State of Wisconsin Department of Safety and Professional Services

4822 Madison Yards Way, PO Box 8366,
Madison, WI 53708-8366

608.266.2112 | 877.617.1565
safety.wi.gov

Tony Evers, Governor
Dan Hereth, Secretary

HYBRID (IN-PERSON/VIRTUAL)
DENTISTRY EXAMINING BOARD
N208, 4822 Madison Yards Way, 2nd Floor, Madison
Contact: Will Johnson (608) 266-2112
November 4, 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.

Be advised that board members may attend meetings designated as "Hybrid" in-person or virtually.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

A. Pledge of Allegiance

B. Adoption of Agenda (1-3)

C. Approval of Minutes of September 2, 2026 (4-7)

D. Reminders: Conflicts of Interest, Scheduling Concerns

E. Introductions, Announcements and Recognition

F. Administrative Matters
1. Department, Staff and Board Updates
2. Board Members – Term Expiration Dates
   a. Alton, Troy – 7/1/2029
   b. Bharatkumar, Aditi – 7/1/2029
   c. Fox, Joan – 7/1/2029
   d. Hansen, Chris – 7/1/2030
   e. Jorgenson, Linda – 7/1/2028
   f. Kolste, Debra – 7/1/2028
   g. Lamers, Michelle – 7/1/2030
   h. Raimann, Thomas – 7/1/2030
   i. Schroeder, Kelly – 7/1/2030
   j. Wiese, Paige – 7/1/2030

G. Administrative Rule Matters – Discussion and Consideration (8-16)
1. Discussion of DE 1, 5, 8, 10 – Dental Practice Records Management
2. Preliminary Rule Draft for DE 11 – Sedation Permits Obsolete Provisions

3. Discussion of DE 1, 3, 5 – Scope of Practice for Dental Hygienists
4. Pending or Possible Rulemaking Projects

H. Dentist and Dental Hygienist Compact – Discussion

I. Legislative and Policy Matters – Discussion and Consideration

J. 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

K. 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.).

L. Deliberation on Division of Legal Services and Compliance (DLSC) Matters
1. Case Closings
a. 24 DEN 0070 – R.J.B. **(17-20)**
b. 24 DEN 0155 – E.I. **(21-25)**
c. 25 DEN 0022 – S.R.G. **(26-35)**
d. 25 DEN 0051 – E.C. **(36-40)**

e. 25 DEN 0077 – C.A. **(41-46)**

M. 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 Orders
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

N. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

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

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

ADJOURNMENT

NEXT MEETING: JANUARY 6, 2027

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. 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 the 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. Alternatively, reach the Meeting Staff by calling 608-267-7213.

TELECONFERENCE/VIRTUAL
DENTISTRY EXAMINING BOARD
MEETING MINUTES
SEPTEMBER 2, 2026

PRESENT: Troy Alton, DDS; Aditi Bharatkumar, DDS; Joan Fox, DDS; Chris Hansen, DDS; Linda Jorgenson, RDH; Debra Kolste; Michelle Lamers, DDS; Thomas Raimann, DDS; Paige Wiese, RDH

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

Troy Alton, Chairperson, called the meeting to order at 9:00 a.m. A quorum was confirmed with nine (9) members present.

ADOPTION OF AGENDA

Amendments to the Agenda:

- *Introduction: Michelle Lamers, Dentist Member (Succeeds: Govani)*
- *Addition of Closed Session case 23 DEN 191 – Ronald Moon*

MOTION: Debra Kolste moved, seconded by Joan Fox, to adopt the Agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES OF JUNE 24, 2026

MOTION: Joan Fox moved, seconded by Debra Kolste, to approve the Minutes of June 24, 2026, as published. Motion carried unanimously.

INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION

Recognitions: Shaheda Govani, Dentist Member (Resigned 7/2026), David Gundersen, Dentist Member (Resigned 6/2026), Peter Sheild, Dentist Member (Resigned 8/2026), Katherine Schrubbe, Dental Hygienist Member (Resigned 7/2026) and Lisa Bahr, Dental Hygienist Member (Resigned 8/2026)

MOTION: Troy Alton moved, seconded by Debra Kolste, to recognize and thank Shaheda Govani, David Gundersen, Peter Sheild, Katherine Schrubbe and Lisa Bahr for the years of dedicated service to the Board and State of Wisconsin. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Secretary

NOMINATION: Aditi Bharatkumar nominated themself for the Office of Secretary. Aditi Bharatkumar accepted the nomination.

Will Johnson, Executive Director, called for nominations three (3) times.

Aditi Bharatkumar was elected as Secretary by unanimous voice vote.

2026 OFFICERS	
Chairperson	Troy Alton
Vice Chairperson	Joan Fox
Secretary	Aditi Bharatkumar

Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing Liaisons	Chris Hansen *(Dentistry),* Linda Jorgenson *(Dental Hygiene)* *Alternate:* Troy Alton
Education and Examination Liaison	Linda Jorgenson, Thomas Raimann *Alternate:* Paige Wiese
Monitoring Liaison	Joan Fox *Alternate:* Debra Kolste
Professional Assistance Procedure (PAP) Liaison	Joan Fox *Alternate:* Debra Kolste
Legislative Liaison	Debra Kolste, Chris Hansen *Alternate:* Troy Alton
Travel Authorization Liaison	Troy Alton *Alternate:* Joan Fox
Website Liaison	Paige Wiese Alternate: Thomas Raimann
PDMP Liaison/ Appointed to Controlled Substances Board as per Wis. Stats. §15.405(5g)	Joan Fox *Alternate:* Troy Alton
Screening Panel Members	Troy Alton, Debra Kolste, Linda Jorgenson, Aditi Bharatkumar *Alternate:* Chris Hansen

Licensure Forms Committee	Michelle Lamers, Thomas Raimann *Alternate:* Aditi Bharatkumar
Dentist and Dental Hygienist Compact Commissioner	Matthew Bistan *Alternate:* Linda Jorgenson

PRESENTATION FROM STEPHEN PRISBY, AMERICAN BOARD OF DENTAL EXAMINERS

MOTION: Troy Alton moved, seconded by Chris Hansen, to acknowledge and thank Steven Prisby for their appearance and presentation to the Board. Motion carried unanimously.

CLOSED SESSION

MOTION: Linda Jorgenson 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.). Troy Alton, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Troy Alton-yes; Aditi Bharatkumar-yes; Joan Fox-yes; Chris Hansen-yes; Linda Jorgenson-yes; Debra Kolste-yes; Michelle Lamers-yes; Thomas Raimann-yes; and Paige Wiese-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:59 a.m.

CREDENTIALING MATTERS

Application Review

L.R. – Dentist Application (IA- 876615)

MOTION: Troy Alton moved, seconded by Linda Jorgenson, to approve the Dentist Application (IA-876615), once all requirements are met. Motion carried unanimously.

R.B. – Dental Therapist Application (IA-962777)

MOTION: Linda Jorgenson moved, seconded by Joan Fox, to approve the Dentist Application (IA-962777), once all requirements are met. Motion carried unanimously.

DIVISION OF LEGAL SERVICES AND COMPLIANCE (DLSC) MATTERS

Proposed Stipulations, Final Decisions and Orders

MOTION: Debra Kolste moved, seconded by Linda Jorgenson, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of the following cases:
23 DEN 191 – Ronald Moon
25 DEN 0032 – Diep N. Tran
25 DEN 0210 – Daniel W. McKinnon
Motion carried unanimously.

Case Closings

MOTION: Joan Fox moved, seconded by Troy Alton, to close the following DLSC Cases for the reasons outlined below:
24 DEN 0076 – M.B.K. – No Violation
24 DEN 0091 – U. – Insufficient Evidence
25 DEN 0212 – D.C.G. – No Violation
Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: Troy Alton moved, seconded by Chris Hansen, to reconvene in Open Session. Motion carried unanimously.

The Board reconvened to Open Session at 11:49 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Debra Kolste moved, seconded by Linda Jorgenson, 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: Chris Hansen, seconded by Joan Fox, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:51 a.m.

State of Wisconsin
Department of Safety & Professional Services

AGENDA REQUEST FORM

1) Name and title of person submitting the request:	2) Date when request submitted:
Jake Pelegrin **Administrative Rules Coordinator**	**10/23/26** **Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting**

3) Name of Board, Committee, Council, Sections:

Dentistry Examining Board

4) Meeting Date:	5) Attachments:	6) How should the item be titled on the agenda page?
11/4/26	☒ Yes ☐ No	**Administrative Rule Matters – Discussion and Consideration** 1. Discussion of DE 1, 5, 8, 10 - Dental Practice Records Management 2. Preliminary rule draft for DE 11 - Sedation Permits Obsolete Provisions 3. Discussion of DE 1, 3, 5 - Scope of Practice for Dental Hygienists 4. Pending or possible rulemaking projects

7) Place Item in:	8) Is an appearance before the Board being scheduled? *(If yes, please complete Appearance Request for Non-DSPS Staff)*	9) Name of Case Advisor(s), if required:
☒ Open Session ☐ Closed Session	☐ Yes ☒ No	**N/A**

10) Describe the issue and action that should be addressed:

Attachments:
-Preliminary rule draft for DE 11
-Scope statement and rule drafting materials for DE 1, 3, 5
-Dentistry Rules Chart

11) Authorization

Jake Pelegrin 10/23/26

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.

STATE OF WISCONSIN
DENTISTRY EXAMINING BOARD

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

PROPOSED ORDER

A proposed order of the Dentistry Examining Board to ***repeal*** DE 11.02 (1s) and 11.025 (3) (j) and (Note); and to ***amend*** DE 11.025 (2) (intro.) and (3) (intro.) relating to sedation permits obsolete provisions.

Analysis prepared by the Department of Safety and Professional Services.

ANALYSIS

Statutes interpreted: Section 447.02 (2) (b), Stats.

Statutory authority: Sections 15.08 (5) (b), 227.11 (2) (a), and 447.02 (2) (b), 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 447.02 (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."

Related statute or rule: None.

Plain language analysis:

The objective of the proposed rule is to update obsolete provisions related to sedation permits for dentists. 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 proposed rule repeals the obsolete definition of a Class I permit and it repeals the provision that allowed Class I permit holders to obtain a Class II permit.

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

Summary of public comments received on statement of scope: None.

Comparison with rules in adjacent states:

Illinois:

In Illinois, anesthesia permits for dentists are governed by Illinois Administrative Code [Illinois Administrative Code Title 68, Chapter VII, Subchapter b, Subpart E, Section 1220.500 to 1220.560]. Similar to Wisconsin, permits are issued to be allowed to induce different levels of sedation, such as moderate sedation, deep sedation, and general anesthesia. To induce minimal sedation, no permit is required beyond the D.D.S. or D.M.D. degrees.

Iowa:

Iowa code provides similar regulations to Illinois on sedation and anesthesia permits for dentists [650 Iowa Administrative Code chapter 29]. A permit is not required to induce minimal sedation, but other protocols are required to be followed. Permits and detailed protocols are required for moderate sedation, deep sedation, or general anesthesia.

Michigan:

Michigan administrative code provides a definition for dental anesthesiology as a specialty and provides education requirements for a dentist to hold a specialty license as a dental anesthesiologist [Michigan Administrative Rules R 338.11502]. For all dentists, Michigan does not require a specific permit to induce sedation or anesthesia. Dentists who hold a specialty license in dental anesthesiology or oral and maxillofacial surgery are generally allowed to induce any level of sedation or anesthesia without further requirements. Dentists who do not hold a specialty license in dental anesthesiology or oral and maxillofacial surgery have further requirements to be allowed to induce sedation or anesthesia, but do not require a specific permit. They must complete advanced training in sedation, a course in managing medical emergencies, and have a certification in BLS and ACLS [Michigan Administrative Rules R 338.11601 to 11603].

Minnesota:

Minnesota administrative rules provide requirements for a dentist to be allowed to induce general anesthesia, deep sedation, moderate sedation, or minimal sedation [Minnesota Administrative Rules 3100.3600, subp. 16 to 23]. They issue certificates for general anesthesia or moderate

sedation and certificates for pediatric general anesthesia or pediatric moderate sedation. Much detail is given for education requirements, CPR, ALS, or PALS requirements, and requirements that the clinic and equipment must meet.

Summary of factual data and analytical methodologies:
The Board reviewed Wisconsin Administrative Code chapter DE 11 to determine where changes were needed to update regulations on sedation permits.

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, 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 11.02 (1s) is repealed.

SECTION 2. DE 11.025 (2) (intro.) and (3) (intro.) are amended to read:

DE 11.025 (2) The board may issue ~~an anesthesia~~ a sedation permit at the following levels:

(3) A dentist may apply to the board for ~~an anesthesia~~ a sedation permit by submitting all of the following:

SECTION 3. DE 11.025 (3) (j) and (Note) are repealed.

SECTION 4. 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:

Authorized Signature

01/12/2026

Date Submitted

Approved for implementation:

Authorized Signature

03/23/2026

Date Submitted

DE 1, 3, 5 - Scope of Practice for Dental Hygienists - Preliminary rule drafting materials

DE 3.03 Prohibited practices. A dental hygienist may not do any of the following:

(1) Diagnose a dental disease or ailment.

(2) Determine any treatment or any regimen of any treatment outside of the scope of dental hygiene.

(3) Prescribe or order medication or radiographs.

(4) Perform any procedure that involves the intentional cutting of soft or hard tissue of the mouth by any means.

(5) Administer nitrous oxide inhalation, except as provided in ch. DE 15.

(6) Administer injectable local anesthesia, except as provided in ch. DE 7.

DE 3.03 (7) is created to read:

(7) Administer botulinum toxin.

Additionally, an optional edit for the board's consideration:

DE 5.02 Unprofessional conduct. Unprofessional conduct by a dentist, dental therapist, dental hygienist, or expanded function dental auxiliary includes:

DE 5.02 (35) is created to read:

(35) A dental hygienist performing any of the prohibited practices under s. DE 3.03 on a patient.

Dentistry Examining Board
Rule Projects

Clearinghouse Rule Number	Scope #	Scope Implementation	Scope Expiration	Code Chapter Affected	Relating clause	Current Stage	Next Step
CR 26-021	053-24	7/16/2024	11/20/2026	DE 1 to 17	Dentist and Dental Hygienist Compact	The rule is submitted for publication and an effective date. The rule text can be viewed at: CR 26-021	Rule effective November 1, 2026.
CR 26-024	021-25	5/7/2025	10/7/2027	DE 1 and 2	Licensure Requirements	The rule is submitted for publication and an effective date. The rule text can be viewed at: CR 26-024	Rule effective November 1, 2026.
CR 26-023	004-25	3/7/2025	7/27/2027	DE 1, 5, and 6	Unprofessional Advertising	Board review and discussion of Clearinghouse comments and public comments.	Board approval of final rule draft and submittal to Governor's Office.
	056-25	11/6/2025	2/25/2028	DE 1, 5, 8, 10, and 18	Dental Practice Record Management and Dental Franchising	Board review and discussion of public comments.	Submittal of preliminary rule draft to the Clearinghouse.
	010-26	3/20/2026	8/16/2028	DE 1, 3, and 5	Scope of Practice for Dental Hygienists	Rule drafting.	Board approval of prelim rule draft.
	011-26	3/20/2026	8/16/2028	DE 11	Sedation Permits Obsolete Provisions	Rule drafting.	Board approval of prelim rule draft.