



State of Wisconsin
2023 - 2024 LEGISLATURE

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2023 ASSEMBLY BILL 668

November 14, 2023 - Introduced by Representatives PLUMER, ROZAR, CALLAHAN, OLDENBURG, BINSFELD, DITTRICH, EMERSON, GOEBEN, JACOBSON, JOERS, MURSAU, OHNSTAD, ORTIZ-VELEZ, SNYDER, TUSLER, BEHNKE and SUBECK, cosponsored by Senators FELZKOWSKI, JAMES, MARKLEIN, SPREITZER, TESTIN, HUTTON, ROYS and BALLWEG. Referred to Committee on Health, Aging and Long-Term Care.

1 **AN ACT to amend** 15.405 (6) (b), 36.61 (1) (b), 36.61 (3) (a), 36.61 (5) (b) 1., 36.61
2 (8) (c) 3., 146.81 (1) (c), 146.89 (1) (r) 1., 146.89 (1) (r) 5., 146.89 (3) (b) 8., 146.89
3 (3m) (intro.), 146.997 (1) (d) 3., 155.01 (7), 252.14 (1) (ar) 3., 257.01 (5) (a), 257.01
4 (5) (b), 440.094 (1) (c) 3., 447.02 (1) (a), 447.02 (1) (b), 447.02 (2) (a), 447.02 (3)
5 (a) (intro.), 447.02 (3) (a) 2., 447.02 (3) (b), 447.02 (5), 447.03 (3) (c), 447.06 (1),
6 447.06 (2) (a) 3., 447.06 (2) (b), 447.06 (2) (c) (intro.), 447.06 (2) (c) 2. (intro.),
7 447.063, 447.065, 447.07 (1), 447.07 (3) (intro.), 447.07 (3) (e) to (h), 447.40
8 (intro.), 447.40 (6), 448.03 (2) (a), 448.975 (2) (c) 1., 450.03 (1) (e), 450.10 (3) (a)
9 4., 462.02 (2) (d), 462.04, 463.10 (5), 463.12 (5), 632.87 (4), 895.48 (1m) (a)
10 (intro.), 895.48 (1m) (a) 2. and 941.315 (5); and **to create** 36.61 (1) (ak), 440.03
11 (13) (b) 20m., 440.08 (2) (a) 25m., 447.01 (6g), 447.01 (6r), 447.02 (1) (g), 447.02
12 (3) (a) 3., 447.02 (6), 447.03 (1m), 447.03 (3) (am), 447.04 (1m), 447.05 (2m),
13 447.057, 447.06 (1m), 447.06 (3) and 447.07 (6) of the statutes; **relating to:**
14 licensure of dental therapists; extending the time limit for emergency rule

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1 procedures; providing an exemption from emergency rule procedures;
2 providing an exemption from rule-making procedures; and granting
3 rule-making authority.

Analysis by the Legislative Reference Bureau

This bill provides for the licensure of dental therapists, who are health care practitioners who may engage in the limited practice of dentistry.

Under current law, dentists and dental hygienists are licensed by the Dentistry Examining Board to practice dentistry and dental hygiene, respectively. This bill provides for the licensure of a third type of dental practitioner, dental therapists. Under the bill, the board must grant a dental therapist license to an individual who satisfies certain criteria, including completion of a qualifying dental therapy education program and passage of required examinations.

Under the bill, a dental therapy education program qualifies if the program 1) is accredited by the American Dental Association's Commission on Dental Accreditation (CODA); 2) is a program approved by the Minnesota Board of Dentistry on or before the bill's effective date that has, as of the time of application, become CODA-accredited; or 3) is a program offered in Wisconsin that has received initial CODA accreditation but is not yet fully CODA-accredited. With respect to the third category of dental therapy education programs (programs offered in Wisconsin), the bill allows applicants to obtain a license on the basis of graduation from such a program only for four years after the program's inception, and if the program is not fully CODA-accredited by the time that four-year period has elapsed, the bill requires the licenses of dental therapists who graduated from the program to be revoked.

Under the bill, dental therapists may provide dental therapy services only as an employee of specified employers and only under the supervision of a dentist who is either similarly employed or who directly employs the dental therapist. The dental therapist must also have a collaborative management agreement with a dentist that addresses various aspects of the dental therapist's practice and supervision. Dental therapists are, subject to the terms of a collaborative management agreement and what was covered in their dental therapy education program, limited to providing services, treatments, and procedures that are specified in the bill, as well as additional services, treatments, or procedures specified by the board by rule. Dental therapists may initially provide dental therapy services only under the direct or indirect supervision of a qualifying dentist. Once a dental therapist licensed has provided dental therapy services for at least 2,000 hours, the dental therapist may provide services under the general supervision of a qualifying dentist. However, the level of supervision for a dental therapist may be further limited under the terms of a collaborative management agreement. Dental therapists must also, under the bill, either 1) limit their practice to federally defined dental shortage areas or 2) practice in settings where at least 50 percent of their patient base consists of certain specified

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populations. Dental therapists must complete 12 hours of continuing education each biennium.

The bill subjects dental therapists to, or covers dental therapists under, various other laws, including the health care records law, the volunteer health care provider program, the health care worker protection law, and the emergency volunteer health care practitioner law. The bill also provides for loan forgiveness for dental therapists under the health care provider loan assistance program.

Finally, the bill requires, effective when 50 individuals become licensed as a dental therapist in this state or five years after the bill is enacted, that, to the extent possible, one of the dental hygienist members on the board also be licensed as a dental therapist.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.405 (6) (b) of the statutes is amended to read:

2 15.405 (6) (b) Three dental hygienists who are licensed under ch. 447. The
3 governor shall, to the extent possible, appoint members under this paragraph so that
4 at least one of the members under this paragraph is an individual who is also a dental
5 therapist licensed under ch. 447. Notwithstanding s. 15.08 (1m) (a), the dental
6 hygienist members under this paragraph may participate in the preparation and
7 grading of licensing examinations for dental hygienists.

8 **SECTION 2.** 36.61 (1) (ak) of the statutes is created to read:

9 36.61 (1) (ak) “Dental therapist” means an individual licensed under s. 447.04
10 (1m).

11 **SECTION 3.** 36.61 (1) (b) of the statutes is amended to read:

12 36.61 (1) (b) “Health care provider” means a dental therapist, dental hygienist,
13 physician assistant, nurse-midwife, or nurse practitioner.

14 **SECTION 4.** 36.61 (3) (a) of the statutes is amended to read:

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1 36.61 (3) (a) The board shall enter into a written agreement with the health
2 care provider. In the agreement, the health care provider shall agree to practice at
3 least 32 clinic hours per week for 3 years in one or more eligible practice areas in this
4 state or in a rural area, except that a health care provider in the expanded loan
5 assistance program under sub. (8) who is not a dental therapist or dental hygienist
6 may only agree to practice at a public or private nonprofit entity in a health
7 professional shortage area.

8 **SECTION 5.** 36.61 (5) (b) 1. of the statutes is amended to read:

9 36.61 (5) (b) 1. The degree to which there is an extremely high need for medical
10 care in the eligible practice area, health professional shortage area, or rural area in
11 which an eligible applicant who is not a dental therapist or dental hygienist desires
12 to practice and the degree to which there is an extremely high need for dental care
13 in the dental health shortage area or rural area in which an eligible applicant who
14 is a dental therapist or dental hygienist desires to practice.

15 **SECTION 6.** 36.61 (8) (c) 3. of the statutes is amended to read:

16 36.61 (8) (c) 3. Practice at a public or private nonprofit entity in a health
17 professional shortage area, if the health care provider is not a dental therapist or
18 dental hygienist, or in a dental health shortage area, if the health care provider is
19 a dental therapist or dental hygienist.

20 **SECTION 7.** 146.81 (1) (c) of the statutes is amended to read:

21 146.81 (1) (c) A dentist or dental therapist licensed under ch. 447.

22 **SECTION 8.** 146.89 (1) (r) 1. of the statutes is amended to read:

23 146.89 (1) (r) 1. Licensed as a physician under ch. 448, naturopathic doctor
24 under ch. 466, a dentist, dental therapist, or dental hygienist under ch. 447, a
25 registered nurse, practical nurse, or nurse-midwife under ch. 441, an optometrist

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1 under ch. 449, a physician assistant under subch. IX of ch. 448, a pharmacist under
2 ch. 450, a chiropractor under ch. 446, a podiatrist under subch. IV of ch. 448, or a
3 physical therapist under subch. III of ch. 448.

4 **SECTION 9.** 146.89 (1) (r) 5. of the statutes is amended to read:

5 146.89 (1) (r) 5. An individual who holds a valid, unexpired license,
6 certification, or registration issued by another state or territory that authorizes or
7 qualifies the individual to perform acts that are substantially the same as those acts
8 that an individual who is described in subds. 1. to 4., except a dentist, dental
9 therapist, or dental hygienist, is licensed or certified to perform and who performs
10 acts that are within the scope of that license, certification, or registration.

11 **SECTION 10.** 146.89 (3) (b) 8. of the statutes is amended to read:

12 146.89 (3) (b) 8. Dental services, including tooth extractions and other
13 procedures done under local anesthesia only and any necessary suturing related to
14 the extractions, performed by a dentist or dental therapist who is a volunteer health
15 provider; and dental hygiene services, performed by a dental hygienist who is a
16 volunteer health provider.

17 **SECTION 11.** 146.89 (3m) (intro.) of the statutes is amended to read:

18 146.89 (3m) (intro.) A volunteer health care provider who is a dentist or dental
19 therapist may provide dental services or a volunteer health care provider who is a
20 dental hygienist may provide dental hygiene services, to persons who are recipients
21 of Medical Assistance, if all of the following apply:

22 **SECTION 12.** 146.997 (1) (d) 3. of the statutes is amended to read:

23 146.997 (1) (d) 3. A dentist or dental therapist licensed under ch. 447.

24 **SECTION 13.** 155.01 (7) of the statutes, as affected by 2021 Wisconsin Act 251,
25 is amended to read:

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1 155.01 (7) “Health care provider” means a nurse licensed or permitted under
2 ch. 441, a chiropractor licensed under ch. 446, a dentist or dental therapist licensed
3 under ch. 447, a physician, physician assistant, perfusionist, podiatrist, physical
4 therapist, physical therapist assistant, occupational therapist, occupational therapy
5 assistant, or genetic counselor licensed under ch. 448, a naturopathic doctor licensed
6 under ch. 466, a person practicing Christian Science treatment, an optometrist
7 licensed under ch. 449, a psychologist who is licensed under ch. 455, who is exercising
8 the temporary authorization to practice, as defined in s. 455.50 (2) (o), in this state,
9 or who is practicing under the authority to practice interjurisdictional
10 telepsychology, as defined in s. 455.50 (2) (b), a physical therapist or physical
11 therapist assistant who holds a compact privilege under subch. XI of ch. 448, an
12 occupational therapist or occupational therapy assistant who holds a compact
13 privilege under subch. XII of ch. 448, a partnership thereof, a corporation or limited
14 liability company thereof that provides health care services, a cooperative health
15 care association organized under s. 185.981 that directly provides services through
16 salaried employees in its own facility, or a home health agency, as defined in s. 50.49
17 (1) (a).

18 **SECTION 14.** 252.14 (1) (ar) 3. of the statutes is amended to read:

19 252.14 (1) (ar) 3. A dentist or dental therapist licensed under ch. 447.

20 **SECTION 15.** 257.01 (5) (a) of the statutes is amended to read:

21 257.01 (5) (a) An individual who is licensed as a physician, a physician
22 assistant, or a podiatrist under ch. 448, licensed as a naturopathic doctor under ch.
23 466, licensed as a registered nurse, licensed practical nurse, or nurse-midwife under
24 ch. 441, licensed as a dentist or dental therapist under ch. 447, licensed as a

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1 pharmacist under ch. 450, licensed as a veterinarian or certified as a veterinary
2 technician under ch. 89, or certified as a respiratory care practitioner under ch. 448.

3 **SECTION 16.** 257.01 (5) (b) of the statutes is amended to read:

4 257.01 (5) (b) An individual who was at any time within the previous 10 years,
5 but is not currently, licensed as a physician, a physician assistant, or a podiatrist
6 under ch. 448, licensed as a naturopathic doctor under ch. 466, licensed as a
7 registered nurse, licensed practical nurse or nurse-midwife, under ch. 441, licensed
8 as a dentist or dental therapist under ch. 447, licensed as a pharmacist under ch. 450,
9 licensed as a veterinarian or certified as a veterinary technician under ch. 89, or
10 certified as a respiratory care practitioner under ch. 448, if the individual's license
11 or certification was never revoked, limited, suspended, or denied renewal.

12 **SECTION 17.** 440.03 (13) (b) 20m. of the statutes is created to read:

13 440.03 (13) (b) 20m. Dental therapist.

14 **SECTION 18.** 440.08 (2) (a) 25m. of the statutes is created to read:

15 440.08 (2) (a) 25m. Dental therapist: October 1 of each odd-numbered year.

16 **SECTION 19.** 440.094 (1) (c) 3. of the statutes is amended to read:

17 440.094 (1) (c) 3. A dentist or dental therapist licensed under ch. 447.

18 **SECTION 20.** 447.01 (6g) of the statutes is created to read:

19 447.01 (6g) "Dental therapist" means an individual who practices dental
20 therapy.

21 **SECTION 21.** 447.01 (6r) of the statutes is created to read:

22 447.01 (6r) "Dental therapy" means the limited practice of dentistry, consisting
23 of the services, treatments, and procedures specified in s. 447.06 (3) (b).

24 **SECTION 22.** 447.02 (1) (a) of the statutes is amended to read:

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1 447.02 (1) (a) Governing the reexamination of an applicant who fails an
2 examination specified in s. 447.04 (1) (a) 5., (1m)(e), or (2) (a) 5. The rules may specify
3 additional educational requirements for those applicants and may specify the
4 number of times an applicant may be examined.

5 **SECTION 23.** 447.02 (1) (b) of the statutes is amended to read:

6 447.02 (1) (b) Governing the standards and conditions for the use of radiation
7 and ionizing equipment in the practice of dentistry or dental therapy.

8 **SECTION 24.** 447.02 (1) (g) of the statutes is created to read:

9 447.02 (1) (g) Specifying services, treatments, or procedures, in addition to
10 those specified under s. 447.06 (3) (b) 1. to 27., that are included within the practice
11 of dental therapy.

12 **SECTION 25.** 447.02 (2) (a) of the statutes is amended to read:

13 447.02 (2) (a) The conditions for supervision and the degree of supervision
14 required under ss. 447.03 (3) (a), (am), (b) and (d) 2. and 447.065.

15 **SECTION 26.** 447.02 (3) (a) (intro.) of the statutes is amended to read:

16 447.02 (3) (a) (intro.) The examining board may issue a permit authorizing the
17 practice in this state, without compensation, of dentistry, dental therapy, or dental
18 hygiene to an applicant who is licensed to practice dentistry, dental therapy, or dental
19 hygiene in another state, if all of the following apply:

20 **SECTION 27.** 447.02 (3) (a) 2. of the statutes is amended to read:

21 447.02 (3) (a) 2. The examining board determines that the applicant is qualified
22 and satisfies the criteria specified under s. 447.04 (1) (b) 1. to 3., except that the
23 examining board may not require the applicant to pass an examination of state
24 statutes and rules relating to dentistry, dental therapy, or dental hygiene.

25 **SECTION 28.** 447.02 (3) (a) 3. of the statutes is created to read:

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1 447.02 (3) (a) 3. If the applicant is applying for a permit to practice dental
2 therapy, the applicant graduated from a dental therapy education program approved
3 under s. 447.04 (1m) (c) 1. to 3.

4 **SECTION 29.** 447.02 (3) (b) of the statutes is amended to read:

5 447.02 (3) (b) A permit under this subsection shall authorize the practice of
6 dentistry, dental therapy, or dental hygiene in a specified area of the state for a period
7 of time not more than 10 days in a year and may be renewed by the examining board.
8 The examining board may not require an applicant to pay a fee for the issuance or
9 renewal of a permit under this subsection.

10 **SECTION 30.** 447.02 (5) of the statutes is amended to read:

11 447.02 (5) Except as provided in ss. 447.058 and 447.063, nothing in this
12 chapter may be construed as authorizing the examining board to regulate business
13 or administrative support functions or services, that do not constitute the practice
14 of dentistry, dental therapy, or dental hygiene, provided to a business that provides
15 dental or dental hygiene services.

16 **SECTION 31.** 447.02 (6) of the statutes is created to read:

17 447.02 (6) The examining board shall send a notice to the legislative reference
18 bureau for publication in the Wisconsin Administrative Register when the board
19 determines that 50 or more individuals are currently licensed as dental therapists
20 in this state under s. 447.04 (1m). This subsection does not apply on or after the first
21 day of the 6th year beginning after publication of this act [LRB inserts date].

22 **SECTION 32.** 447.03 (1m) of the statutes is created to read:

23 447.03 (1m) DENTAL THERAPISTS. Except as provided under sub. (3) and s.
24 447.02 (3), no person may do any of the following unless he or she is licensed to
25 practice dental therapy under this chapter:

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1 (a) Practice or offer to practice dental therapy.

2 (b) Represent himself or herself to the public as a dental therapist or use, in
3 connection with his or her name, any title or description that may convey the
4 impression that he or she is a dental therapist.

5 **SECTION 33.** 447.03 (3) (am) of the statutes is created to read:

6 447.03 (3) (am) A dental therapy student who practices dental therapy under
7 the supervision of a dentist in an infirmary, clinic, hospital, or other institution
8 connected or associated for training purposes with a dental therapy school accredited
9 by the American Dental Association commission on dental accreditation or its
10 successor agency.

11 **SECTION 34.** 447.03 (3) (c) of the statutes is amended to read:

12 447.03 (3) (c) An individual licensed to practice dentistry, dental therapy, or
13 dental hygiene in another state or country who practices dentistry, dental therapy,
14 or dental hygiene in a program of dental education or research at the invitation of
15 a group of dentists or practices dentistry, dental therapy, or dental hygiene under the
16 jurisdiction of the army, navy, air force, U.S. public health service, or veterans
17 bureau.

18 **SECTION 35.** 447.04 (1m) of the statutes is created to read:

19 447.04 (1m) DENTAL THERAPISTS. The examining board shall grant a license to
20 practice dental therapy to an individual who does all of the following:

21 (a) Submits an application for the license to the department on a form provided
22 by the department.

23 (b) Pays the fee specified in s. 440.05 (1).

24 (c) Submits evidence satisfactory to the examining board that he or she has
25 done one of the following:

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- 1 1. Graduated from an accredited dental therapy education program.
- 2 2. Graduated from a dental therapy education program that was not accredited
- 3 at the time of graduation, but that satisfies all of the following:
- 4 a. The program was approved by the Minnesota Board of Dentistry on or before
- 5 the effective date of this subd. 2. a. [LRB inserts date].
- 6 b. The program was accredited as of the date the individual applies for a license
- 7 under this subsection.
- 8 3. Graduated from a dental therapy education program located in this state
- 9 that, at the time of graduation, was not fully accredited but had received initial
- 10 accreditation. This subdivision applies to a dental therapy education program only
- 11 during the 4-year period beginning after the program's inception. After that 4-year
- 12 period has elapsed, an individual may not qualify for a license under this subsection
- 13 on the basis of graduation from that program unless the program has subsequently
- 14 become accredited as described in subd. 1. The examining board shall maintain a
- 15 register of individuals granted a license on the basis of graduation from a program
- 16 described in this subdivision.
- 17 (d) Submits evidence satisfactory to the examining board that he or she has
- 18 passed a national board dental therapy examination and a dental therapy clinical
- 19 examination administered by a regional testing service that has been approved by
- 20 the examining board to administer clinical examinations for dental professionals.
- 21 If a national board examination or a regional testing service examination for dental
- 22 therapy does not exist, the examining board shall accept evidence of passing an
- 23 alternative examination administered by another entity or testing service that is
- 24 approved by the examining board.

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1 (e) Passes an examination administered by the examining board on the
2 statutes and rules relating to dental therapy.

3 (f) Submits evidence satisfactory to the examining board that he or she has
4 current proficiency in cardiopulmonary resuscitation, including the use of an
5 automated external defibrillator achieved through instruction provided by an
6 individual, organization, or institution of higher education approved under s. 46.03
7 (38) to provide such instruction.

8 (g) If the individual was licensed or is currently licensed in another state or
9 territory of the United States or in another country, the individual submits
10 information related to his or her licensure in other jurisdictions as required by the
11 examining board.

12 (h) Completes any other requirements established by the examining board by
13 rule that are comparable to and no more restrictive than the requirements
14 established by the board for dentists under sub. (1) (a) 6. and dental hygienists under
15 sub. (2) (a) 6.

16 **SECTION 36.** 447.05 (2m) of the statutes is created to read:

17 447.05 (2m) The examining board may not renew a license to practice dental
18 therapy unless the applicant for renewal attests that he or she has complied with s.
19 447.057 and any rules promulgated under s. 447.057, that he or she has current
20 proficiency in cardiopulmonary resuscitation, and that he or she has current
21 proficiency in the use of an automated external defibrillator achieved through
22 instruction provided by an individual, organization, or institution of higher
23 education approved under s. 46.03 (38) to provide such instruction.

24 **SECTION 37.** 447.057 of the statutes is created to read:

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1 **447.057 Continuing education; dental therapists.** (1) (a) Except as
2 provided in subs. (3) and (4), a person is not eligible for renewal of a license to practice
3 dental therapy, other than a permit issued under s. 447.02 (3), unless the person has
4 taught, prepared, attended, or otherwise completed, during the 2-year period
5 immediately preceding the renewal date specified under s. 440.08 (2) (a), 12 credit
6 hours of continuing education relating to the clinical practice of dental therapy that
7 is sponsored or recognized by a local, state, regional, national, or international
8 dental, dental therapy, dental hygiene, dental assisting, or medical-related
9 professional organization.

10 (b) Continuing education required under par. (a) may include training in all of
11 the following:

12 1. Basic life support or cardiopulmonary resuscitation. Not more than 2 of the
13 credit hours required under par. (a) may be satisfied by such training.

14 2. Infection control. Not less than 2 of the credit hours required under par. (a)
15 must be satisfied by such training.

16 (c) After consultation with the department of health services, the examining
17 board may promulgate rules requiring that continuing education credit hours under
18 par. (a) include courses in specific clinical subjects.

19 **(2)** The credit hours required under sub. (1) (a) may be satisfied by independent
20 study, correspondence, or Internet programs or courses.

21 **(3)** Subsection (1) (a) does not apply to an applicant for renewal of a license that
22 expires on the first renewal date after the date on which the examining board
23 initially granted the license.

24 **(4)** A person may substitute credit hours of college level courses related to the
25 practice of dental therapy for the credit hours required under sub. (1) (a). For

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1 purposes of this subsection, one credit hour of a college level course is equivalent to
2 6 credit hours of continuing education.

3 (5) For purposes of sub. (1) (a), one hour of teaching or preparing a continuing
4 education program is equivalent to one credit hour of continuing education, but a
5 person who teaches or prepares a continuing education program may obtain credit
6 for the program only once.

7 (6) The examining board may require applicants for renewal of a license to
8 practice dental therapy to submit proof of compliance with the requirements of this
9 section.

10 **SECTION 38.** 447.06 (1) of the statutes is amended to read:

11 447.06 (1) No contract of employment entered into between a dentist or dental
12 therapist and any other party under which the dentist or dental therapist renders
13 dental services may require the dentist or dental therapist to act in a manner ~~which~~
14 that violates the professional standards for dentistry or dental therapy set forth in
15 this chapter. Nothing in this subsection limits the ability of the other party to control
16 the operation of the dental practice in a manner in accordance with the professional
17 standards for dentistry or dental therapy set forth in this chapter.

18 **SECTION 39.** 447.06 (1m) of the statutes is created to read:

19 447.06 (1m) No contract of employment entered into between a dental
20 therapist and any other party under which the dental therapist is employed to
21 practice dental therapy may require a dental therapist to meet a minimum quota for
22 the number of patients seen or the number of procedures performed.

23 **SECTION 40.** 447.06 (2) (a) 3. of the statutes is amended to read:

24 447.06 (2) (a) 3. For a school for the education of dentists, dental therapists,
25 or dental hygienists.

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1 **SECTION 41.** 447.06 (2) (b) of the statutes is amended to read:

2 447.06 **(2)** (b) A dental hygienist may practice dental hygiene or perform
3 remediable procedures under par. (a) 1. only as authorized by a dentist or dental
4 therapist who is licensed to practice dentistry or dental therapy under this chapter
5 and who is present in the facility in which those practices or procedures are
6 performed, except as provided in par. (c).

7 **SECTION 42.** 447.06 (2) (c) (intro.) of the statutes is amended to read:

8 447.06 **(2)** (c) (intro.) A dental hygienist may practice dental hygiene or perform
9 remediable procedures under par. (a) 1. if a dentist or dental therapist who is licensed
10 to practice dentistry or dental therapy under this chapter is not present in the facility
11 in which those practices or procedures are performed only if all of the following
12 conditions are met:

13 **SECTION 43.** 447.06 (2) (c) 2. (intro.) of the statutes is amended to read:

14 447.06 **(2)** (c) 2. (intro.) The dentist or dental therapist who made the written
15 or oral prescription has examined the patient at least once during the 12-month
16 period immediately preceding:

17 **SECTION 44.** 447.06 (3) of the statutes is created to read:

18 447.06 **(3)** (a) In this subsection:

- 19 1. “Collaborative management agreement” means an agreement under par. (d).
20 2. “Dental health shortage area” has the meaning given in s. 36.60 (1) (ad).
21 3. “Direct supervision” means that the dentist is present in the dental office or
22 other practice setting, personally diagnoses the condition to be treated, personally
23 authorizes each procedure, and before dismissal of the patient, evaluates the
24 performance of the allied dental personnel.

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1 4. “General supervision” means that the dentist is not present in the dental
2 office or other practice setting or on the premises at the time tasks or procedures are
3 being performed by the dental therapist, but that the tasks or procedures performed
4 by the dental therapist are being performed with the prior knowledge and consent
5 of the dentist.

6 5. “Indirect supervision” means that the dentist is present in the dental office
7 or other practice setting, authorizes each procedure, and remains in the office while
8 the procedures are being performed by the allied dental personnel.

9 6. “Medical Assistance patient” means a patient who is a recipient of services
10 under the Medical Assistance program under subch. IV of ch. 49.

11 7. “Qualifying dentist” means a dentist who is licensed in this state, who is
12 actively practicing in this state, and who satisfies the requirement under par. (dr).

13 8. “Uninsured patient” means a patient who lacks dental health coverage,
14 either through a public health care program or private insurance, and has an annual
15 gross family income equal to or less than 200 percent of the federal poverty
16 guidelines.

17 (b) The scope of practice of a dental therapist shall, subject to the terms of a
18 collaborative management agreement, be limited to providing the following services,
19 treatments, and procedures:

20 1. Oral evaluation and assessment of dental disease and formulation of an
21 individualized treatment plan.

22 2. Identification of oral and systemic conditions requiring evaluation or
23 treatment by dentists, physicians, or other health care providers and managing
24 referrals.

25 3. Comprehensive charting of the oral cavity.

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1 4. Oral health instruction and disease prevention education, including
2 nutritional counseling and dietary analysis.

3 5. Exposure and evaluation of radiographic images.

4 6. Dental prophylaxis, including subgingival scaling and polishing procedures.

5 7. Dispensing and administration via the oral or topical route of nonnarcotic
6 analgesic, anti-inflammatory, and antibiotic medications as prescribed by a licensed
7 health care provider.

8 8. Application of topical preventive or prophylactic agents, including fluoride
9 varnish, antimicrobial agents, caries arresting medicaments, and pit and fissure
10 sealants.

11 9. Pulp vitality testing.

12 10. Application of desensitizing medications or resins.

13 11. Fabrication of athletic mouth guards and soft occlusal guards.

14 12. Changing of periodontal dressings.

15 13. Administration of local anesthetic and nitrous oxide.

16 14. Simple extraction of erupted primary teeth.

17 15. Nonsurgical extraction of periodontally diseased permanent teeth with
18 tooth mobility of +3 to +4 to the extent authorized in the dental therapist's
19 collaborative management agreement, except for the extraction of a tooth that is
20 unerupted, impacted, or fractured or that needs to be sectioned for removal.

21 16. Emergency palliative treatment of dental pain limited to the procedures in
22 this paragraph.

23 17. Preparation and placement of direct restoration in primary and permanent
24 teeth.

25 18. Fabrication and placement of single-tooth temporary crowns.

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1 19. Preparation and placement of preformed crowns on primary teeth.

2 20. Indirect and direct pulp capping on permanent teeth.

3 21. Indirect pulp capping on primary teeth.

4 22. Intraoral suture placement and removal.

5 23. Minor adjustment and repair of removable prostheses.

6 24. Placement and removal of space maintainers.

7 25. Pulpotomy on primary teeth.

8 26. Tooth reimplantation and stabilization.

9 27. Recementing of a permanent crown.

10 28. Any additional services, treatments, or procedures specified in the rules
11 promulgated under s. 447.02 (1) (g).

12 (bm) 1. Notwithstanding par. (b) 1. to 28., a dental therapist shall, except as
13 provided in subd. 2., limit his or her practice of dental therapy to providing the
14 services, treatments, and procedures covered by his or her dental therapy education
15 program.

16 2. If any service, treatment, or procedure under par. (b) 1. to 28. was not covered
17 by a dental therapist's dental therapy education program, the dental therapist may
18 provide that service, treatment, or procedure if the dental therapist has
19 subsequently received additional dental therapy educational training to provide
20 that service, treatment, or procedure.

21 (c) 1. Except as provided in subd. 2., a dental therapist licensed under this
22 chapter may provide dental therapy services in this state only under the direct
23 supervision or indirect supervision of a qualifying dentist with whom the dental
24 therapist has entered into a collaborative management agreement.

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1 2. a. Once a dental therapist licensed under this chapter has provided dental
2 therapy services for at least 2,000 hours under direct supervision or indirect
3 supervision, the dental therapist may provide dental therapy services in this state
4 under the general supervision of a qualifying dentist with whom the dental therapist
5 has entered into a collaborative management agreement.

6 b. For purposes of the 2,000 hours requirement under subd. 2. a., hours may
7 include hours of providing dental therapy services in this state under direct
8 supervision or indirect supervision of a qualifying dentist as described in subd. 1. or
9 hours of providing dental therapy services under direct supervision or indirect
10 supervision while licensed as a dental therapist outside this state, but may not
11 include any hours completed prior to graduating from the dental therapy education
12 program.

13 3. Notwithstanding subds. 1. and 2., the level of supervision for a dental
14 therapist may be further limited under the terms of a collaborative management
15 agreement under par. (d) 1. b.

16 4. A supervising dentist shall accept responsibility for all services performed
17 by a dental therapist pursuant to a collaborative management agreement. If services
18 needed by a patient are beyond the dental therapist's scope of practice or
19 authorization under the collaborative management agreement, the dental therapist
20 shall, to the extent required under the collaborative management agreement,
21 consult with the supervising dentist as needed to arrange for those services to be
22 provided by a dentist or another qualified health care provider.

23 (d) 1. Prior to providing any dental therapy services, a dental therapist shall
24 enter into a written collaborative management agreement with a qualifying dentist

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1 who will serve as a supervising dentist under par. (c). The agreement must be signed
2 by the dental therapist and the qualifying dentist and address all of the following:

3 a. The practice settings where services may be provided and the patient
4 populations that may be served.

5 b. Consistent with and subject to pars. (bm) and (c), any conditions or
6 limitations on the services that may be provided by the dental therapist, the level of
7 supervision required, and any circumstances requiring consultation prior to
8 performing services.

9 c. Age-specific and procedure-specific practice protocols.

10 d. Dental record-keeping procedures.

11 e. Plans for managing dental or medical emergencies.

12 f. A quality assurance plan for monitoring care provided by the dental
13 therapist.

14 g. Protocols for administering and dispensing medications.

15 h. Criteria or protocols relating to the provision of care to patients with specific
16 medical conditions, treatments, or medications.

17 i. Policies relating to supervision of dental hygienists and other staff.

18 j. A plan for the referral of patients to other dental or health care providers or
19 clinics when services needed are beyond the scope of practice or authorization of the
20 dental therapist.

21 k. Whether and to what extent the dental therapist may perform services
22 described in par. (b) 15.

23 2. a. A collaborative management agreement shall be limited to covering one
24 qualifying dentist and one dental therapist.

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1 b. A dental therapist may enter into multiple collaborative management
2 agreements.

3 c. No dentist may have collaborative management agreements with more than
4 4 dental therapists at any time.

5 (dm) A dental therapist may, subject to par. (e), provide dental therapy services
6 only as an employee of one or more of the following that satisfies par. (dr):

7 1. A dentist with whom the dental therapist has entered into a collaborative
8 management agreement.

9 2. A dental practice.

10 3. A school district or the operator of a private school, as defined in s. 115.001
11 (3r), or a tribal school, as defined in s. 115.001 (15m).

12 4. The operator of a school for the education of dentists or dental hygienists.

13 5. A state or federal prison, a county jail, or other federal, state, county, or
14 municipal correctional or detention facility, or a facility established to provide care
15 for terminally ill patients.

16 6. A local health department, as defined in s. 250.01 (4).

17 7. A charitable institution open to the general public or to members of a
18 religious sect or order.

19 8. A nonprofit home health care agency.

20 9. The operator of a nonprofit dental care program serving primarily indigent,
21 economically disadvantaged, or migrant worker populations.

22 10. A health care employer, as defined in s. 440.094 (1) (b).

23 (dr) A dentist may not enter into a collaborative management agreement with
24 a dental therapist unless the dentist directly employs the dental therapist as

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1 provided in par. (dm) 1. or the dentist is employed by or contracts with the dental
2 therapist's employer described in par. (dm) 2. to 10.

3 (e) A dental therapist shall at all times comply with at least one of the following:

4 1. Limit his or her practice to practicing in one or more dental health shortage
5 areas. If a dental therapist begins practicing in a dental health shortage area, and
6 that area loses its designation as a dental health shortage area while the dental
7 therapist continues to practice in that area, the dental therapist is considered to
8 satisfy this subdivision as long as the dental therapist continues to practice in that
9 area.

10 2. Practice in one or more settings in which at least 50 percent of the total
11 patient base of the dental therapist consists of patients who are any of the following:

12 a. Medical Assistance patients.

13 b. Uninsured patients.

14 c. Patients receiving dental care at free and charitable clinics.

15 d. Patients receiving dental care at federally qualified health centers.

16 e. Patients who reside in long-term care facilities.

17 f. Veterans.

18 g. Patients who are members of a federally recognized Indian tribe or band.

19 h. Patients receiving dental care at clinics or facilities located on tribal lands.

20 i. Patients with medical disabilities or chronic conditions that create barriers
21 of access to dental care.

22 **SECTION 45.** 447.063 of the statutes is amended to read:

23 **447.063 Preservation and transfer of patient health care records. (1)**

24 A person who manages or controls a business that offers dental, dental therapy, or
25 dental hygiene services, including management or control of a business through

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1 which the person allows another person to offer dental, dental therapy, or dental
2 hygiene services, shall preserve patient health care records, as defined in s. 146.81
3 (4), for an amount of time determined by the examining board by rule.

4 (2) A person who manages or controls a business that offers dental, dental
5 therapy, or dental hygiene services, including management or control of a business
6 through which the person allows another person to offer dental, dental therapy, or
7 dental hygiene services, shall, upon request of a patient or person authorized by the
8 patient, as defined in s. 146.81 (5), transfer the patient health care records, as
9 defined in s. 146.81 (4), of the patient to another person that the patient or person
10 authorized by the patient specifies to receive the patient health care records.

11 **SECTION 46.** 447.065 of the statutes is amended to read:

12 **447.065 Delegation of remediable procedures and dental practices. (1)**

13 A dentist or dental therapist who is licensed to practice dentistry under this chapter
14 may delegate to an individual who is not licensed under this chapter only the
15 performance of remediable procedures, and only if all of the following conditions are
16 met:

17 (a) The unlicensed individual performs the remediable procedures in
18 accordance with a treatment plan approved by the dentist or dental therapist.

19 (b) The dentist or dental therapist is on the premises when the unlicensed
20 individual performs the remediable procedures.

21 (c) The unlicensed individual's performance of the remediable procedures is
22 subject to inspection by the dentist or dental therapist.

23 (2) Subject to the requirements under s. 447.06 (2), a dentist or dental therapist
24 who is licensed to practice dentistry under this chapter may delegate to a dental
25 hygienist who is licensed to practice dental hygiene under this chapter the

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1 performance of remediable procedures and the administration of oral systemic
2 premedications, local anesthesia, nitrous oxide inhalation analgesia, and
3 subgingival sustained release chemotherapeutic agents, to the extent the dentist or
4 dental therapist has the authority to perform the activity personally.

5 (3) A dentist or dental therapist who delegates to another individual the
6 performance of any practice or remediable procedure is responsible for that
7 individual's performance of that delegated practice or procedure.

8 **SECTION 47.** 447.07 (1) of the statutes is amended to read:

9 447.07 (1) The examining board may, without further notice or process, limit,
10 suspend, or revoke the license or certificate of any dentist, dental therapist, or dental
11 hygienist, or the registration of a mobile dentistry program registrant, who fails,
12 within 60 days after the mailing of written notice to the dentist's, dental therapist's,
13 dental hygienist's, or registrant's last-known address, to renew the license,
14 certificate, or registration.

15 **SECTION 48.** 447.07 (3) (intro.) of the statutes is amended to read:

16 447.07 (3) (intro.) Subject to the rules promulgated under s. 440.03 (1), the
17 examining board may make investigations and conduct hearings in regard to any
18 alleged action of any dentist, dental therapist, dental hygienist, or expanded
19 function dental auxiliary, of a mobile dentistry program registrant, or of any other
20 person it has reason to believe is engaged in or has engaged in the practice of
21 dentistry, dental therapy, or dental hygiene, or the operation of a mobile dentistry
22 program, in this state, and may, on its own motion, or upon complaint in writing,
23 reprimand any dentist, dental therapist, dental hygienist, or expanded function
24 dental auxiliary who is licensed or certified under this chapter, or any mobile
25 dentistry program registrant, or deny, limit, suspend, or revoke his or her license or

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1 certificate, or the registration of the mobile dentistry program registrant, if it finds
2 that the dentist, dental therapist, dental hygienist, expanded function dental
3 auxiliary, or mobile dentistry program registrant has done any of the following:

4 **SECTION 49.** 447.07 (3) (e) to (h) of the statutes are amended to read:

5 447.07 (3) (e) Subject to ss. 111.321, 111.322, and 111.335, been convicted of a
6 crime, the circumstances of which substantially relate to the practice of dentistry,
7 dental therapy, or dental hygiene, the practice of an expanded function dental
8 auxiliary, or the operation of a mobile dentistry program.

9 (f) Violated this chapter or any federal or state statute or rule that relates to
10 the practice of dentistry, dental therapy, dental hygiene, or an expanded function
11 dental auxiliary, or the operation of a mobile dentistry program.

12 (g) Subject to ss. 111.321, 111.322 and 111.34, practiced dentistry, dental
13 therapy, or dental hygiene or as an expanded function dental auxiliary while his or
14 her ability was impaired by alcohol or other drugs.

15 (h) Engaged in conduct that indicates a lack of knowledge of, an inability to
16 apply or the negligent application of, principles or skills of dentistry, dental therapy,
17 or dental hygiene or the practice of an expanded function dental auxiliary.

18 **SECTION 50.** 447.07 (6) of the statutes is created to read:

19 447.07 (6) The examining board shall immediately revoke the license to
20 practice dental therapy granted under s. 447.04 (1m) of an individual who qualified
21 for the license on the basis of graduation from a dental therapy education program
22 described in s. 447.04 (1m) (c) 3. if, upon the conclusion of the 4-year period described
23 in s. 447.04 (1m) (c) 3., the program is not accredited as described in s. 447.04 (1m)
24 (c) 1. If the program subsequently becomes accredited, the examining board may
25 allow reinstatement of a revoked license described in this subsection.

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1 **SECTION 51.** 447.40 (intro.) of the statutes is amended to read:

2 **447.40 Informed consent.** (intro.) Any dentist or dental therapist who treats
3 a patient shall inform the patient about the availability of reasonable alternate
4 modes of treatment and about the benefits and risks of these treatments. The
5 reasonable dentist standard is the standard for informing a patient under this
6 section. The reasonable dentist standard requires disclosure only of information
7 that a reasonable dentist would know and disclose under the circumstances. The
8 dentist's or dental therapist's duty to inform the patient under this section does not
9 require disclosure of any of the following:

10 **SECTION 52.** 447.40 (6) of the statutes is amended to read:

11 447.40 (6) Information about alternate modes of treatment for any condition
12 the dentist or dental therapist has not included in his or her diagnosis, assessment,
13 or treatment plan at the time the dentist or dental therapist informs the patient.

14 **SECTION 53.** 448.03 (2) (a) of the statutes is amended to read:

15 448.03 (2) (a) Any person lawfully practicing within the scope of a license,
16 permit, registration, certificate, or certification granted to practice midwifery under
17 subch. XIII of ch. 440, to practice professional or practical nursing or
18 nurse-midwifery under ch. 441, to practice chiropractic under ch. 446, to practice
19 dentistry, dental therapy, or dental hygiene or as an expanded function dental
20 auxiliary under ch. 447, to practice optometry under ch. 449, to practice as a
21 physician assistant under subch. IX, to practice acupuncture under ch. 451 or under
22 any other statutory provision, to practice naturopathic medicine under ch. 466, or as
23 otherwise provided by statute.

24 **SECTION 54.** 448.975 (2) (c) 1. of the statutes is amended to read:

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1 448.975 (2) (c) 1. The practice of dentistry, dental therapy, or dental hygiene
2 within the meaning of ch. 447.

3 **SECTION 55.** 450.03 (1) (e) of the statutes is amended to read:

4 450.03 (1) (e) Any person lawfully practicing within the scope of a license,
5 permit, registration, certificate, or certification granted to practice as a pharmacy
6 technician under s. 450.068, to provide home medical oxygen under s. 450.076, to
7 practice professional or practical nursing or nurse-midwifery under ch. 441, to
8 practice dentistry, dental therapy, or dental hygiene or as an expanded function
9 dental auxiliary under ch. 447, to practice medicine and surgery under ch. 448, to
10 practice optometry under ch. 449, to practice naturopathic medicine under ch. 466,
11 or to practice veterinary medicine under ch. 89, or as otherwise provided by statute.

12 **SECTION 56.** 450.10 (3) (a) 4. of the statutes is amended to read:

13 450.10 (3) (a) 4. A dentist or dental therapist licensed under ch. 447.

14 **SECTION 57.** 462.02 (2) (d) of the statutes is amended to read:

15 462.02 (2) (d) A dentist licensed under s. 447.04 (1), a dental therapist licensed
16 under s. 447.04 (1m), a dental hygienist licensed under s. 447.04 (2), a person
17 certified as an expanded function dental auxiliary under s. 447.04 (3), or a person
18 under the direct supervision of a dentist.

19 **SECTION 58.** 462.04 of the statutes, as affected by 2021 Wisconsin Act 251, is
20 amended to read:

21 **462.04 Prescription or order required.** A person who holds a license or
22 limited X-ray machine operator permit under this chapter may not use diagnostic
23 X-ray equipment on humans for diagnostic purposes unless authorized to do so by
24 prescription or order of a physician licensed under s. 448.04 (1) (a), a naturopathic
25 doctor licensed under s. 466.04 (1), a dentist licensed under s. 447.04 (1), a dental

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1 therapist licensed under s. 447.04 (1m), a podiatrist licensed under s. 448.63, a
2 chiropractor licensed under s. 446.02, an advanced practice nurse certified under s.
3 441.16 (2), a physician assistant licensed under s. 448.974, or, subject to s. 448.56 (7)
4 (a), a physical therapist who is licensed under s. 448.53 or who holds a compact
5 privilege under subch. XI of ch. 448.

6 **SECTION 59.** 463.10 (5) of the statutes is amended to read:

7 463.10 (5) EXCEPTION. Subsections (2) to (4m) do not apply to a dentist who is
8 ~~licensed under s. 447.03 (1) or to a~~, dental therapist, or physician who tattoos or
9 offers to tattoo a person in the course of the dentist's, dental therapist's, or physician's
10 professional practice.

11 **SECTION 60.** 463.12 (5) of the statutes is amended to read:

12 463.12 (5) EXCEPTION. Subsections (2) to (4m) do not apply to a dentist who is
13 ~~licensed under s. 447.03 (1) or to a~~, dental therapist, or physician who pierces the
14 body of or offers to pierce the body of a person in the course of the dentist's, dental
15 therapist's, or physician's professional practice.

16 **SECTION 61.** 632.87 (4) of the statutes is amended to read:

17 632.87 (4) No policy, plan or contract may exclude coverage for diagnosis and
18 treatment of a condition or complaint by a licensed dentist or dental therapist within
19 the scope of the dentist's or dental therapist's license, if the policy, plan or contract
20 covers diagnosis and treatment of the condition or complaint by another health care
21 provider, as defined in s. 146.81 (1) (a) to (p).

22 **SECTION 62.** 895.48 (1m) (a) (intro.) of the statutes is amended to read:

23 895.48 (1m) (a) (intro.) Except as provided in par. (b), any physician,
24 naturopathic doctor, physician assistant, podiatrist, or athletic trainer licensed
25 under ch. 448, chiropractor licensed under ch. 446, dentist or dental therapist

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1 licensed under ch. 447, emergency medical services practitioner licensed under s.
2 256.15, emergency medical responder certified under s. 256.15 (8), registered nurse
3 licensed under ch. 441, or a massage therapist or bodywork therapist licensed under
4 ch. 460 who renders voluntary health care to a participant in an athletic event or
5 contest sponsored by a nonprofit corporation, as defined in s. 66.0129 (6) (b), a private
6 school, as defined in s. 115.001 (3r), a tribal school, as defined in s. 115.001 (15m), a
7 public agency, as defined in s. 46.856 (1) (b), or a school, as defined in s. 609.655 (1)
8 (c), is immune from civil liability for his or her acts or omissions in rendering that
9 care if all of the following conditions exist:

10 **SECTION 63.** 895.48 (1m) (a) 2. of the statutes is amended to read:

11 895.48 **(1m)** (a) 2. The physician, naturopathic doctor, podiatrist, athletic
12 trainer, chiropractor, dentist, dental therapist, emergency medical services
13 practitioner, as defined in s. 256.01 (5), emergency medical responder, as defined in
14 s. 256.01 (4p), physician assistant, registered nurse, massage therapist or bodywork
15 therapist does not receive compensation for the health care, other than
16 reimbursement for expenses.

17 **SECTION 64.** 941.315 (5) of the statutes is amended to read:

18 941.315 **(5)** (a) Subsection (2) does not apply to a person to whom nitrous oxide
19 is administered for the purpose of providing medical or dental care, if the nitrous
20 oxide is administered by a physician ~~or~~, dental therapist or at the direction
21 or under the supervision of a physician ~~or~~, dental therapist.

22 (b) Subsection (3) does not apply to the administration of nitrous oxide by a
23 physician ~~or~~, dental therapist, or by another person at the direction or
24 under the supervision of a physician ~~or~~, dental therapist, for the purpose
25 of providing medical or dental care.

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1 (c) Subsection (3) (c) does not apply to the sale to a hospital, health care clinic
2 or other health care organization or to a physician ~~or~~, dentist, or dental therapist of
3 any object used, designed for use or primarily intended for use in administering
4 nitrous oxide for the purpose of providing medical or dental care.

SECTION 65. Nonstatutory provisions.

5
6 (1) The dentistry examining board shall send a notice to the legislative
7 reference bureau for publication in the Wisconsin Administrative Register when the
8 board determines that 50 or more individuals are currently licensed as dental
9 therapists in this state under s. 447.04 (1m).

10 (2) (a) The dentistry examining board shall promulgate emergency rules under
11 s. 227.24 that are necessary to implement this act. Notwithstanding s. 227.24 (1) (c)
12 and (2), emergency rules promulgated under this paragraph remain in effect for 2
13 years, or until the date on which permanent rules take effect, whichever is sooner.
14 Notwithstanding s. 227.24 (1) (a) and (3), the board is not required to provide
15 evidence that promulgating a rule under this paragraph as an emergency rule is
16 necessary for the preservation of the public peace, health, safety, or welfare and is
17 not required to provide a finding of emergency for a rule promulgated under this
18 paragraph.

19 (b) The dentistry examining board shall present a statement of scope for
20 permanent and emergency rules required to implement this act to the department
21 of administration under s. 227.135 (2) no later than the 30th day after the effective
22 date of this paragraph. Notwithstanding s. 227.135 (2), if the governor does not
23 disapprove the statement of scope by the 30th day after the statement is presented
24 to the department of administration, the statement is considered to be approved by
25 the governor.

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1 (c) The dentistry examining board shall submit a proposed emergency rule
2 required to implement this act to the governor for approval under s. 227.24 (1) (e) 1g.
3 no later than the 150th day after the effective date of this paragraph.
4 Notwithstanding s. 227.24 (1) (e) 1g., if the governor does not reject the proposed
5 emergency rule by the 14th day after the rule is submitted to the governor in final
6 draft form, the rule is considered to be approved by the governor.

7 (d) The dentistry examining board shall submit a proposed permanent rule
8 required to implement this act to the governor for approval under s. 227.185 no later
9 than the 365th day after the effective date of this paragraph. Notwithstanding s.
10 227.185, if the governor does not reject that proposed permanent rule by the 30th day
11 after the rule is submitted to the governor in final draft form, the rule is considered
12 to be approved by the governor.

13 **SECTION 66. Effective dates.** This act takes effect on the day after publication,
14 except as follows:

15 (1) The treatment of s. 15.405 (6) (b) takes effect on the date the notice under
16 s. 447.02 (6) is published in the Wisconsin Administrative Register or on the first day
17 of the 6th year beginning after publication, whichever occurs first.

18

(END)