

STATE OF WISCONSIN
DENTISTRY EXAMINING BOARD

IN THE MATTER OF RULEMAKING : NOTICE OF TIME PERIOD
PROCEEDINGS BEFORE THE : FOR COMMENTS FOR THE
DENTISTRY EXAMINING BOARD : ECONOMIC IMPACT ANALYSIS

NOTICE IS HEREBY GIVEN of the time period for public comment on the economic impact of this proposed rule of the Dentistry Examining Board, including how this proposed rule may affect businesses, local government units and individuals. The comments will be considered when the Department of Safety and Professional Services prepares the Economic Impact Analysis pursuant to § 227.137. Written comments may be submitted to:

Jake Pelegrin, Administrative Rules Coordinator
Office of Chief Legal Counsel
Department of Safety and Professional Services
PO Box 14497
Madison, WI 53708-0497
DSPSAdminRules@wisconsin.gov

The deadline for submitting economic impact comments is March 17, 2026.

PROPOSED ORDER

A proposed order of the Dentistry Examining Board 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) 4. and (b), Stats.

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

Related statute or rule: None.

Plain language analysis:

The objective of the proposed rule is to expand licensure pathways for dentists. For initial licensure, current code requires applicants to complete an examination from a board-approved testing service within one year immediately preceding their application. The proposed rule allows a CODA accredited GPR or AEGD program to count as this requirement. For reciprocity licensure, current code requires a DDS or DMD degree or equivalent from a CODA accredited dental school. The proposed rule allows holding a specialty certification in an American Dental Association specialty as an additional option for receiving reciprocity licensure.

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

Summary of public comments received on statement of scope:

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

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

DE 2.01 (1) (g) 1. The board may consider an applicant holding a certificate of completion from an accredited postdoctoral general practice residency in dentistry or an accredited postdoctoral advanced education in general dentistry 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 from an accredited program. 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.

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)
