



2013 SENATE BILL 413

December 3, 2013 – Introduced by Senators FARROW, ELLIS, GROTHMAN, GUDEX, HANSEN, KEDZIE, LASEE, LASSA, LEHMAN, MOULTON, OLSEN, PETROWSKI, SCHULTZ, SHILLING, WIRCH and HARRIS, cosponsored by Representatives JAGLER, BALLWEG, BARCA, BERNARD SCHABER, BERNIER, BIES, BILLINGS, BORN, CRAIG, DOYLE, ENDSLEY, GENRICH, HINTZ, KAHL, KAUFERT, KERKMAN, KESTELL, KRUG, LOUDENBECK, MASON, MURPHY, A. OTT, PETERSEN, PETRYK, RIEMER, RINGHAND, SARGENT, TAUCHEN, C. TAYLOR, THIESFELDT, TITTL, TRANEL, WACHS, WEATHERSTON, WEININGER, WILLIAMS and BEWLEY. Referred to Energy, Consumer Protection, and Government Reform.

1 **AN ACT to repeal** 447.01 (8) (a), 447.01 (8) (b), 447.01 (8) (c), 447.01 (8) (d), 447.01
2 (8) (e), 447.01 (8) (f), 447.01 (8) (g) and 447.01 (8) (h); **to renumber and amend**
3 447.01 (8) (intro.); **to amend** 447.03 (3) (h); and **to create** 447.01 (8) (bm) of the
4 statutes; **relating to:** the definition and practice of dentistry for professional
5 licensing purposes.

Analysis by the Legislative Reference Bureau

Generally, under current law, to practice dentistry in Wisconsin, a person must be licensed as a dentist by the Dentistry Examining Board. Current law defines “dentistry” as “the examination, diagnosis, treatment, planning or care of conditions within the human oral cavity or its adjacent tissues and structures.” The definition of dentistry under current law further specifies a number of activities that constitute dentistry, including extracting teeth or correcting their malposition; prescribing or administering drugs, including anesthetics, in conjunction with providing purported dental services; engaging in any of the practices, techniques, or procedures included in the curricula of accredited dental schools; or penetrating, piercing, or severing the tissues within the human oral cavity or adjacent associated structures.

This bill replaces that definition and defines “dentistry” to mean “the examination, evaluation, diagnosis, prevention, or treatment, including surgery, of diseases, disorders, or conditions of the human oral cavity or its adjacent or associated tissues and structures, or of the maxillofacial area, and their impact on the human body.”

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The bill also provides that a licensed dentist may not perform dental services that are outside the scope of the dentist's relevant education, training, and experience, and the bill excludes from the dentistry licensing requirement any physician who is licensed in this state to the extent that the physician is acting within the scope of his or her license. Current law excludes a physician only to the extent that he or she extracts teeth or performs other activities specified by statute.

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

1 **SECTION 1.** 447.01 (8) (intro.) of the statutes is renumbered 447.01 (8) (am) and
2 amended to read:

3 447.01 (8) (am) "Dentistry" means the examination, evaluation, diagnosis,
4 prevention, or treatment, ~~planning or care including surgery,~~ of diseases, disorders,
5 or conditions within of the human oral cavity or its adjacent or associated tissues and
6 structures. ~~"Dentistry" includes any of the following:, or of the maxillofacial area,~~
7 and their impact on the human body.

8 **SECTION 2.** 447.01 (8) (a) of the statutes is repealed.

9 **SECTION 3.** 447.01 (8) (b) of the statutes is repealed.

10 **SECTION 4.** 447.01 (8) (bm) of the statutes is created to read:

11 447.01 (8) (bm) A dentist licensed under this chapter may not perform dental
12 services that are outside the scope of the dentist's relevant education, training, and
13 experience.

14 **SECTION 5.** 447.01 (8) (c) of the statutes is repealed.

15 **SECTION 6.** 447.01 (8) (d) of the statutes is repealed.

16 **SECTION 7.** 447.01 (8) (e) of the statutes is repealed.

17 **SECTION 8.** 447.01 (8) (f) of the statutes is repealed.

18 **SECTION 9.** 447.01 (8) (g) of the statutes is repealed.

19 **SECTION 10.** 447.01 (8) (h) of the statutes is repealed.

