



2019 ASSEMBLY BILL 998

March 2, 2020 - Introduced by Representatives LOUDENBECK, BALLWEG, DITTRICH and FELZKOWSKI, cosponsored by Senator KOOYENGA. Referred to Committee on Health.

1 **AN ACT** *to amend* 447.02 (5) and 447.06 (title); and *to create* 447.01 (1e), 447.01
2 (9m), 447.01 (12g), 447.01 (12r), 447.02 (1) (g) and 447.06 (3) of the statutes;
3 **relating to:** using telehealth in the practice of dentistry and dental hygiene
4 and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Under this bill, a dentist or dental hygienist who uses telehealth in the practice of dentistry or dental hygiene must provide to a patient his or her full name and license number before treating the patient and must follow protocols established by the Dentistry Examining Board by rule. The bill defines “telehealth” as a practice of dental care delivery, diagnosis, consultation, treatment, or transfer of medical data by means of audio, video, or data communications, including asynchronous telehealth services, interactive telehealth, and remote patient monitoring.

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:

5 **SECTION 1.** 447.01 (1e) of the statutes is created to read:

ASSEMBLY BILL 998**SECTION 1**

1 447.01 (1e) “Asynchronous telehealth service” means a transmission of
2 medical data about a patient to a provider when the transmission is not a 2-way,
3 real-time, interactive communication.

4 **SECTION 2.** 447.01 (9m) of the statutes is created to read:

5 447.01 (9m) “Interactive telehealth” means a delivery of medical data using
6 multimedia communication technology that permits 2-way, real-time, interactive
7 communications between a provider at a distant site and a patient or the patient’s
8 provider.

9 **SECTION 3.** 447.01 (12g) of the statutes is created to read:

10 447.01 (12g) “Remote patient monitoring” means transmitting a patient’s
11 medical data to a provider for monitoring and response if necessary.

12 **SECTION 4.** 447.01 (12r) of the statutes is created to read:

13 447.01 (12r) “Telehealth” means a practice of dental care delivery, diagnosis,
14 consultation, treatment, or transfer of medical data by means of audio, video, or data
15 communications, including asynchronous telehealth services, interactive
16 telehealth, and remote patient monitoring, but does not include communications
17 delivered solely by audio-only telephone, facsimile machine, or electronic mail.

18 **SECTION 5.** 447.02 (1) (g) of the statutes is created to read:

19 447.02 (1) (g) Establishing protocols for the use of telehealth in the practice of
20 dentistry or dental hygiene.

21 **SECTION 6.** 447.02 (5) of the statutes is amended to read:

22 447.02 (5) Except as provided in ss. 447.058 and 447.063, nothing in this
23 chapter may be construed as authorizing the examining board to regulate business
24 or administrative support functions or services, including digital photography, that

ASSEMBLY BILL 998**SECTION 6**

1 do not constitute the practice of dentistry or dental hygiene, provided to a business
2 that provides dental or dental hygiene services.

3 **SECTION 7.** 447.06 (title) of the statutes is amended to read:

4 **447.06 (title) Practice limitations and requirements.**

5 **SECTION 8.** 447.06 (3) of the statutes is created to read:

6 447.06 (3) A dentist or dental hygienist may use telehealth in the practice of
7 dentistry or dental hygiene if all of the following apply:

8 (a) The dentist or dental hygienist provides to a patient before treatment the
9 dentist's or dental hygienist's full name and license number.

10 (b) The dentist or dental hygienist follows protocols established by rule under
11 s. 447.02 (1) (g).

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(END)