

1981 Assembly Bill 111

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CHAPTER 65 , Laws of 1981

AN ACT to repeal 447.07 (5); to amend 447.07 (3) (a) to (c); and to create 447.07 (3) (g) to (k) of the statutes, relating to authorizing the dentistry examining board to sanction a dentist or dental hygienist for incompetence, negligence or billing irregularities.

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

SECTION 1. 447.07 (3) (a) to (c) of the statutes are amended to read:

447.07 (3) (a) ~~Immoral, dishonorable~~ Dishonorable or unprofessional conduct in the course of practicing dentistry;

(b) Having procured ~~his~~ the license or certificate by fraud or perjury or through error;

(c) A violation of s. 447.02 (2);

SECTION 2. 447.07 (3) (g) to (k) of the statutes are created to read:

447.07 (3) (g) Conduct which indicates a lack of knowledge of, an inability to apply or the negligent application of, principles or skills of the profession which the holder has a license, permit or certificate to practice.

(h) Unprofessional advertising, as defined in sub. (6).

(i) Obtaining a fee by fraud or deceit.

(j) Employing directly or indirectly a student or a suspended or unlicensed dentist to perform operations or make diagnoses, or to treat lesions of the human teeth or jaws, or to correct malposed formations thereof, except that an unlicensed person may perform exclusively mechanical work upon inert matter in a dental office or laboratory.

(k) Repeated irregularities in billing a 3rd party for services rendered to a patient. In this paragraph, "irregularities in billing" includes:

1. Reporting charges for the purpose of obtaining a total payment in excess of that usually received by the dentist for the services rendered.

2. Reporting incorrect treatment dates for the purpose of obtaining payment.

3. Reporting charges for services not rendered.

4. Incorrectly reporting services rendered for the purpose of obtaining payment.

5. Abrogating the copayment provisions of a contract by accepting the payment received from the 3rd party as full payment.

SECTION 3. 447.07 (5) of the statutes is repealed.

SECTION 4. **Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

A	B	C
Statute Sections	Old Cross-References	New Cross-References
447.07 (6)(intro.)	sub. (5)	sub. (3)(h)