. § 440.19 for a credential holder who has a pending complaint or disciplinary matter. Motion carried unanimously.

Education and Examination Liaison(s) Delegation

MOTION: Shaheda Govani moved, seconded by Matthew Bistan, to delegate authority to the Education and Examination Liaison(s) to address all issues related to education and examinations. Motion carried unanimously.

Authorization for Department to Provide Board Member Contact Information to National Regulatory Related Bodies

MOTION: Matthew Bistan moved, seconded by Diana Whalen, to authorize the Department staff to provide national regulatory related bodies with all board member contact information that the Department retains on file. Motion carried unanimously.

Optional Renewal Notice Insert Delegation

MOTION: Matthew Bistan moved, seconded by Peter Sheild, to designate the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to provide a brief statement or link relating to board-related business within the license renewal notice at the Board's or Board designee's request. Motion carried unanimously.

Legislative Liaison Delegation

MOTION: Matthew Bistan moved, seconded by Peter Sheild, to delegate authority to the Legislative Liaisons to speak on behalf of the Board regarding legislative matters. Motion carried unanimously.

Travel Authorization Liaison Delegation

MOTION: Matthew Bistan moved, seconded by Troy Alton, to delegate authority to the Travel Authorization Liaison to approve any board member travel to and/or participation in events germane to the Board, and to designate representatives from the Board to speak and/or act on the Board's behalf at such events. Motion carried unanimously.

Website Liaison(s) Delegation

MOTION: Matthew Bistan moved, seconded by Lisa Bahr, to authorize to the Website Liaison(s) to act on behalf of the Board in working with Department staff to identify and execute website updates. Motion carried unanimously.

Licensure Forms Committee Delegation

MOTION: Lisa Bahr moved, seconded by Matthew Bistan, that in order to facilitate the completion of its duties between meetings, the Board delegates authority to the Chairperson to appoint members to the Licensure Forms Committee between meetings as necessary. Motion carried unanimously.

Delegation to Handle Administrative Rule Matters

MOTION: Troy Alton moved, seconded by Shaheda Govani, to delegate authority to the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession), to act on behalf of the Board regarding administrative rule matters between meetings. Motion carried unanimously.

Delegation to Approve Opioid Abuse Report

MOTION: Matthew Bistan moved, seconded by Joan Fox, to authorize the Chairperson (or, in the absence of the Chairperson, the highest-ranking officer or longest serving Board member in that succession) to review and approve the opioid abuse report required by Wis. Stat. § 440.035 (2m)(c)1., for filing with the Legislature. Motion carried unanimously.

Review and Approval of 2025 Delegations including new modifications

MOTION: [Board member name] moved, seconded by [Board member name], to reaffirm all delegation motions made in 2025, as reflected in the January 7, 2026 agenda materials, which were not otherwise modified or amended during the January 7, 2026 meeting. Motion carried [].

**State of Wisconsin
Department of Safety & Professional Services**

AGENDA REQUEST FORM

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|--|---|---|--|------------|----------------------|----------------------|----------|--|-------------|---------------------------------|-------------|---|-------------|
| 1) Name and title of person submitting the request: Jake Pelegrin Administrative Rules Coordinator | | 2) Date when request submitted: 12/19/25 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small> | | | | | | | | | | | |
| 3) Name of Board, Committee, Council, Sections: Dentistry Examining Board | | | | | | | | | | | | | |
| 4) Meeting Date: 1/7/26 | 5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | 6) How should the item be titled on the agenda page? Administrative Rule Matters – Discussion and Consideration 1. Rule drafting for DE 1, 5, and 6 on Unprofessional Advertising 2. Rule drafting for DE 1 and 2 on Licensure Requirements 3. Rule drafting for DE 1 to 17 on Dentist and Dental Hygienist Compact 4. Scope statement on DE 1, 3, and 5 - Scope of Practice for Dental Hygienists 5. Scope statement on DE 11 - Sedation Permits Obsolete Provisions 6. Pending or possible rulemaking projects | | | | | | | | | | | |
| 7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session | 8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | 9) Name of Case Advisor(s), if required: N/A | | | | | | | | | | |
| 10) Describe the issue and action that should be addressed: Attachments: -Certification comparison materials for DE 1, 5, and 6 -Rule draft for DE 1, 5, and 6 -Rule draft for DE 1 and 2 -Rule draft DE 1 to 17 -Scope statement on DE 1, 3, and 5 -Scope statement on DE 11 -Dentistry Rules Chart | | | | | | | | | | | | | |
| <table style="width: 100%; border: none;"> <tr> <td style="width: 40%; border: none;">11)</td> <td style="width: 60%; border: none; text-align: right;">Authorization</td> </tr> <tr> <td style="border: none;"><i>Jake Pelegrin</i></td> <td style="border: none; text-align: right;">12/19/25</td> </tr> </table> <hr/> <table style="width: 100%; border: none;"> <tr> <td style="width: 70%; border: none;">Signature of person making this request</td> <td style="width: 30%; border: none; text-align: right;">Date</td> </tr> </table> <hr/> <table style="width: 100%; border: none;"> <tr> <td style="width: 70%; border: none;">Supervisor (if required)</td> <td style="width: 30%; border: none; text-align: right;">Date</td> </tr> </table> <hr/> <table style="width: 100%; border: none;"> <tr> <td style="width: 70%; border: none;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</td> <td style="width: 30%; border: none; text-align: right;">Date</td> </tr> </table> | | | | 11) | Authorization | <i>Jake Pelegrin</i> | 12/19/25 | Signature of person making this request | Date | Supervisor (if required) | Date | Executive Director signature (indicates approval to add post agenda deadline item to agenda) | Date |
| 11) | Authorization | | | | | | | | | | | | |
| <i>Jake Pelegrin</i> | 12/19/25 | | | | | | | | | | | | |
| Signature of person making this request | Date | | | | | | | | | | | | |
| Supervisor (if required) | Date | | | | | | | | | | | | |
| Executive Director signature (indicates approval to add post agenda deadline item to agenda) | Date | | | | | | | | | | | | |
| Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting. | | | | | | | | | | | | | |

Disclaimer: the below pages are only general summaries from publicly available information. The ABOI/ID, AAID, and their representation were contacted with questions and asking for comments. The following response was received in time for the deadline for submittal of board agenda materials:

"Thank you for your email. We will review your request and reply back to you as soon as possible." - ABOI/ID

Requirements to become a Diplomate of the American Board of Oral Implantology/Implant Dentistry

- Hold a DMD/DDS or equivalent.
 - (I wasn't able to find any accreditation requirements, including CODA, for the degree from searching their websites. I also reached out to the ABOI and AAID asking for comment/clarification and their response didn't confirm or deny. It is presumed there are no accreditation requirements.)
- Be a licensed practicing dentist.
 - (No specification of where the license is held – it seems like it can be any state or country internationally. I reached out to the ABOI and AAID asking for comment/clarification and their response didn't answer the question.)
- One of the below options for initial education:
 - 670 hours of verified continuing education specific to implant dentistry.
 - (I wasn't able to find any requirement that the continuing education is accredited or comes from any specific providers – it seems like it can come from any provider. I also reached out to the ABOI and AAID asking for comment/clarification and their answer was not responsive. It is presumed there are no accreditation requirements and any provider is allowed.)
 - (Formal education programs, such as GPR, AEGD, etc., are allotted certain numbers of hours that can be applied towards the 670 hours.) *Is this applied to the initial education requirement for the number of hours, or just the continuing education to maintain the certification? Unclear.*
 - “If you are an Academy of General Dentistry member, please submit your Academy of General Dentistry CE transcript for verification.”
 - (The AGD is just a membership organization that provides dental continuing education, so it is presumed the 670 hours in total would still be required.)
 - **OR** – Be an AAID Fellow (Exempt from Part I-Written Examination)
 - Requirements to be an AAID Fellow:
 - Be an AAID Associate Fellow in good standing.
 - Complete at least 400 hours of postdoctoral **or** continuing education related to implant dentistry.
 - They get credit for the 300 hours they already did to become an Associate Fellow.
 - 75 of the hours must be in a participatory/hands-on format, required for Associate Fellow membership, which must be

divided between the sciences related to implant dentistry and clinical implant education.

- (I wasn't able to find any requirement that the continuing education is accredited or comes from any specific providers – it seems like it can come from any provider. I also reached out to the AAID asking for comment/clarification - same answer as above. It is presumed there are no accreditation requirements and any provider is allowed.)
- 5 or more years of experience in the practice of implant dentistry.
- Be fully knowledgeable of both the surgical and prosthetic phases of implant treatment.
- Oral exam on 5 standardized cases
- Oral exam similar to that described below where they present and defend 5 of their own cases.
- Requirements to be an AAID Associate Fellow:
 - Be experienced in surgical placement of dental implants and/or the replacement of teeth.
 - Complete at least 300 hours of postdoctoral **or** continuing education related to implant dentistry in the past 12 years.
 - (Same situation with the continuing ed. here: I wasn't able to find any accreditation requirements or educational standards for the continuing ed. I asked the organization for clarification and their response didn't answer the question.
 - Pass a multiple choice exam and an oral exam.
 - Or, in lieu of the above, graduate from one of the following programs:
 - Medical University of South Carolina in Digital Dentistry
 - Northwell Health Implant Program
 - University of Texas at Houston Prosthodontics
 - Jacksonville University's Comprehensive Oral Implantology Certification Program
- **OR** – Completion of a US or Canada ADA/CODA approved dental residency specialty program in Oral Surgery, Prosthodontics, or Periodontics.
 - (Exempt from Part I-Written Examination.)
- **OR** – a US or Canada based residency program in Implant Dentistry.
 - (Exempt from Part I-Written Examination.)
 - (I was unable to find accreditation requirements, educational standards, or a list of approved programs for this option. I asked the organizations for clarification and their response didn't answer the question.)

- Part 1 - Written Examination
 - 200 multiple-choice test questions.
 - Several education options above allow for waiver of the written examination.
- Part 2 - Oral Examination
 - The ABOI/ID Part II Examination is an oral examination that consists of standardized cases developed by the ABOI/ID as well as cases that the candidate submits to the ABOI/ID.
 - **Oral Examination Candidate Case Submission Requirements:**
 - **You will be required to submit eight (8) cases (see below for specifics).**
 - **You may not use the same patient for multiple cases.**
 - **Your cases must be restored and functional for a minimum of one year at the time of case submission.**
 - **Candidates will be examined on 4 of the 8 cases that are submitted. The 4 cases are chosen by the Oral Exam committee and will not be disclosed before the exam.**
 - **Candidate cases will not be reviewed for accuracy or completeness.**
 - Case 1) Edentulous mandible or maxilla with a full arch removable implant overdenture, utilizing two (2) or more implants. [Case 1 Template](#)
 - Case 2) Edentulous posterior maxilla with pneumatized maxillary sinus requiring at least 5 mm of lateral approach sinus augmentation and two (2) or more implants and its restoration. [Case 2 Template](#)
 - Case 3) Anterior maxilla with one or more root form implants and its restoration. [Case 3 Template](#)
 - Case 4) Any extraction with immediate implant placement or extraction with ridge preservation and delayed implant placement and its restoration. [Case 4 Template](#)
 - Case 5) Edentulous mandible or maxilla with four (4) or more root form implants supporting a fixed complete implant prosthesis. [Case 5 Template](#)
 - Case 6) An edentulous posterior mandible or maxillary quadrant with two (2) or more root form implants and its restoration. [Case 6 Template](#)
 - Case 7) Edentulous areas with more than two teeth missing and a deficient ridge requiring vertical or horizontal augmentation and the subsequent placement of two (2) or more root form implants and its restoration. [Case 7 Template](#)
 - Case 8) Case type to be determined by the candidate. The case **cannot** be a single tooth replacement. [Case 8 Template](#)

American Dental Association requirements to be certified in an ADA dental specialty

- A CODA accredited advanced education program that is 2 or more academic years in length.
 - This includes the prerequisites to get into the specialty program.
 - “Although full-time, continual attendance in a CODA advanced education program is desirable, the period of advanced education need not be continuous, nor completed within successive calendar years. An advanced educational program equivalent to 2 or more academic years in length, successfully completed on a part-time basis over an extended period of time as a graduated sequence of educational experience not exceeding 4 calendar years, may be considered acceptable in satisfying this requirement.”
 - **“Short continuation, refresher courses (educational experience only obtained through continuing education) and teaching experience in a specialty department in a dental education facility will not be accepted in meeting any portion of this requirement.”**
 - A certifying board may establish an exception (alternative pathway) to the qualification requirement of completion of an advanced education program that is 2 or more academic years in length accredited by the Commission on Dental Accreditation for the unique candidate who can demonstrate comparable educational and/or training requirements to the satisfaction of the certifying board. A certifying board must submit a separate petition to the National Commission for permission to establish and/or revise policy on alternative pathways.
- A recognized certifying board in an ADA specialty must establish minimum requirements for years of practice in the area for which certificates are granted. The years of advanced education in the discipline specific specialty may be accepted toward fulfillment of this requirement.
- *For more information, below is the link to the “CODA Accreditation Standards for Advanced Dental Education Programs in Oral and Maxillofacial Surgery”. It is not directly included in the agenda materials because it is copyrighted material, and it is a 44 page long document. However, it can be viewed on its own and is a helpful resource when comparing the educational rigor and standards of a CODA accredited oral surgery program to the standards of becoming a Diplomate of the ABOI/ID. 44 pages of accreditation requirements.*
- *Oral Surgery is just one of the many CODA accredited ADA specialties. The accreditation standards for other specialties are also publicly available.*
- *Link:*
 - [CODA.org: Accreditation Standards for OMS Residency Programs](https://www.coda.org/Accreditation-Standards-for-OMS-Residency-Programs)

Below are links and excerpts from the ABOI and AAID websites showing the information summarized on pages above.

[How to Become a Diplomate - American Board of Oral Implantology / Implant Dentistry](#)

[Fellow Requirements - American Academy of Implant Dentistry](#)

[Associate Fellow Requirements - American Academy of Implant Dentistry](#)

[Announcing Your AAID Credential - American Academy of Implant Dentistry](#)

2026 Application is NOW OPEN!

We are excited to announce the launch of our new application and candidate portal! This portal is designed to streamline the application process and provide a smoother experience for all interested candidates.
To begin your application, please click on the "Login" button located at the top right of any page on our website. We appreciate your cooperation and look forward to receiving your application.

Requirements for the ABOI/ID Examinations

Route 1-General Dentists (US & Canada)

The following are pre-requisites for ABOI/ID Diplomate Certification Part I-Written Examination.

- 1. Applicants must hold a DMD/DDS degree or equivalent and be a licensed practicing dentist.
- 2. Continuing education (CE) totaling 670 hours verified on certifying organization letterhead or copies of CE certificates specific to implant dentistry. Or if you are an AGD member, please submit your AGD CE transcript for verification.
- 3. Completion of the following programs will satisfy additional continuing education credits.

| | 1-year GPR or AEGD | 1-year Fellow | 2-year GPR or AEGD | 2-year Fellow | AAID Associate Fellow | AAID Fellow* |
|-----------|-----------------------|------------------|-----------------------|------------------|--------------------------|--------------|
| CE Credit | 100 | 100 | 200 | 200 | 100 | 200 |

* AAID Fellowship will satisfy all requirements of the ABOI/ID Diplomate certification and is exempt from the Part 1 written examination.

Route 2-International Dentists

Please ensure that all submitted documents are translated into English if they are not already.

The following are pre-requisites for ABOI/ID Diplomate Certification Part I Written Examination.

- 1. Applicants must hold a DMD/DDS degree or equivalent and be a licensed practicing dentist.
- 2. Continuing education (CE) totaling 670 hours specific to implant dentistry is required. All CE must be translated in English and submitted on certifying organization letterhead or copies of CE certificates. If you are an AGD member, please submit your AGD CE transcript for verification.
- 3. Completion of the following programs in US or Canada will provide additional continuing education credits towards the required 670 hours.

| | 1-year GPR or AEGD | 1-year Fellow | 2-year GPR or AEGD | 2-year Fellow | AAID Associate Fellow | AAID Fellow* |
|-----------|-----------------------|------------------|-----------------------|------------------|--------------------------|--------------|
| CE Credit | 100 | 100 | 200 | 200 | 100 | 200 |

* AAID Fellowship will satisfy all requirements of the ABOI/ID Diplomate certification and is exempt from the Part 1 written examination.

4. International Residency based programs will receive the following CE hours towards the required 670 CE hours. Any other completed international programs will be sent to the ABOI/ID Credentialing Committee for review.

| International Residency | Oral Surgery | Prosthodontics | Periodontics | Implantology |
|----------------------------|-----------------|----------------|--------------|--------------|
| CE Credit | 350 | 350 | 350 | 350 |

Route 3- Completion of a US or Canada ADA/CODA-approved dental residency specialty program in Oral Surgery, Prosthodontics, or Periodontics. Or a US or Canada based residency program in Implant Dentistry. (Exempt from Part I-Written Examination)

1. Applicants must hold a DMD/DDS degree or equivalent and be a licensed practicing dentist.
2. Completion of an Implant Dentistry residency program within the US or Canada.
3. Completion of an ADA/CODA accredited hospital, university, or dental school specialty residency training program in Oral Surgery, Prosthodontics and Periodontics based in the US or Canada.

Part II Oral Examination Case Requirements:

The ABOI/ID Part II Examination is an oral examination that consists of standardized cases developed by the ABOI/ID as well as cases that the candidate submits to the ABOI/ID.

Oral Examination Candidate Case Submission Requirements:

- You will be required to submit eight (8) cases (see below for specifics).
- You may not use the same patient for multiple cases.
- Your cases must be restored and functional for a minimum of one year at the time of case submission.
- Candidates will be examined on 4 of the 8 cases that are submitted. The 4 cases are chosen by the Oral Exam committee and will not be disclosed before the exam.
- It's very important to revisit and review all of your cases thoroughly prior to the exam.
- Candidate cases will not be reviewed for accuracy or completeness.

Case 1) Edentulous mandible or maxilla with a full arch removable implant overdenture, utilizing two (2) or more implants. [Case 1 Template](#)

Case 2) Edentulous posterior maxilla with pneumatized maxillary sinus requiring at least 5 mm of lateral approach sinus augmentation and two (2) or more implants and its restoration. [Case 2 Template](#)

Case 3) Anterior maxilla with one or more root form implants and its restoration. [Case 3 Template](#)

Case 4) Any extraction with immediate implant placement or extraction with ridge preservation and delayed implant placement and its restoration. [Case 4 Template](#)

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Case 8) Case type to be determined by the candidate. The case cannot be a single tooth replacement. [Case 8 Template](#)

If at any time you have any questions, please contact the ABOI Headquarters by calling 312-335-8793 or email applications@aboi.org

The American Academy of Implant Dentistry does not encourage or support its members advertising that they are “specialists” in implant dentistry.



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[About](#) [Membership](#) [Credentialing](#) [Events](#) [Education](#) [Member-Only](#) [Media](#) [AAIDF](#)

Announcing Your AAID Credential

AAID Policy on Members' Announcement of Earned Credentials

The AAID is the oldest national dental organization in the field of implant dentistry and issues Associate Fellow and Fellow credentials that provide consumers with valuable information relative to a dentist's education, training, and experience in the area of implant dentistry. In addition, the AAID sponsors the American Board of Oral Implantology/ Implant Dentistry (ABOI/ID), which issues the Diplomate credential.

The AAID encourages its members to obtain one or more of the offered credentials. By doing so, members demonstrate that they have met the educational and experiential requirements for the credential and passed psychometrically-based written and oral examinations.

The AAID believes that advertising of bona fide credentials serves the best interests of all concerned. **The AAID does not encourage or support any of its dentist-members' advertising that they are "specialists" in implant dentistry.**

More AAID



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[8 minutes ago](#)

The 2025 AAID Annual Conference was packed with camaraderie, cutting-edge

Several court decisions have supported the right of dentists to truthfully advertise their AAID and ABOI/ID credentials. These courts have upheld the right to truthfully advertise the credentials earned in implant dentistry from the AAID and ABOI/ID on the basis of the AAID's and ABOI/ID's objective and rigorous procedures.

These procedures include the following:

1. An objectively verifiable set of requirements
2. The successful completion of a written or oral examination based on psychometric principles
3. Post-dental school training and experience

At this time, the credentials from the AAID and ABOI/ID are the only credentials in implant dentistry that have been so recognized by several courts.

Since the training and experience necessary to obtain these credentials inherently benefits patients, it follows that the AAID encourages its credentialed members to advertise their credentials to the public in any state that permits such advertising. Additionally, the AAID encourages its credentialed members to only advertise credentials in implant dentistry that are bona fide and, at present, only AAID and ABOI/ID credentials have been deemed to be bona fide by several federal court decisions. To include other implant credentials that do not have the same rigorous requirements and testing procedures could be misleading. For this reason, AAID members should not include other implant credentials on their practice announcements when AAID and ABOI/ID credentials are used.

News Release Templates

[Fellow News Release Template](#)

[Associate Fellow News Release Template](#)

camaraderie, cutting-edge education, and innovative exhibitors! 🎉 Catch our highlight reel featuring posts from attendees, exhibitors, and lecturer —and stay tuned for the full gallery of high-quality photos coming soon! [#AAID2025](#)

[Join the American Academy of Implant Dentistry](#)

[Donate to the AAID Foundation](#)

[Visit the Patient Information Site](#)

Below is the ADA's summary of what a dental specialty must do to be recognized by the ADA.

AMERICAN DENTAL ASSOCIATION

Requirements for Recognition of Dental Specialties and National Certifying Boards for Dental Specialists

Adopted by the 2022 ADA House of Delegates

Introduction

The Requirements for Recognition of Dental Specialties and National Certifying Boards for Dental Specialists contain criteria that specialty applicants and the recognized specialty sponsoring organizations and certifying boards must meet in order to become and/or remain recognized by the National Commission on Recognition of Dental Specialties and Certifying Boards (National Commission).

A specialty is a discipline of dentistry that has a separate, distinct and well-defined focus based on unique advanced knowledge, skills and training that has been formally recognized by the National Commission as meeting the "*Requirements for Recognition of Dental Specialists*" specified in this document. Dental specialties are recognized to protect the public, nurture the art and science of dentistry, and improve the quality of care in disciplines of dentistry in which advanced knowledge, skills and training are essential to maintain or restore oral health.

Not all disciplines in dentistry will satisfy the requirements for specialty recognition and there should be no expectation that all disciplines in dentistry will meet the Requirements for Recognition of Dental Specialties. Disciplines of dentistry that are not currently recognized as a specialty by the National Commission and believe they can meet all of the Requirements for Recognition of Dental Specialties, should contact the National Commission for a formal Application for Specialty Recognition. When making decisions related to specialty recognition, the National Commission will only determine compliance with the criteria outlined in the Requirements for Recognition.

If a discipline of dentistry is granted specialty recognition by the National Commission a national board for certifying diplomates in accordance with the "*Requirements for National Certifying Boards for Dental Specialists*" must be established and recognized by the National Commission as the national certifying board for the specialty.

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| 5 | Certification Requirements |

Requirements for Recognition of Dental Specialties

A sponsoring organization seeking specialty recognition in a discipline of dentistry that is not currently recognized as a dental specialty must be able to provide documented evidence that the discipline satisfies all the Requirements for Recognition of Dental Specialties specified in this section. Specialty sponsoring organizations recognized by the National Commission must be able to show continued compliance with the Requirements for Recognition of Dental Specialties specified in this section.

- (1) In order for a discipline of dentistry to become and/or remain recognized as a dental specialty, it must be represented by a sponsoring organization: (a) whose membership is reflective of the proposed or recognized dental specialty; (b) in which the privileges to hold office and to vote on any issue related to the specialty are reserved for dentists who have either completed an advanced education program that is a minimum of two (2) academic years in length accredited by the Commission on Dental Accreditation in the proposed or recognized specialty or have sufficient educational and/or practice experience in the specialty as deemed appropriate through written criteria established by the sponsoring organization and its certifying board; and (c) that demonstrates the ability to establish and maintain a certifying board, if the sponsoring organization is not recognized by the National Commission. The recognized specialty sponsoring organization must continue to have a recognized certifying board that continually meets the Requirements for Recognition of National Certifying Boards for Dental Specialists in order to remain recognized.
- (2) A proposed or recognized specialty must be a distinct and well-defined field that requires unique advanced knowledge, skills and training beyond those commonly possessed by dental school graduates as defined by the Commission on Dental Accreditation's Accreditation Standards for Dental Education Programs.
- (3) The scope of practice of a proposed or recognized specialty requires advanced knowledge, skills and training that: (a) in their entirety are separate and distinct from the knowledge, skills and training required to practice in any recognized dental specialty; and (b) cannot be accommodated through minimal modification of any of the recognized dental specialties.
- (4) A proposed or recognized specialty must document scientifically, by valid and reliable statistical evidence/studies, that it: (a) actively contributes to new knowledge in the field; (b) actively contributes to the educational needs of the discipline at the predoctoral, postdoctoral and continuing education levels; (c) actively engages in research that establishes evidence-based validity of therapy used by practitioners in the proposed or recognized specialty; and (d) demonstrates a need for service that is not currently being met by general practitioners or any of the recognized dental specialties.
- (5) A proposed or recognized specialty must have a direct benefit/impact on clinical patient care and meet the needs of its patient population.
- (6) A proposed or recognized specialty must have formal advanced education programs accredited by the Commission on Dental Accreditation that are a minimum of two (2) academic years in length.

Requirements for Recognition of National Certifying Boards for Dental Specialists

In order to become, and remain, eligible for recognition by the National Commission as a national certifying board for a dental specialty, the specialty must have a recognized sponsoring organization that meets all of the Requirements for Recognition of Dental Specialties. A close working relationship must be maintained between the recognized sponsoring organization and the certifying board. A certifying board seeking recognition must be able to provide documented evidence showing that it satisfies all the Requirements for Recognition of National Certifying Boards for Dental Specialists specified in this section.

Certifying boards recognized by the National Commission must be able to show continued compliance with all of the Requirements for Recognition of National Certifying Boards for Dental Specialists as specified in this section.

Organization of Boards:

- (1) An applicant and a recognized certifying board must have no less than five (5) and no more than twelve (12) voting directors/officers designated on a rotation basis in accordance with a method approved by the National Commission. Although the National Commission does not recommend a single method for selecting directors/officers of boards, directors/officers may not serve for more than a total of nine (9) years. All voting directors/officers must be diplomates of that specific certifying board and the certifying board may establish additional criteria/qualifications if they so desire.
- (2) An applicant and a recognized certifying board must have a certification program that is comprehensive in scope and meets the needs of the diplomate practitioners in the recognized specialty and the profession and protects the public. Further, the certifying board must provide evidence of a close working relationship with a recognized specialty sponsoring organization that meets all of the Requirements for Recognition of Dental Specialties.
- (3) An applicant and a recognized certifying board must provide evidence of adequate financial viability to conduct its certification program.
- (4) An applicant and a recognized certifying board may outsource administrative duties to suitable external consultants and/or external agencies to assist in daily operations, and/or examination functions. If the certifying board does outsource administrative and/or examination functions, the certifying board must submit documentation describing the process. External and internal consultants who participate in the development and/or administration of certification examinations must be diplomates in the specialty that is being examined.

Operation of Boards:

- (1) An applicant and a recognized certifying board must only certify qualified dentists as diplomates in the specialty area recognized by the National Commission. No more than one (1) certifying board will be recognized by the National Commission for the certification of diplomates in a recognized specialty area of practice.
- (2) An applicant and a recognized certifying board must give at least one (1) examination in each calendar year and must announce examination details at least six (6) months in advance of the examination. In extraordinary circumstances, recognized certifying boards may request a conditional waiver of exception from the National Commission.
- (3) An applicant and a recognized certifying board must maintain a current list of diplomates.
- (4) An applicant and a recognized certifying board must submit to the National Commission data relative to financial viability and operations, written examination procedures, candidate examination guidelines and procedures, certification and recertification examination content, test construction and evaluation, and the reporting of results. Examination procedures and results should follow the Standards for Educational and Psychological Testing, including validity and reliability evidence. A diplomate in good standing may, upon written request, obtain a copy of the annual examination technical and financial reports of the certifying board. The recognized certifying boards will submit the required documentation on a cycle established by the National Commission.
- (5) An applicant and a recognized certifying board must require diplomates to engage in lifelong learning and shall encourage continuous quality improvement.
- (6) An applicant and a recognized certifying board must provide to the National Commission evidence of examination and certification of a significant number of additional dentists in order to warrant approval of and continued recognition by the National Commission. The recognized certifying boards will submit the required documentation on a cycle established by the National Commission.
- (7) An applicant and a recognized certifying board must bear sole authority and responsibility for conducting the certification programs, the evaluation of the qualifications and competence of those certified as diplomates, and the issuance of certificates.

Certification Requirements:

- (1) An applicant and a recognized certifying board must require, for eligibility for certification as a diplomate, the successful completion of an advanced education program that is two (2) or more academic years in length accredited by the Commission on Dental Accreditation.

Although full-time, continual attendance in a Commission on Dental Accreditation accredited advanced education program is desirable, the period of advanced education need not be continuous, nor completed within successive calendar years. An advanced educational program equivalent to two (2) or more academic years in length, successfully completed on a part-time basis over an extended period of time as a graduated sequence of educational experience not exceeding four (4) calendar years, may be considered acceptable in satisfying this requirement. Short continuation, refresher courses (educational experience only obtained through continuing education) and teaching experience in a specialty department in a dental education facility will not be accepted in meeting any portion of this requirement.

A certifying board may establish an exception (alternative pathway) to the qualification requirement of completion of an advanced education program that is two (2) or more academic years in length accredited by the Commission on Dental Accreditation for the unique candidate who can demonstrate comparable educational and/or training requirements to the satisfaction of the certifying board. A certifying board must submit a separate petition to the National Commission for permission to establish and/or revise policy on alternative pathways.

- (2) An applicant and a recognized certifying board must establish minimum requirements for years of practice in the area for which certificates are granted. The years of advanced education in the discipline specific specialty may be accepted toward fulfillment of this requirement.
- (3) An applicant and a recognized certifying board, in cooperation with their recognized specialty sponsoring organization, must prepare and publicize joint recommendations on the Commission on Dental Accreditation educational standards for the advanced education programs for that specialty.

ADOPTED BY THE ADA HOUSE OF DELEGATES (*Trans.* 2001:470; 2004:313; 2009:443; 2013:328; 2018:326; 2022:XXX)

STATE OF WISCONSIN
DENTISTRY EXAMINING BOARD

| | | |
|-----------------------------|---|---------------------------|
| IN THE MATTER OF RULEMAKING | : | PROPOSED ORDER OF THE |
| PROCEEDINGS BEFORE THE | : | DENTISTRY EXAMINING BOARD |
| DENTISTRY EXAMINING BOARD | : | ADOPTING RULES |
| | : | (CLEARINGHOUSE RULE) |

PROPOSED ORDER

A proposed order of the Dentistry Examining Board to **renumber and amend** DE 6.02 (4) (c); to **amend** DE 6.02 (1) and (4) (intro.); and to **create** DE 6.02 (1) (a) to (f), (4) (c) (Note) and 1. to 3. relating to unprofessional advertising.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Sections 447.07 (3) (m) and (3) (o), Stats.

Statutory authority: Sections 15.08 (5) (b), 227.11 (2) (a), and 447.07 (3) (m) and (3) (o), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., provides that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Section 447.07 (3), Stats: “...the examining board may make investigations and conduct hearings in regard to any alleged action of any dentist, dental therapist, dental hygienist, or expanded function dental auxiliary, of a mobile dentistry program registrant, or of any other person it has reason to believe is engaged in or has engaged in the practice of dentistry, dental therapy, or dental hygiene, or the operation of a mobile dentistry program, in this state, and may, on its own motion, or upon complaint in writing, reprimand any dentist, dental therapist, dental hygienist, or expanded function dental auxiliary who is licensed or certified under this subchapter or who holds a compact privilege, or any mobile dentistry program registrant, or deny, limit, suspend, or revoke his or her license, certificate, or compact privilege, or the registration of the mobile dentistry program registrant, if it finds that the dentist, dental therapist, dental hygienist, expanded function dental auxiliary, or mobile dentistry program registrant has done any of the following:

(3) (m) Made a substantial misrepresentation in the course of practice that was relied upon by a client.

(3) (o) Advertised by using a statement that tends to deceive or mislead the public.”

Related statute or rule: None.

Plain language analysis:

The objective of the proposed rule is to clarify and add detail to the regulations on unprofessional advertising for dentists, which may include revisions to DE 1, 5, and 6. The Board has identified a need to clarify the rules on unprofessional advertising for dentists. Current rules are unclear if it is allowed for a general dentist to advertise as having a credential for a dental specialty, such as orthodontist or oral surgeon. The Board will consider updating the code to clarify whether this is allowed.

Summary of, and comparison with, existing or proposed federal regulation: None.

Summary of public comments received on statement of scope:

The Dentistry Examining Board held a preliminary public hearing on the statement of scope for this rule on March 5, 2025. The following written comment was received, from the American Association of Orthodontists and the Wisconsin Society of Orthodontists:

Names: Adam Braundmeier, Dr. Dave Kennedy

Organizations: American Association of Orthodontists and the Wisconsin Society of Orthodontists

“Dear Members of the Wisconsin Dentistry Examining Board,

On behalf of the American Association of Orthodontists (AAO) and the Wisconsin Society of Orthodontists (WSO), we write to express our significant concerns relating to any changes to the current unprofessional advertising rules, which are the best safeguard for Wisconsinites’ health and safety. The AAO is the world’s oldest and largest dental specialty organization, created in 1900. It represents more than 19,000 orthodontists throughout the United States, Canada, and abroad, and over 230 orthodontists in Wisconsin, who are members of the of the Wisconsin Society of Orthodontists (WSO). As a professional organization, the AAO is dedicated to, among other goals: (a) ethically advancing the art and science of orthodontics and dentofacial orthopedics worldwide; (b) improving the health of the public by promoting quality orthodontic care, the importance of overall oral healthcare, and advocating for the public interest; and (c) educating the public about the benefits of orthodontic treatment and the educational qualifications of orthodontic specialists.

We support the current rules without modification or diminished professionalism, as they provide clarity and necessary consumer protections by ensuring that only those who have

completed an accredited specialty program may advertise as specialists. We appreciate the opportunity to provide this feedback and make comments on this important matter. We understand that the proposed change to the current rule, Chapter DE 6, by the Wisconsin Dentistry Examining Board is to clarify for general dentists if they are allowed to advertise as having a credential for a dental specialty. The current rule is already clear on this – only those who have completed a post-doctoral program accredited by the Commission on Dental Accreditation (CODA) in a recognized specialty can advertise as having a credential for the dental specialty, or a “specialist.”

The AAO supports regulations like Chapter DE 6, that require those who are advertising as a “specialist” to have successfully completed a post-doctoral advanced dental educational program of at least two full-time years and which is CODA accredited. As you know, CODA is the only nationally recognized accrediting body for dentistry and the related dental fields, receiving its accreditation authority from the acceptance of all stakeholders within the dental community and recognition by the United States Department of Education.

CODA accreditation offers Wisconsin patients the reassurance of a rigorous set of qualifications enacted and assessed by an independent organization operating under the oversight of the U.S. Department of Education. An accreditation standard backed by the U.S. Department of Education best assures Wisconsin citizens that an individual who truthfully holds themselves out as a specialist has met high standards for education and training. CODA accreditation provides Wisconsin citizens with a standardized benchmark against which claims of specialization can be assessed, thus assuring that the goal of providing patients with information from which to make informed treatment decisions is met.

Allowing a dentist to advertise as a “specialist” without completing a multi-year accredited program back by the US department of Education allows providers, who have not had years of supervised and didactic training or who have not satisfied extensive criteria, to advertise on par with those providers who have long-term, comprehensive education and training through U.S. Department of Education accredited programs. This threatens the health and safety of patients by obscuring important distinctions between dental professionals as well as their respective educational and training backgrounds. We believe these concerns underscore why the Wisconsin Dentistry Examining Board originally established the current unprofessional advertising rules. The rules in their current form are in the interest of patient health and safety for Wisconsin and its citizens.

For all these reasons, the AAO and WSO support the current rule on unprofessional advertising, Chapter DE 6. If the Board has any further information or has questions for the AAO, please feel free to contact me at abraundmeier@aaortho.org. Thank you for your time and attention to this matter.

Sincerely,

American Association of Orthodontists, Adam Braundmeier, AAO General Counsel

Wisconsin Society of Orthodontists, Dr. Dave Kennedy, WSO President”

Comparison with rules in adjacent states:

Illinois: Illinois has regulations on advertising for dentists that are broadly similar to those of Wisconsin, but that go into much greater detail [Illinois Administrative Code Title 68, Chapter VII, Subchapter b, Section 1220.421]. “Persons licensed to practice dentistry in the State of Illinois may advertise in any medium or other form of public communication in a manner that is truthful, and that is not fraudulent, deceptive, inherently misleading or proven to be misleading in practice. The advertising shall contain all information necessary to make the communication not misleading and shall not contain any false or misleading statement or otherwise operate to deceive.”

Specifically on advertising for dental specialties, Illinois administrative code goes into detail on regulations and which words are and are not allowed. “When words relating to specialty practice are used in an advertisement, the advertisement must not imply that the dentist offering those services is licensed as a specialist unless he holds a specialty license issued by the Division.”

Iowa: Iowa law sets regulations on dentistry advertising that are detailed and thorough for ensuring that advertising is honest and ethical [650 Iowa Administrative Code 26]. “Communications by inclusion or omission to the public must be accurate. They must not convey false, untrue, deceptive, or misleading information through statements, testimonials, photographs, graphics or other means. Communications must not appeal to an individual’s anxiety in an excessive or unfair way; and they must not create unjustified expectations of results. If communications refer to benefits or other attributes of dental procedures or products that involve significant risks, realistic assessments of the safety and efficacy of those procedures or products must also be included, as well as the availability of alternatives and, where necessary to avoid deception, descriptions or assessments of the benefits or other attributes of those alternatives. Communications must not misrepresent a dentist’s credentials, training, experience or ability, and must not contain material claims of superiority that cannot be substantiated.”

Specifically for dental specialties, like Illinois, Iowa regulations are quite detailed on what words are allowed to be used in advertisements: “The use of the terms “specialist,” “specializes,” “orthodontist,” “oral and maxillofacial surgeon,” “oral and maxillofacial radiologist,” “periodontist,” “pediatric dentist,” “prosthodontist,” “endodontist,” “oral pathologist,” “public health dentist,” “dental anesthesiologist,” or other similar terms which imply that the dentist is a specialist may only be used by a licensed dentist meeting the requirements of this rule. A dentist who advertises as a specialist must avoid any implication that other dentists associated with the same practice are specialists unless the dentists also meet all of the requirements of this rule.”

Michigan: Michigan law provides basic consumer protections on truth in advertising [Michigan Compiled Law 445.903]. Michigan Administrative Code further specifies regulations on advertising as a dental specialist [Michigan Administrative Rules R 338.11525]. “A dentist who is not licensed as a specialist by the board shall not announce or hold himself or herself out to the public as limiting his or her practice to, as being specially qualified in, or as giving special attention to, a branch of dentistry that is listed as a specialty in R 338.11501.”

Minnesota: Minnesota administrative rules provide a general prohibition on false or misleading advertising by dentists: “A person shall not, on behalf of the person, a partner, an associate, or any other dentist with whom the person is affiliated through a firm or association, use or participate in the use of any form of public communication containing a false, fraudulent, misleading, or deceptive statement or claim.” [Minnesota Administrative Rules 3100.6500].

To advertise as being a dental specialist: “A licensed dentist may advertise as a specialist in an area if the dentist has evidence of graduating from a postdoctoral specialty program accredited by the Commission on Dental Accreditation in any of the designated specialty areas of subpart 1.” [Minnesota Administrative Rules 3100.7000].

Summary of factual data and analytical methodologies: The Board reviewed Wisconsin Administrative Code chapters DE 1, 5, and 6 to determine where changes were needed to update regulations on unprofessional advertising.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis will be attached upon completion.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department’s Regulatory Review Coordinator may be contacted by email at Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-2112.

Agency contact person:

Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Office of Chief Legal Counsel, 4822 Madison Yards Way, P.O. Box 14497, Madison, Wisconsin 53708; telephone 608-267-0989; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Office of Chief Legal Counsel, 4822 Madison Yards Way, P.O. Box 14497, Madison, WI 53708-0497, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing to be included in the record of rule-making proceedings.

TEXT OF RULE

Disclaimer: all of the below rule language is draft language.

SECTION 1. DE 6.02 (1) is amended to read:

(1) Publishing or communicating information, statements, or claims in any media which are false, misleading, fraudulent or deceptive. This may include information or communications which do any of the following:

SECTION 2. DE 6.02 (1) (a) to (f) are created to read:

- (a) Contain a misrepresentation of fact or omit a material fact required to prevent deception.
- (b) Guarantee favorable results or create false or unjustified expectations of favorable results.
- (c) Represent a dentist as having credentials, training, experience or ability equal to **being certified in** an American Dental Association specialty when the dentist does not meet the requirements for that specialty in sub. (4) (c).

Note: A dentist may describe credentials, training, experience, or ability that he or she has in an area of practice, but if the dentist does not meet the requirements for an American Dental Association specialty in sub. (4) (c), the dentist may not use the terms prohibited in sub. (4) (c) 1., and shall give the disclaimer required in sub. (4) (c) 2.

The note language has changed slightly so please let me know with any feedback.

- (d) Contain exaggerations pertaining to the quality of dental care.
- (e) Describe as available products or services that are not permitted by the laws or rules of this state or that are not permitted by federal laws or rules.
- (f) Advertise professional services that the credential holder is not licensed to render.

SECTION 3. DE 6.02 (4) (intro.) is amended to read:

DE 6.02 (4) Including in an advertisement or any media:

SECTION 4. DE 6.02 (4) (c) is renumbered to 6.02 (4) (c) (intro.) and amended to read:

DE 6.02 (4) (c) Notice of a practice or implying practice as a specialist in a dental specialty unless the dentist has successfully completed a post-doctoral educational training program approved by the Commission on Dental Accreditation of the American Dental Association in a specialty recognized by the American Dental Association. Advertising or implying practice as a specialist in a non-American Dental Association-recognized specialty is prohibited. All of the following provisions also apply to dental advertising:

SECTION 5. DE 6.02 (4) (c) (Note) is created to read:

DE 6.02 (4) (c) Note: Recognized American Dental Association specialties are dental anesthesiology, dental public health, endodontics, oral and maxillofacial pathology, oral and

maxillofacial radiology, oral and maxillofacial surgery, oral medicine, orofacial pain, orthodontics and dentofacial orthopedics, pediatric dentistry, periodontics, and prosthodontics.

SECTION 6. DE 6.02 (4) (c) 1. to 3. are created to read:

DE 6.02 (4) (c) 1. Terms such as "specialist", "specialty", or "limited to specialty of", with the name of the branch of dentistry practiced as a specialty, shall be prima facie evidence that such dentist is holding himself or herself out to the public as a specialist.

We removed the "practice limited to" because it was too restrictive.

2. A general dentist who advertises or communicates in any media regarding a specific branch of dentistry, but who does not meet the requirements of par. (c), shall include in the advertisement or communication a prominent disclaimer that he or she is authorized only as a general dentist.

Changed "licensed only as a general dentist" to "authorized only as a general dentist".

3. A dentist who advertises as a specialist shall avoid implying that other dentists associated with the same practice or clinic are also specialists unless the other dentists also meet all of the requirements of par. (c).

The above provision, 3., was previously in par. (c), but I moved it to this part for better organization of the rule.

SECTION 7. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

This Proposed Order of the Dentistry Examining Board is approved for submission to the Governor and Legislature.

Dated _____

Chair
Dentistry Examining Board

STATE OF WISCONSIN
DENTISTRY EXAMINING BOARD

| | | |
|-----------------------------|---|---------------------------|
| IN THE MATTER OF RULEMAKING | : | PROPOSED ORDER OF THE |
| PROCEEDINGS BEFORE THE | : | DENTISTRY EXAMINING BOARD |
| DENTISTRY EXAMINING BOARD | : | ADOPTING RULES |
| | : | (CLEARINGHOUSE RULE) |

PROPOSED ORDER

A proposed order of the Dentistry Examining Board to ***amend*** ; and to ***create*** DE 2.01 (1) (g) 1. and 2.04 (1) (a) 3. relating to Licensure Requirements.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Sections 447.04 (1) (a) and (b) and (2) (a) and (b), Stats.

Statutory authority: Sections 15.08 (5) (b), 227.11 (2) (a), 447.04 (1) (a) 6., (1) (b) 1., (2) (a) 6., and (2) (b) 1., Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., provides that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Section 447.04 (1) (a), Stats.: “The examining board shall grant a license to practice dentistry to an individual who does all of the following: 6. Completes any other requirements established by the examining board by rule.”

Section 447.04 (1) (b), Stats.: “Except as provided in par. (c), the examining board may grant a license to practice dentistry to an individual who is licensed in good standing to practice dentistry in another state or territory of the United States or in another country if the applicant complies with all of the following requirements: 1. Meets the requirements for licensure established by the examining board by rule.”

Section 447.04 (2) (a), Stats.: “The examining board shall grant a license to practice dental hygiene to an individual who does all of the following: 6. Completes any other requirements established by the examining board by rule.”

Section 447.04 (2) (b), Stats.: “The examining board may grant a license to practice dental hygiene to an individual who is licensed in good standing to practice dental hygiene in another state or territory of the United States or in another country if the applicant complies with all of the following requirements: 1. Meets the requirements for licensure established by the examining board by rule.”

Related statute or rule: None.

Plain language analysis:

The objective of the proposed rule is to reexamine and to consider modifying, clarifying, or adding detail to the licensure requirements for dentists and dental hygienists, which may include revisions to DE 1 and 2. The Board has identified a need to reexamine and discuss the current licensure requirements for dentists and dental hygienists. Current rules for dentists require a DDS or DMD degree or equivalent from a CODA-accredited dental school and an examination. Current rules for dental hygienists require graduation from a CODA-accredited dental hygiene school and an examination. The Board will consider modifying, clarifying, or adding detail to this or other licensure requirements.

Summary of, and comparison with, existing or proposed federal regulation: None.

Summary of public comments received on statement of scope and a description of how and to what extent those comments and feedback were taken into account in drafting the proposed rule:

Name: Ankur D. Patel, DDS, FAGD

Organization: Dental Service of U.S. Department of Veterans Affairs (Speaking on his own behalf, not as a representative.)

“I am submitting this attachment and narrative as a solely as private citizen who is a clinical dentist, and not as a representative of the Federal Government & Department of Veterans Affairs (where I conduct my work and practice).

I want to propose common sense changes that improve the licensing process in Wisconsin, without compromising the public safety mission. If DSPS is serious in its commitment to review practices and credentialing requirements, I implore the Wisconsin Dental Examining Board to strongly consider the objectivity and common-sense solutions that I am sharing.

Pathway 1: Recognize CODA Accredited Postdoctoral General Dentistry Residency Programs (Advanced Education in General Dentistry – AEGD & General Practice Residency - GPR) as “dental testing services.”

Recommendations:

1. Recognize the goals, objectives, competencies, evaluation mechanisms, and practical components of application that CODA accredited post-doctoral general dentistry programs require to matriculate the residency programs.

2. Recommend review to the Board's legal counsel to confirm that the academic milestones are enough to qualify CODA accredited post-doctoral general dentistry programs as "testing-centers." - (Remember, the State has already accepted that Marquette's undergraduate dental curriculum is sufficient - why not their soon to be own GPR or other CODA accredited AEGDs/GPRs?)

3. In the pathway for licensure by endorsement, DE 2.04, recognize CODA accredited post-doctoral general dentistry residency programs substantially equivalent to an examination administered by a board-approved testing service.

4. AND/OR Approve CODA Accredited Postdoctoral General Dentistry Residency Programs (AEGD, GPR) as a dental testing services under Wis. Stat. s. 447.04(1)(a)4 as they satisfy the requirements set forth in Wis. Admin. Code s. DE 2.005(1) and (2)."

Pathway 2: Licensure by Residency

Recommendation:

1. Create a Waiver of Clinical Examination//Licensure by Residency Clause with the following requirements – Mirror Minnesota Statute

(a) Subd. 3. Waiver of examination. (a) All or any part of the examination for dentists, dental therapists, dental hygienists, or dental assistants, except that pertaining to the law of Minnesota relating to dentistry and the rules of the board, may, at the discretion of the board, be waived for an applicant who presents a certificate of having passed all components of the National Board Dental Examinations or evidence of having maintained an adequate scholastic standing as determined by the board. (b) The board shall waive the clinical examination required for licensure for any dentist applicant who is a graduate of a dental school accredited by the Commission on Dental Accreditation, who has passed all components of the National Board Dental Examinations, and who has satisfactorily completed a postdoctoral general dentistry residency program (GPR) or an advanced education in general dentistry (AEGD) program after January 1, 2004. The postdoctoral program must be accredited by the Commission on Dental Accreditation, be of at least one year's duration, and include an outcome assessment evaluation assessing the resident's competence to practice dentistry. The board may require the applicant to submit any information deemed necessary by the board to determine whether the waiver is applicable.

Pathway 3: Licensure by Credential

Recommendation:

The current statute as written requires a clinical exam. It is essentially no different than an examination candidate. This is antiquated statute as many safe and quality dentists obtain licenses in a number of ways, which should not discount the safe provision of care over a period of time in another state as a licensed dentist. Consider a third pathway for licensure, alongside examination and endorsement candidates. Create a Licensure by Credential.

(a) Mirror Licensure by Credential, Minnesota – Subd 4.

(b) Mirror Licensure by Credential, Iowa - e. Evidence that the applicant has met at least one of the following: (1) Has less than three consecutive years of practice immediately prior to the filing of the application and evidence of successful passage of a board-approved clinical

examination pursuant to subrule 11.2 (2) within the previous five-year period; *or* (2) *Has for three consecutive years immediately prior to the filing of the application been in the lawful practice of dentistry in such other state, territory or district of the United States.*

(c) Mirror Licensure by Credential, Ohio - **Out-of-State** - (See **License Verification** above for instructions) Possess a license in good standing from another state and have actively engaged in the legal and reputable practice of dentistry in another state or in the armed forces of the United States, the United States public health service, or the United States department of veterans' affairs for five years immediately preceding application.

Pathway 4: Licensure by Reciprocity/Modification to DE 2.035

Recommendation:

- Modify “Service Member” nomenclature to include members of the Federal Dental Services of the US Public Health Service and the United States Department of Veterans’ Affairs in Statute 440.09 (b) - Reciprocal credentials for service members, former service members, and their spouses.
- Modify DE 2.035 to rightfully include the other Federal Dental Services for this pathway to licensure in the State of Wisconsin.”

Comparison with rules in adjacent states:

Illinois: For dentists, Illinois allows 2 different pathways to initial licensure. For graduates from a dental college or school in the United States or Canada, the applicant needs 60 semester hours or equivalent of college pre-dental education, and graduation from a dental program in the United States or Canada meeting certain requirements. CODA accreditation is not required for the program.

For graduates from a dental college or school outside of the United States or Canada, the applicant also needs one of the following options to verify clinical training: 1) Certification from an approved dental college or school in the United States or Canada that the applicant has completed a minimum of 2 years of general dental clinical training at the school in which the applicant met the same level of scientific knowledge and clinical competence as all graduates from that school or college; or 2) Completion of an accredited advanced dental education program approved by the Division of no less than 2 academic years. The accredited advanced dental education program must have sufficient clinical and didactic training. (The term “accredited” is not specific to CODA accreditation and is presumed to mean accredited by any accrediting body.) An advanced dental education clinical program in prosthodontics, pediatric dentistry, periodontics, endodontics, orthodontics, and oral and maxillofacial surgery is acceptable. [Illinois Administrative Code Title 68, Chapter VII, Subchapter b, Part 1220, Subpart A]

For initial licensure of dental hygienists, Illinois requires a dental hygiene program accredited by CODA of at least 2 academic years [Illinois Administrative Code Title 68, Chapter VII, Subchapter b, Part 1220, Subpart B].

Iowa: Iowa’s education requirements for initial licensure for dentists are basically the same as Wisconsin’s: graduation with a D.D.S. or D.M.D. or equivalent from a CODA-accredited dental

school or college. However, for foreign-trained applicants, they also allow the option of completion of a postgraduate general practice residency program of at least one academic year from a CODA-accredited dental school or college [650 Iowa Administrative Code 11.2 to 11.4].

For initial licensure of dental hygienists, Iowa requires a dental hygiene program accredited by CODA [650 Iowa Administrative Code 11.5 to 11.6].

Michigan: For initial licensure of dentists, Michigan requires a D.D.S. or D.M.D. degree from a CODA-accredited dental school or college or from a school that meets the CODA accreditation standards. For foreign trained applicants, they also allow the option of a minimum 2-year master's degree or certificate program in dentistry from a CODA-accredited school or from a school that meets the CODA accreditation standards in a specialty branch of dentistry [Michigan Administrative Rules R 338.11201 to 11202].

For initial licensure of dental hygienists, Michigan requires a dental hygiene program accredited by CODA or from a school that meets the CODA accreditation standards [Michigan Administrative Rules R 338.11221].

Minnesota: Minnesota issues licenses as either a general dentist or a specialty dentist. General dentists must graduate from a CODA-accredited school of dentistry. It is not specified that they need a D.D.S. or D.M.D. or equivalent [Minnesota Administrative Rules 3100.1100]. Specialty dentists must graduate from a school of dentistry and a postdoctoral specialty program accredited by CODA [Minnesota Administrative Rules 3100.1120].

For initial licensure of dental hygienists, Minnesota requires a dental hygiene program accredited by CODA [Minnesota Administrative Rules 3100.1200].

Summary of factual data and analytical methodologies:

The Board reviewed Wisconsin Administrative Code chapter DE 2 to determine where changes were needed to update regulations on licensure requirements.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis will be attached upon completion.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-2112.

Agency contact person:

Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Office of Chief Legal Counsel, 4822 Madison Yards Way, P.O. Box 14497, Madison, Wisconsin 53708; telephone 608-267-0989; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Office of Chief Legal Counsel, 4822 Madison Yards Way, P.O. Box 14497, Madison, WI 53708-0497, or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing to be included in the record of rule-making proceedings.

TEXT OF RULE

Disclaimer: all of the below rule language is draft language.

SECTION 1. DE 2.01 (1) (g) 1. is created to read:

1. The board may consider an applicant holding a certificate of completion from an accredited postdoctoral general dentistry GPR or AEGD program as evidence of successful completion of an examination from a board-approved testing service. Notwithstanding par. (g), **there is no time limit on the date of the certificate of completion.**

SECTION 2. DE 2.04 (1) (a) 3. is created to read:

DE 2.04 (1) (a) 3. **A specialty certification** in an American Dental Association specialty ~~for at least one year~~ from an accredited **program** ~~(institution)~~. This option is only available to applicants who also submit verification of **an unrestricted license to practice** as a dentist in the United States or Canada ~~[for a minimum of five of the past seven years]~~ [with no disciplinary orders or active pending investigations]. This option may include practice under a license granted pursuant to s. 447.04 (1) (c), Stats.

*The above language has changed, so please let me know with any feedback.
(The specialty degrees have a requirement of at least 2 academic years.)
(In the application process, they have to report any discipline or active pending investigations they have anyway. The board can then make a decision whether to grant the license.)*

SECTION 3. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

This Proposed Order of the Dentistry Examining Board is approved for submission to the Governor and Legislature.

Chair
Dentistry Examining Board

STATE OF WISCONSIN
DENTISTRY EXAMINING BOARD

| | | |
|-----------------------------|---|---------------------------|
| IN THE MATTER OF RULEMAKING | : | PROPOSED ORDER OF THE |
| PROCEEDINGS BEFORE THE | : | DENTISTRY EXAMINING BOARD |
| DENTISTRY EXAMINING BOARD | : | ADOPTING RULES |
| | : | (CLEARINGHOUSE RULE) |

PROPOSED ORDER

A proposed order of the Dentistry Examining Board to **repeal** DE 7.05 (3) (a) 1.; to **amend** DE 2.01 (1) (h) (Note) and (2) (intro.), 2.015 (4) (Note), 3.01, 3.02 (1) (b) and (c) (intro.), 5.02 (3), (14), (15), (21), (22), (24), (25), and (26), 7.03 (intro.) and (1), 7.04 (1) and (3) (b), 7.05 (intro.), (2) (b), (3) (c) and (d), 8.02 (1), 9.015 (2), 10.02 (2) (c) and (3) (c), 10.03 (2), 11.025 (3) (d) and (e), 12.01 (intro.), 12.02, 12.03 (1) and (2), 13.045 (6) (Note), 15.03 (Title) and (1), 15.04 (1), 15.05 (intro.) and (3), 16.04 (2), 16.05 (1) and (2), 17.01 (6), and 17.03 (5) (intro.); to **repeal and recreate** DE 2.035 (2) (a) (Note); and to **create** DE 1.02 (4) and (4b), 2.01 (2) (e), and 2.06 and 2.07 relating to the dentist and dental hygienist compact.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Sections 447.04 (1) (bm) and (2) (bm), Stats.

Statutory authority: Sections 15.08 (5) (b) and 227.11 (2) (a), Stats.

Explanation of agency authority:

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., provides that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Related statute or rule: 2023 Wisconsin Act 88.

Plain language analysis:

The objective of the proposed rule is to implement the statutory changes from 2023 Wisconsin Act 88, which may include revisions to DE 1 to 17. The Board intends to

update the Administrative Code Chapters DE 1 to 17 to bring them into alignment with 2023 Wisconsin Act 88. The Act ratifies and enters Wisconsin into the Dentist and Dental Hygienist Compact, providing individuals with the ability to become eligible to practice in Wisconsin and other compact states. The Board will consider updating the code to include compact privileges for dentists and dental hygienists. The Board may also update obsolete references and inconsistent provisions in DE 1 to 17.

Summary of, and comparison with, existing or proposed federal regulation: None.

Summary of public comments received on statement of scope:

The board received two public comments on the scope statement, in support of the scope statement. Dr. Chris Hansen, representing the Wisconsin Dental Association, made the following comment:

“Good morning; Chair Dr. Bistan, Wisconsin Dental Examining Board members, Department of Safety and Professional Services staff and guests.

My name is Dr. Chris Hansen, I currently serve as president of the Wisconsin Dental Association (WDA), have been a dentist for over 40 years, and recently retired from my practice in Two Rivers.

Like many other sectors in our state economy, dentistry is experiencing severe workforce shortages. Between 2015 and 2018 in our small town of Two Rivers, we experienced the retirement of three dentists within 18 months with no successors available to take their place. We went from five dentists in a town of 13,000 (1/2000 is a more ideal ratio) to two in a short time. Usually, dentists can overcome this issue with technology and improved efficiency, but when there is a shortage of auxiliary personnel, it compounds the access issue and worsens the problem.

First, I would like to continue to thank all members of the Wisconsin Legislature and Governor Evers for their support of this crucial bipartisan legislation to improve access to oral healthcare in Wisconsin.

Second, I would like to congratulate longtime WDA member Dr. Matt Bistan for being selected as Wisconsin's first Commissioner as part of the Dentist and Dental Hygienist (DDH) Compact Commission. There is no doubt; he will serve as a fine leader as we move through this new experience together. Thank you board members for your thoughtful consideration.

The WDA recognizes there are workforce shortage issues in our state, and we need to use all the tools available to improve access to oral healthcare. To that point: the WDA believes the Licensure Compacts will streamline that process and will work to attract dentists and dental hygienists from nearby states through participation in the Compact Agreement.

License portability is an important issue with younger dentists and will encourage the migration of professionals into Wisconsin. The WDA believes when professionals from other surrounding states see the economic opportunity and the quality-of-life Wisconsin communities have to offer, it will be a net positive draw into our state.

The Wisconsin Dental Association stands ready to offer any assistance/guidance we can provide and pledges to work with all interested parties to advance the shared goals of the Dental Examining Board and DDH Compact Commission throughout this onboard process.

Thank you for your time, and I welcome any questions.”

Dr. Marinho Del Santo gave comments along the same lines, broadly in support of the goal of including Wisconsin in the compact. He echoed the previous comment by Dr. Hansen. He mentioned he is currently licensed as a dentist in four other states, and now because of the compact, he will be able to be licensed in Wisconsin. He loves Wisconsin and said it will be a great pleasure to stay and work in the state. Finally, he emphasized the importance of the economic impact the compact will have on the state’s economy, saying he believes the compact will attract professionals to come practice in the state and grow the state’s businesses.

Comparison with rules in adjacent states:

Illinois:

Illinois is not part of the dentist and dental hygienist compact. They currently have no pending legislation to join the compact.

Iowa:

Iowa is part of the dentist and dental hygienist compact [Chapter 147G, Iowa Code].

Michigan:

Michigan is not part of the dentist and dental hygienist compact. They currently have no pending legislation to join the compact.

Minnesota:

Minnesota is part of the dentist and dental hygienist compact [Minnesota Statutes, part 150A.051].

Summary of factual data and analytical methodologies:

The Board reviewed Wisconsin Administrative Code chapters DE 1 to 17 to determine where changes were needed to implement the compact.

Analysis and supporting documents used to determine effect on small business or in preparation of economic impact analysis:

The proposed rules will be posted for a period of 14 days to solicit public comment on economic impact, including how the proposed rules may affect businesses, local government units, and individuals.

Fiscal Estimate and Economic Impact Analysis:

The Fiscal Estimate and Economic Impact Analysis will be attached upon completion.

Effect on small business:

These proposed rules do not have an economic impact on small businesses, as defined in s. 227.114 (1), Stats. The Department's Regulatory Review Coordinator may be contacted by email at Jennifer.Garrett@wisconsin.gov, or by calling (608) 266-2112.

Agency contact person:

Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Office of Chief Legal Counsel, 4822 Madison Yards Way, P.O. Box 14497, Madison, Wisconsin 53708; email at DSPSAdminRules@wisconsin.gov.

Place where comments are to be submitted and deadline for submission:

Comments may be submitted to Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Office of Chief Legal Counsel, 4822 Madison Yards Way, P.O. Box 14497, Madison, Wisconsin 53708-0497; or by email to DSPSAdminRules@wisconsin.gov. Comments must be received on or before the public hearing to be included in the record of rule-making proceedings.

TEXT OF RULE

SECTION 1. DE 1.02 (4) and (4b) are created to read:

DE 1.02 (4) "Compact" means the dentist and dental hygienist licensure compact under s. 447.50, Stats.

(4b) "Compact privilege" has the meaning given in s. 447.01 (1u), Stats.

SECTION 2. DE 2.01 (1) (h) (Note) is amended to read:

Note: Instructions for applications are available on the department of safety and professional services' website at <http://dsps.wi.gov> ~~or by calling (608) 266-2112.~~

SECTION 3. DE 2.01 (2) (intro.) is amended to read:

DE 2.01 (2) An applicant for license as a dental hygienist shall meet requirements in sub. (1) (a) ~~through (d)~~ and (c) and shall also submit to the board all of the following:

Sub. (1) (d) is “an examination on the statutes and rules relating to dentistry” – is this what the dental hygienists are taking? This is a discrepancy from the statute language 447.04(2)(a)5. “Passes an examination administered by the examining board on the statutes and rules relating to dental hygiene.” Should we fix this, since this is also a cleanup rule?

SECTION 3. DE 2.01 (2) (e) is created to read:

DE 2.01 (2) (e) Evidence of successful completion of an examination on the statutes and rules relating to dental hygiene.

The above creation is the fix for the issue pointed out and amended above.

SECTION 3. DE 2.015 (4) (Note) is amended to read:

Note: Instructions for applications are available on the department of safety and professional services’ website at <http://dsps.wi.gov> ~~or by calling (608) 266-2112~~.

SECTION 4. DE 2.035 (2) (a) (Note) is repealed and recreated to read:

DE 2.035 (2) (a) Note: Instructions for applications are available on the department of safety and professional services’ website at <http://dsps.wi.gov>.

SECTION 5. DE 2.06 and 2.07 are created to read:

DE 2.06 Compact privilege requirements for dentists. An applicant for a compact privilege as a dentist shall meet all of the following requirements:

(1) Submit an application for compact privilege to the department.

Note: Application instructions for compact privilege may be obtained from the department of safety and professional services’ website at <http://dsps.wi.gov>.

(2) Pay the applicable fee specified in s. 447.51 (2), Stats.

(3) Pass an examination administered by the examining board on the statutes and rules relating to dentistry.

(4) Satisfy all other applicable requirements under s. 447.50 (4), Stats.

DE 2.07 Compact privilege requirements for dental hygienists. An applicant for a compact privilege as a dental hygienist shall meet all of the following requirements:

(1) Submit an application for compact privilege to the department.

Note: Application instructions for compact privilege may be obtained from the department of safety and professional services' website at <http://dsps.wi.gov>.

(2) Pay the applicable fee specified in s. 447.51 (2), Stats.

(3) Pass an examination administered by the examining board on the statutes and rules relating to dental hygiene.

(4) Satisfy all other applicable requirements under s. 447.50 (4), Stats.

2.06 and 2.07 are directly from 447.04(1)(bm) and 447.04(2)(bm)

SECTION 6. DE 3.01 is amended to read:

DE 3.01 Supervision. A dental hygienist shall practice under the supervision of a licensed dentist, dentist with a compact privilege, or dental therapist in a dental facility or a facility specified in s. 447.06 (2), Stats., if applicable.

SECTION 7. DE 3.02 (1) (b) and (c) (intro.) are amended to read:

DE 3.02 (1) (b) A dental hygienist may practice dental hygiene or perform remediable procedures only as authorized by a licensed dentist, dentist with a compact privilege, or dental therapist who is present in the facility in which those practices or procedures are performed, except as provided in par. (c).

DE 3.02 (1) (c) (intro.) A dental hygienist may practice dental hygiene or perform remediable procedures if a licensed dentist, dentist with a compact privilege, or dental therapist is not present in the facility in which those practices or procedures are performed only if all of the following conditions are met:

SECTION 8. DE 5.02 (3), (14), (15), (21), (22), (24), (25), and (26) are amended to read:

DE 5.02 (3) Practicing or attempting to practice beyond the scope of any license, ~~or~~ certificate, or compact privilege.

(14) Having a license, certificate, permit, or registration granted by another state to practice as a dentist, dental therapist, ~~or~~ dental hygienist, or expanded function dental auxiliary limited, suspended or revoked, or subject to any other disciplinary action.

Here, EFDA should have been added in by the EFDA rule but was missed.

(15) Violating any law or being convicted of a crime the circumstances of which substantially relate to the practice of a dentist, dental therapist, ~~or~~ dental hygienist, or expanded function dental auxiliary.

Same as above.

(21) Aiding or abetting or permitting unlicensed persons or persons without a compact privilege in the practice of dentistry, as defined in s. 447.01 (8), Stats.

(22) Aiding or abetting or permitting unlicensed persons or persons without a compact privilege in the practice of dental hygiene, as defined in s. 447.01 (3), Stats.

(24) Failing to hold a current certificate in cardiopulmonary resuscitation unless the credential holder or compact privilege holder has obtained a waiver from the board based on a medical evaluation documenting physical inability to comply. A waiver shall be issued by the board only if it is satisfied that another person with current certification in CPR is immediately available to the credential holder or compact privilege holder when patients are present.

(25) After a request by the board, failing to cooperate in a timely manner with the board's investigation of complaints filed against the applicant, certified individual, ~~or~~ licensee, or compact privilege holder. There is a rebuttable presumption that a licensee, certified individual, ~~or~~ applicant, or compact privilege holder who takes longer than 30 days to respond to a request of the board has not acted in a timely manner under this subsection.

(26) Practicing under an expired license or revoked certificate of registration.

Not sure if this edit is needed, or what the context is for the sub. (26).

Jameson comment: Thinking about it, I'm not sure either. EFDA certificates don't expire. Maybe it should be "practicing under an expired license or revoked certificate?"

SECTION 9. DE 7.03 (intro.) and (1) are amended to read:

DE 7.03 Qualifications for certification of licensed dental hygienists or dental hygienists with a compact privilege to administer local anesthesia. An applicant for certification to administer local anesthesia shall be granted a certificate by the board if the applicant complies with all of the following:

(1) Has a current license or compact privilege to practice as a dental hygienist in this state.

SECTION 10. DE 7.04 (1) and (3) (b) are amended to read:

DE 7.04 (1) The dental hygienist license number or compact privilege number in this state and the signature of the applicant.

(3) (b) Shall indicate that the inferior alveolar injection was completed within 6 weeks from the time that the licensed dental hygienist completed the coursework; or, if licensed by endorsement of a dental hygienist license from another state or with a compact privilege, within 6 weeks of becoming licensed or obtaining a compact privilege to practice as a dental hygienist in this state.

SECTION 11. DE 7.05 (intro.), (2) (b), (3) (c) and (d) are amended to read:

DE 7.05 Educational requirements. The following educational requirements are necessary for the board to approve and grant certification to a licensed dental hygienist or a dental hygienist with compact privilege in the administration of local anesthesia:

(2) (b) Provide proof of possessing a license or compact privilege to practice as a dental hygienist in this state, or having graduated from an accredited dental hygiene program, or of being enrolled in an accredited dental hygiene program.

(3) (c) Students performing injections as part of the clinical coursework shall successfully perform all local anesthesia injections on their classmates as well as perform at least one successful inferior alveolar injection on a non-classmate patient. For those licensed dental hygienists or dental hygienists with a compact privilege who are completing this course in the continuing education environment, the injection on a non-classmate patient may be performed in the office where the dental hygienist is employed, as long as the employer-dentist agrees to supervise and submit verification of the successful completion of the injection.

(3) (d) A dentist licensed or with a compact privilege under ch. 447, Stats., shall be present in the facility and available to both the patients and to the students of the class.

SECTION 12. DE 7.05 (3) (a) 1. is repealed.

The current 7.05 (3) (a) 1. an accidental duplicate of (2) (b) above; Jameson concurs.

SECTION 13. DE 8.02 (1) is amended to read:

DE 8.02 (1) “Patient” means a person who receives dental services from a licensed dentist, dental therapist, or dental hygienist, or from a dentist or dental hygienist with a compact privilege.

SECTION 14. DE 9.015 (2) is amended to read:

DE 9.015 (2) “Work authorization” means an official, signed request to a laboratory from a licensed dentist or a dentist with a compact privilege.

SECTION 15. DE 10.02 (2) (c) and (3) (c) are amended to read:

DE 10.02 (2) (c) A list of all employees, contractors, or volunteers who are providing dental, dental therapy, or dental hygiene care in Wisconsin. The list shall include the Wisconsin license number or compact privilege number for each person providing dental, dental therapy, or dental hygiene care.

(3) (c) A list of all employees, contractors or volunteers who are providing dental, dental therapy, or dental hygiene care in Wisconsin. The list shall include the Wisconsin license number or compact privilege number for each person providing dental care.

SECTION 16. DE 10.03 (2) is amended to read:

DE 10.03 (2) At the time of providing services, give each patient a written description of the dental services provided for that patient, any provider's name and license number or compact privilege number, and the findings and recommendations.

SECTION 17. DE 11.025 (3) (d) and (e) are amended to read:

DE 11.025 (3) (d) Evidence of current licensure or compact privilege to practice dentistry in the state of Wisconsin.

DE 11.025 (3) (e) Evidence of current certification in Advanced Cardiovascular Life Support or Pediatric Advanced Life Support through a course that is certified by the American Heart Association. Pediatric Advanced Life Support is required if treating pediatric patients and is a sufficient certification by itself if the licensee or compact privilege holder is treating both pediatric and adult patients.

SECTION 18. DE 12.01 (intro.) is amended to read:

DE 12.01 Nondelegated functions. A dentist or dental therapist may not delegate any dental procedure of any description to an unlicensed person or person without a compact privilege if the procedure or function to be delegated is any of the following:

SECTION 19. DE 12.02 is amended to read:

DE 12.02 Training. A dentist or dental therapist who delegates any remediable dental procedure or function to an unlicensed person or person without a compact privilege shall first provide training to or verify competency of the person in the performance of the procedure or function.

Section 18, 19, and 20 of the rule is where the language starts to get awkward, because it is essentially talking about unlicensed practice, and I'm not sure if it is necessary to add the phrase "or person without a compact privilege" after "unlicensed person".

SECTION 20. DE 12.03 (1) and (2) are amended to read:

DE 12.03 Reporting violations. (1) A licensee or compact privilege holder shall report to the board any dentist or dental therapist who is improperly delegating the performance of any dental or dental therapy procedure or function to an unlicensed person or person without a compact privilege, or is delegating to a person performing any dental or dental therapy procedure or function in a manner which is less than minimally competent.

(2) A licensee or compact privilege holder who fails to report the circumstances as specified in sub. (1) constitutes aiding and abetting the violation of a law substantially related to the practice of dentistry, dental therapy, or dental hygiene, and shall be in violation of s. DE 5.02 (20), (21), (21m), or (22).

SECTION 21. DE 13.045 (6) (Note) is amended to read:

Note: The continuing education certification statement form is available on the department's website at <http://dsps.wi.gov>. Completed forms can be mailed to the department at 4822 Madison Yards Way, Madison, WI 53705.

What is the current procedure for EFDA's to electronically send in their continuing education form?

*The link to the continuing education form is broken on the current EFDA page:
<https://dsps.wi.gov/Pages/Professions/EFDA/Default.aspx>*

SECTION 22. DE 15.03 (Title) and (1) are amended to read:

DE 15.03 Qualifications for certification of licensed dental hygienists or dental hygienists with a compact privilege to administer nitrous oxide inhalation analgesia. The board shall grant certification to administer nitrous oxide inhalation analgesia to an applicant who satisfies all of the following conditions:

(1) The applicant holds a valid license or compact privilege to practice as a dental hygienist in this state.

SECTION 23. DE 15.04 (1) is amended to read:

(1) The dental hygienist license number or compact privilege number in this state and the signature of the applicant.

SECTION 24. DE 15.05 (intro.) and (3) are amended to read:

DE 15.05 Educational requirements. The board shall grant certification to administer nitrous oxide inhalation analgesia to a licensed hygienist or hygienist with a compact privilege who completes a certification program that meets all of the following:

(3) The certification program shall have a dentist licensed or with a compact privilege under ch. 447, Stats., present in the facility and available to both the patients and to the students of the class.

SECTION 25. DE 16.04 (2) is amended to read:

DE 16.04 (2) At least 2,000 hours of practice as a dental assistant, verified by a supervising licensed dentist or dentist with a compact privilege.

SECTION 26. DE 16.05 (1) and (2) are amended to read:

DE 16.05 Supervised practice. (1) An auxiliary certified under s. 447.04 (3), Stats., may perform any of the functions listed in s. 447.035 (2), Stats., under the supervision of a Wisconsin licensed dentist or dentist with a compact privilege.

(2) The supervising licensed dentist or dentist with a compact privilege who has delegated a procedure to an auxiliary certified under s. 447.04 (3), Stats., shall remain on the premises for the duration of the delegated procedure and verify that the procedure has been performed successfully.

SECTION 27. DE 17.01 (6) is amended to read:

(6) “Supervising dentist” means a licensed dentist or dentist with a compact privilege supervising a dental therapist under a collaborative management agreement described in s. DE 17.03 (5).

SECTION 28. DE 17.03 (5) (intro.) is amended to read:

(5) Prior to providing any dental therapy services, a dental therapist shall enter into a written collaborative management agreement with a licensed dentist or dentist with a compact privilege who will serve as a supervising dentist under the requirements of this chapter. The dentist must be licensed or hold a compact privilege in this state and must be actively involved in direct patient care in this state, to the satisfaction of the board. The agreement must be signed by the dental therapist and the supervising dentist and address all of the following:

In the remainder of chapter DE 17, I don't think there is anything else that needs to change, other than the mentions of “unlicensed staff/persons”. This is tricky – I'm not sure if that should be amended to read something like “unlicensed person or person without a compact privilege”. Or if they shouldn't be amended at all. This also applies to chapter DE 12, but I found those edits easier to make. Although I'm still not sure if they should be done.

SECTION 29. DE 17.05 (2) (intro.) is amended to read:

(2) DENTAL THERAPIST SUPERVISION OF UNLICENSED STAFF. (a) A dental therapist may delegate to an **unlicensed person** the performance of remediable procedures under the requirements of s. 447.065 (1), Stats., and ch. DE 12 only if all of the following conditions apply:

1. The unlicensed individual performs the remediable procedures in accordance with a treatment plan approved by the dentist or dental therapist.
2. The unlicensed individual remains under the direct supervision of the dental therapist for the duration of the procedure.
3. The unlicensed individual's performance of the remediable procedures is subject to inspection by the dentist or dental therapist

SECTION 3. EFFECTIVE DATE. The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin Administrative Register, pursuant to s. 227.22 (2) (intro.), Stats.

(END OF TEXT OF RULE)

This Proposed Order of the Dentistry Examining Board is approved for submission to the Governor and Legislature.

Dated _____

Chair
Dentistry Examining Board

STATEMENT OF SCOPE

DENTISTRY EXAMINING BOARD

Rule No.: DE 1, 3, and 5

Relating to: Scope of Practice for Dental Hygienists

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is to clarify and add detail to the scope of practice and prohibited practices for dental hygienists, which may include revisions to DE 1, 3, and 5.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Current regulations on scope of practice and prohibited practices for dental hygienists are in Wis. Stats. ss. 447.01 (3), 447.06 (2) (d), and Wis. Admin. Code ch. DE 3, Practice of Dental Hygiene. The Board has identified a need to clarify the regulations on these topics in the Board's code in ch. DE 3 and ch. DE 5, Unprofessional Conduct. Specifically, the Board would like to discuss and consider whether dental hygienists are allowed to administer botox (botulinum toxin). The Board will consider updating the code to clarify whether this is allowed and may consider other potential updates.

An alternative would be not to revise the code, which would leave the requirements unclear and can create confusion for licensees, patients, and regulators.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides that an examining board "[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession."

Section 227.11 (2) (a), Stats., provides that "[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation."

Section 447.01 (3), Stats., provides the definition of dental hygiene. "Dental hygiene" means the performance of educational, preventive or therapeutic dental services. "Dental hygiene" includes any of the following:

(a) Removing supragingival or subgingival calcareous deposits, subgingival cement or extrinsic stains from a natural or restored surface of or a fixed replacement for a human tooth.

(b) Deep scaling or root planing a human tooth.

(c) Conditioning a human tooth surface in preparation for the placement of a sealant and placing a sealant.

(d) Conducting a substantive medical or dental history interview or preliminary examination of a dental patient's oral cavity or surrounding structures, including the preparation of a case history or recording of clinical findings.

(e) Conducting an oral screening without the written prescription of a dentist.

(f) Participating in the development of a dental patient's dental hygiene treatment plan.

(g) Any other practice specified in the rules promulgated under s. 447.02 (1) (d)."

Section 447.06 (2) (d), Stats.: "A dental hygienist may not diagnose a dental disease or ailment, determine any treatment or any regimen of any treatment outside of the scope of dental hygiene, prescribe or order medication or perform any procedure that involves the intentional cutting of soft or hard tissue of the mouth by any means."

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

Approximately 80 hours.

6. List with description of all entities that may be affected by the proposed rule:

Licensed dentists, dental hygienists, and their patients.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

Contact Person: Jake Pelegrin, Administrative Rule Coordinator, DSPSAdminRules@wisconsin.gov, (608) 267-0989.

Approved for publication:

Approved for implementation:

Authorized Signature

Authorized Signature

Date Submitted

Date Submitted

STATEMENT OF SCOPE

DENTISTRY EXAMINING BOARD

Rule No.: DE 11

Relating to: Sedation Permits Obsolete Provisions

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective of the proposed rule is to discuss and consider modifying obsolete provisions related to sedation permits for dentists, which may include revisions to DE 11.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Current rules that allow for licensed dentists to induce anesthesia or sedation are in Wis. Admin. Code ch. DE 11, Anesthesia. Specifically, dentists may be issued sedation permits that allow them to induce different levels of sedation or anesthesia. A previous rule removed the requirement to hold a Class I permit to induce minimal sedation. It also allowed dentists who held a Class I permit as of August 31, 2020 to receive the new class II permit – enteral under specific conditions. As of September 1, 2025, it is no longer possible to meet those conditions. The Board would like to discuss and consider revising or removing this provision and may consider revisions to other obsolete provisions.

An alternative would be not to revise the code, which would leave the requirements unclear and can create confusion for licensees, patients, and regulators.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides that an examining board “[s]hall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.”

Section 227.11 (2) (a), Stats., provides that “[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute, but a rule is not valid if the rule exceeds the bounds of correct interpretation.”

Section 447.02 (2), Stats.: “The examining board shall promulgate rules specifying all of the following:

(b) The standards, conditions and any educational requirements that are in addition to the requirements specified in s. 447.04 (1) that must be met by a dentist to be permitted to induce general anesthesia or conscious sedation in connection with the practice of dentistry.”

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

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Approximately 80 hours.

6. List with description of all entities that may be affected by the proposed rule:

Licensed dentists and their patients.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

None.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

Contact Person: Jake Pelegriin, Administrative Rule Coordinator, DSPSAdminRules@wisconsin.gov, (608) 267-0989.

Approved for publication:

Approved for implementation:

Authorized Signature

Authorized Signature

Date Submitted

Date Submitted

Dentistry Examining Board
Rule Projects

| Clearinghouse Rule Number | Scope # | Scope Implementation | Scope Expiration | Code Chapter Affected | Relating clause | Current Stage | Next Step |
|----------------------------------|----------------|-----------------------------|-------------------------|------------------------------|--|----------------------------------|---|
| 25-052 | 054-24 | 7/16/2024 | 11/20/2026 | DE 5, 8, and 14 | Informed Consent | Rule adoption. | Rule effective 1/1/26. |
| | 053-24 | 7/16/2024 | 11/20/2026 | DE 1 to 17 | Dentist and Dental Hygienist Compact | Rule drafting | Board approval of prelim rule draft. |
| | 004-25 | 3/7/2025 | 7/27/2027 | DE 1, 5, and 6 | Unprofessional Advertising | Rule drafting. | Board approval of prelim rule draft. |
| | 021-25 | 5/7/2025 | 10/7/2027 | DE 1 and 2 | Licensure Requirements | Rule drafting. | Board approval of prelim rule draft. |
| | 056-25 | 11/6/2025 | 2/25/2028 | DE 1, 5, 8, 10, and 18 | Dental Practice Record Management and Dental Franchising | Rule drafting. | Board approval of prelim rule draft. |
| | | | | DE 1, 3, and 5 | Scope of Practice for Dental Hygienists | Board review of scope statement. | Board approval of scope for next steps. |
| | | | | DE 11 | Sedation Permits Obsolete Provisions | Board review of scope statement. | Board approval of scope for next steps. |