

CR 89-203

**CERTIFICATE**

**STATE OF WISCONSIN**

**DEPARTMENT OF REGULATION AND LICENSING**

**TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:**

**I, Deanna Zychowski, Administrative Assistant, Bureau of Health Professions in the Wisconsin Department of Regulation and Licensing and deputy custodian of the official records of the Medical Examining Board, do hereby certify that the annexed rules were duly approved and adopted by the Medical Examining Board on the 19th day of September, 1990.**

**I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.**

**IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin, this 27th day of September, 1990.**

  
**Deanna Zychowski, Administrative Assistant  
Bureau of Health Professions  
Department of Regulation and Licensing**

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**SEP 27 1990**  
*4:00 pm*  
Revisor of Statutes  
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11-1-90

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SEP 27 1990

STATE OF WISCONSIN  
MEDICAL EXAMINING BOARD

Revisor of Statutes  
~~Bureau~~

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IN THE MATTER OF RULE-MAKING	:	ORDER OF THE
PROCEEDINGS BEFORE THE	:	MEDICAL EXAMINING BOARD
MEDICAL EXAMINING BOARD	:	ADOPTING RULES
	:	(Clearinghouse Rule 89-203)

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ORDER

An order of the Medical Examining Board to create Med 10.02 (2) (w) of the administrative code relating to use of the term "board certified" or a similar like meaning in advertising.

Analysis prepared by the Department of Regulation and Licensing.

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ANALYSIS

Statutes interpreted: s. 448.01 (11), Stats.

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) (a), 448.40, Stats.

In this order the Medical Examining Board is creating proposed rules relating to use of the term "board certified" in advertising because the practice has developed in numerous states of physicians using the term "board certified" in advertising but not stating the name of the board by which they are certified. The term "board certified" frequently appears in conjunction with a list of services that the physician provides. The general public could easily be misled into thinking that the physician was certified in all of those services whereas in fact the name of his actual certifying board was not listed in the ad. Other instances occurred in which the term "board certified" was used by physicians who are "certified" by the National Board of Medical Examiners. However, these physicians were not certified by any specialty board. A physician who identifies himself as a recognized specialist must have received such recognition from a specialty board of the American Board of Medical Specialties.

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TEXT OF RULE

SECTION 1. Med 10.02 (2) (w) is created to read:

Med 10.02 (2) (w) Use in advertising of the term "board certified" or a similar phrase of like meaning unless in fact so certified and unless disclosure is made of the complete name of the specialty board which conferred the certification.

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register as provided in s. 227.22 (2) (intro), Stats.

Dated 9/19/90

Agency H. Morvath (Signature)  
Chairperson  
Medical Examining Board

RULES-235  
09/06/90

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