



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1762/1
KP:amn

2021 ASSEMBLY BILL 585

September 29, 2021 - Introduced by Representatives HINTZ, NEUBAUER, BALDEH, L. MYERS, CONLEY, BOWEN, STUBBS, SPREITZER, OHNSTAD, ANDERSON, GOYKE, EMERSON, SUBECK, HEBL, POPE, CABRERA, SINICKI, DRAKE, VINING and HESSELBEIN, cosponsored by Senators CARPENTER, ROYS, AGARD, L. TAYLOR and JOHNSON. Referred to Committee on Constitution and Ethics.

1 **AN ACT** *to renumber* 447.059 (2) (a); *to renumber and amend* 447.059 (1) (b),
2 447.059 (1) (c), 447.059 (2) (intro.), 447.059 (2) (b), 447.059 (2) (c) and 447.059
3 (3); *to consolidate, renumber and amend* 447.059 (1) (intro.) and (a); *to*
4 **amend** 447.01 (8) (az), 447.056 (1) (intro.), 447.059 (title) and 447.059 (4); and
5 **to create** 447.01 (12m), 447.02 (2) (k), 447.059 (2) (bm), 447.059 (2) (cm),
6 447.059 (3) (a) (intro.) and 447.059 (3) (b) of the statutes; **relating to:** dentists
7 administering vaccines and granting rule-making authority.

Analysis by the Legislative Reference Bureau

Current law authorizes dentists to administer COVID-19 and flu vaccines. This bill authorizes dentists to administer the following vaccines: 1) vaccines listed in the current immunization schedules recommended by the federal government; and 2) vaccines administered pursuant to a prescription order, vaccination protocol, or standing order. Under the bill, a dentist may administer a vaccine to a child under the age of six only if the vaccine is administered pursuant to a prescription order and the dentist successfully completes training that includes administering vaccines to children under the age of six.

A dentist who administers a vaccine under the bill must update the Wisconsin Immunization Registry established by the Department of Health Services within seven days of administering the vaccine.

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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.** 447.01 (8) (az) of the statutes, as created by 2021 Wisconsin Act 8,
2 is amended to read:

3 447.01 **(8)** (az) “Dentistry” includes administering vaccines against
4 SARS-CoV-2 coronavirus and influenza under s. 447.059 (1).

5 **SECTION 2.** 447.01 (12m) of the statutes is created to read:

6 447.01 **(12m)** “Vaccination protocol” means a written protocol agreed to by a
7 physician and a dentist that establishes procedures and record-keeping and
8 reporting requirements for the administration of a vaccine by a dentist for a period
9 specified in the protocol that may not exceed 2 years.

10 **SECTION 3.** 447.02 (2) (k) of the statutes is created to read:

11 447.02 **(2)** (k) After consultation with the medical examining board and the
12 board of nursing, criteria for approving courses under s. 447.059 (1) and (2) (am) 2.

13 **SECTION 4.** 447.056 (1) (intro.) of the statutes is amended to read:

14 447.056 **(1)** (intro.) Except as provided in subs. (2) to (4), a person is not eligible
15 for renewal of a license to practice dentistry, other than a permit issued under s.
16 447.02 (3), unless the person has taught, attended, or otherwise completed, during
17 the 2-year period immediately preceding the renewal date specified under s. 440.08
18 (2) (a), 30 credit hours of continuing education related to the practice of dentistry or
19 the practice of medicine, including not less than 25 credit hours of instruction in
20 clinical dentistry or clinical medicine. Not more than 4 of the 30 credit hours may
21 be from teaching. A dentist may earn continuing education credit hours by

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1 completing a course specified in s. 447.059 (1) and (2) (am) 2. Continuing education
2 does not satisfy the requirements under this subsection unless the continuing
3 education is one of the following:

4 **SECTION 5.** 447.059 (title) of the statutes, as created by 2021 Wisconsin Act 8,
5 is amended to read:

6 **447.059 (title) Administering certain vaccines.**

7 **SECTION 6.** 447.059 (1) (intro.) and (a) of the statutes, as created by 2021
8 Wisconsin Act 8, are consolidated, renumbered 447.059 (1) and amended to read:

9 447.059 (1) A dentist may administer ~~without a prescription order~~ a vaccine
10 ~~against SARS-CoV-2 coronavirus or influenza~~ only if he or she satisfies ~~all of the~~
11 ~~following:~~ (a) ~~The dentist~~ successfully completes 8 hours in a course of study and
12 training approved by the examining board in vaccination storage, protocols,
13 administration technique, emergency procedures, and record keeping and satisfies
14 the requirements specified in sub. (3) (a).

15 **SECTION 7.** 447.059 (1) (b) of the statutes, as created by 2021 Wisconsin Act 8,
16 is renumbered 447.059 (3) (a) 1. and amended to read:

17 447.059 (3) (a) 1. The dentist has in effect liability insurance that covers the
18 dentist against loss, expense, and liability resulting from errors, omissions, or
19 neglect in the administration of vaccines ~~against SARS-CoV-2 coronavirus and~~
20 ~~influenza~~ in an amount that is not less than \$1,000,000 for each occurrence and
21 \$2,000,000 for all occurrences in any one policy year.

22 **SECTION 8.** 447.059 (1) (c) of the statutes, as created by 2021 Wisconsin Act 8,
23 is renumbered 447.059 (3) (a) 2. and amended to read:

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1 447.059 (3) (a) 2. The dentist maintains proof of ~~completing a course of study~~
2 and training specified in par. (a) and satisfying the requirement specified in par. (b).
3 subd. 1.

4 **SECTION 9.** 447.059 (2) (intro.) of the statutes, as created by 2021 Wisconsin Act
5 8, is renumbered 447.059 (2) (am) (intro.) and amended to read:

6 447.059 (2) (am) (intro.) A dentist may not administer a vaccine under ~~sub. (1)~~
7 this section to a child who is under the age of 6 unless all of the following apply:

8 **SECTION 10.** 447.059 (2) (a) of the statutes, as created by 2021 Wisconsin Act
9 8, is renumbered 447.059 (2) (am) 1.

10 **SECTION 11.** 447.059 (2) (b) of the statutes, as created by 2021 Wisconsin Act
11 8, is renumbered 447.059 (2) (am) 2. and amended to read:

12 447.059 (2) (am) 2. The dentist successfully completes a course of instruction
13 approved by the examining board that includes the administration of vaccines
14 against SARS-CoV-2 coronavirus and influenza to children under the age of 6.

15 **SECTION 12.** 447.059 (2) (bm) of the statutes is created to read:

16 447.059 (2) (bm) Subject to par. (am), a dentist may administer without a
17 prescription order any vaccine listed in the current immunization schedules
18 recommended by the federal advisory committee on immunization practices and
19 published by the federal centers for disease control and prevention.

20 **SECTION 13.** 447.059 (2) (c) of the statutes, as created by 2021 Wisconsin Act
21 8, is renumbered 447.059 (2) (am) 3. and amended to read:

22 447.059 (2) (am) 3. The dentist maintains proof of completing a course of
23 instruction specified in ~~par. (b).~~ subd. 2.

24 **SECTION 14.** 447.059 (2) (cm) of the statutes is created to read:

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1 447.059 (2) (cm) Subject to par. (am), a dentist may administer any vaccine not
 2 listed in the current immunization schedules recommended by the federal advisory
 3 committee on immunization practices and published by the federal centers for
 4 disease control and prevention if the vaccine is administered pursuant to a
 5 prescription order, vaccination protocol, or standing order, as defined in s. 450.01
 6 (21p).

7 **SECTION 15.** 447.059 (3) of the statutes, as created by 2021 Wisconsin Act 8, is
 8 renumbered 447.059 (3) (c) and amended to read:

9 447.059 (3) (c) Upon request, a dentist shall provide copies of proof required
 10 under ~~subs. (1) (e) and (2) (e)~~ pars. (a) 2. and (b) and sub. (2) (am) 3. to the department
 11 or the examining board.

12 **SECTION 16.** 447.059 (3) (a) (intro.) of the statutes is created to read:

13 447.059 (3) (a) (intro.) A dentist may not administer a vaccine under this
 14 section unless the dentist satisfies each of the following:

15 **SECTION 17.** 447.059 (3) (b) of the statutes is created to read:

16 447.059 (3) (b) A dentist shall maintain proof of completing a course of
 17 instruction specified in sub. (1).

18 **SECTION 18.** 447.059 (4) of the statutes, as created by 2021 Wisconsin Act 8, is
 19 amended to read:

20 447.059 (4) A dentist who administers a vaccine under ~~sub. (1)~~ this section
 21 shall update the Wisconsin Immunization Registry established by the department
 22 of health services within 7 days of administering the vaccine.

23 (END)