

No. 606, S.]

[Published July 9, 1949.

CHAPTER 415.

AN ACT to repeal 152.07 (2) (a); to renumber 152.07 (2) (b) to be 152.07 (2) (a); to amend 20.45 (1), 152.02 (1), 152.05 (1) and (4), 152.06 (1), 152.07 (3) and (7); to repeal and recreate 152.04, 152.05 (2) and 152.07 (6) and to create 152.06 (7) and 152.07 (2) (b) of the statutes, relating to dentistry and making an appropriation.

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

SECTION 1. 20.45 (1) of the statutes is amended to read:

20.45 (1) To each member of the board compensation at the rate of * * * \$15 per day for each day actually engaged in the performance of the duties of the office.

SECTION 2. 152.02 (1) of the statutes is amended to read:

152.02 (1) One who was engaged in the lawful practice of dentistry in this state on January 1, 1939, may continue if he has annually registered. No other person shall practice dentistry in this state, unless he is licensed and annually registered in the state of Wisconsin. Any person shall be said to be practicing dentistry within the meaning of this chapter who uses or permits to be used, directly or indirectly, for a profit or otherwise for himself or for any other person, the title "doctor", "Dr.", "Doctor of Dental Surgery", or "D.D.S.", or any other letters, titles, terms or descriptive matter, personal or not, which directly or indirectly represent him to be engaged in the practice of dentistry; or who owns, leases, maintains, operates or controls, directly or indirectly, in whole or in part, an office or any other place where dental operations are performed,

or who directly or indirectly is manager, proprietor or conductor of the same, except that owners or lessees of real estate, may lease the premises, or any part thereof, to dentists or dental surgeons or physicians who are qualified to practice dentistry or dental surgery, within the meaning of this act; or who informs the public directly or indirectly in any language, orally, in writing or printing, or by drawings, demonstrations, signs or pictures, that he can perform or will attempt to perform dental operations of any kind, or who undertakes to practice dentistry by any means or methods, as defined in this chapter, gratuitously, or for a salary, fee, money or other reward paid directly or indirectly to himself or to any other person; to diagnose or profess to diagnose or treat or profess to treat or prescribe or profess to prescribe for any of the lesions, diseases, disorders or deficiencies of the human oral cavity, teeth, investing tissues, maxilla or mandible, or adjacent associated structures; or who extracts human teeth, corrects malposition thereof; or who, except on written prescription of a licensed dentist, and by use of impressions taken by a duly licensed and practicing dentist, shall directly or indirectly by mail, carrier, person or any other method furnish, supply, construct, reproduce or repair prosthetic dentures, bridges, appliances or other structures to be used or worn as substitutes for natural human teeth; or who shall place such substitutes in the mouth directly or indirectly or adjust the same * * *; or who shall take or make or give advice or assistance or provide facilities for the taking or making of any impression, bite, cast or design preparatory to, or for the purpose of, or with a view to the making, producing, reproducing, constructing, fitting, furnishing, supplying, altering or repairing of any such prosthetic denture, bridge, or appliance; or who shall administer anesthetics, either general or local, within the meaning of this chapter; or who engages in any of the practices included in the curricula of recognized dental schools or colleges. Except, that a physician or surgeon licensed in this state may extract teeth or operate upon the palate or maxillary bones and investing tissues and administer anesthetics, either general or local, within the meaning of this chapter; and that a bona fide student, in regular attendance at a dental school or college may practice under direct supervision of a teacher in such dental school or college or infirmary or clinic connected with such dental school or college. A legal practitioner of another state may demonstrate before a recognized incorporated dental society or school of instruction. Army, navy and United States public health and veterans' bureau dentists may practice only while operating under the jurisdiction of such departments, unless they are duly licensed in this state. A dental laboratory or dental laboratory technician may construct appliances or restorations for licensed dentists in a dental office or mechanical dental laboratory, only provided such appliances or restorations are constructed for a licensed dentist upon receipt of impressions or measurements supplied with directions and prescription from such licensed dentist, provided, that such appliances or restorations or the services rendered in the construction, repair or alterations thereof shall not be advertised, sold or delivered, directly or indirectly, to the public by the dental laboratory or dental laboratory technician as principal or agent.

SECTION 3. 152.04 of the statutes is repealed and recreated to read:

152.04 EXAMINATION. An applicant who has complied with section 152.03 shall be examined in writing in such of those subjects usually taught in reputable dental colleges as the board deems necessary. In addition, an applicant shall submit to such practical examination in operative and mechanical dentistry as may be prescribed by the board.

SECTION 4. 152.05 (1) of the statutes is amended to read:

152.05 (1) If * * * the board finds the applicant for a license qualified, it shall issue a license to practice dentistry, signed by the members and attested by the president and secretary.

SECTION 5. 152.05 (2) of the statutes is repealed and recreated to read:

152.05 (2) The board may license without written examination a person holding a license to practice dentistry in another state who presents to the board satisfactory proof that he has reputably engaged in practice therein for 5 years next preceding his application, if in such state the requirements imposed are equivalent to those of this state, upon presentation of the license and a diploma from a reputable professional college approved and recognized by the board, provided that such other state extends a similar privilege to dentists licensed to practice in Wisconsin. The fee for such license shall be fixed by the board at not less than the reciprocity fee in the state whose license the applicant presents, but in no event less than \$50. The applicant shall pass a practical demonstration in operative and mechanical dentistry as may be prescribed by the board.

SECTION 6. 152.05 (4) of the statutes is amended to read:

152.05 (4) Dentists shall annually register and pay a fee to be fixed each year by the state board of dental examiners, which fee shall not exceed * * * \$4. This fee shall

be due and payable to the secretary of the board on or before September 30 of each year. The board shall publish and mail an annual report and list of names and places of practice of all licensed dentists to each licensed dentist * * * at his last known address. *The secretary of the board shall also cause to be mailed a copy of such published list to the secretary of state, the district attorney of each county, each local board of health, and to any other public official who may request or have need thereof. Any registrant who, subsequent to registering, shall change the address or place of his residence or professional office, or who shall open an additional office, shall, within 30 days thereafter, notify the board in writing of such change and furnish his new residence or professional address.*

SECTION 7. 152.06 (1) of the statutes is amended to read:

152.06 (1) The board may without further process revoke the license of one who for 60 days after notice in writing, by registered mail, mailed to his last known address, fails to annually register and pay the fee. His license may be reinstated, in the discretion of the board, by the payment of \$25 within one year from revocation. *If application for reinstatement is not made within a period of one year from revocation he may be required to demonstrate that he is still qualified to practice by taking an examination in such dental subjects as may be required by the board. The fee for such examination and reinstatement of license shall be \$25.*

SECTION 8. 152.06 (7) of the statutes is created to read:

152.06 (7) The board may suspend the license or certificate, and registration of any person licensed, certified, or registered under this chapter who is a patient in a hospital for mental diseases in this state or elsewhere. A certified copy of commitment or admission papers shall be conclusive evidence of the incapacity of such person to continue in the practice of dentistry or dental hygiene, as the case may be. A person who has been released from a hospital for mental diseases may request the board in writing for reinstatement of his license or certificate, or registration in dentistry or in dental hygiene, as the case may be. Following receipt of such request the board shall hold a hearing as soon as practicable to determine the capacity of the applicant to re-engage in practice. At such hearing medical or other testimony on the issue of the applicant's capacity and on the degree of his recovery may be offered on behalf of the applicant or the board. The board may also, in its discretion, examine such applicant so as to be satisfied that he is then qualified to resume his practice. Any decision made following such hearing shall be reviewable in the manner provided in chapter 227.

SECTION 9. 152.07 (2) (a) of the statutes is repealed.

SECTION 10. 152.07 (2) (b) of the statutes is renumbered to be 152.07 (2) (a).

SECTION 11. 152.07 (2) (b) of the statutes is created to read:

152.07 (2) (b) Applicants who qualify under paragraph (a) shall be examined in writing in such of those subjects usually taught in reputable schools for the training of dental hygienists as the board deems necessary. In addition, the applicants shall submit to such practical examination as may be prescribed by the board.

SECTION 12. 152.07 (3) of the statutes is amended to read:

152.07 (3) One to whom a certificate is issued shall register with the secretary and pay a fee of *not more than* * * * \$2, on or before the next succeeding September 1, and annually thereafter.

SECTION 13. 152.07 (6) of the statutes is repealed and recreated to read:

152.07 (6) The board may certify without written examination one certified to practice dental hygiene in another state who presents to the board satisfactory proof that he has reputably engaged in practice therein for 5 years next preceding his application, if in such state the requirements imposed are equivalent to those of this state, upon presentation of a certificate from such other state and evidence of completion of a course in a reputable training school for dental hygienists approved and recognized by the board, provided that such other state extends a similar provision to dental hygienists certified to practice in Wisconsin. The fee for such certificate shall be fixed by the board at not less than the reciprocity fee in the state whose certificate the applicant presents, in no event to be less than \$15. The applicant shall pass a practical demonstration in dental hygiene to the satisfaction of the board.

SECTION 14. 152.07 (7) of the statutes is amended to read:

152.07 (7) The board may without further process revoke the license of a dental hygienist who for 60 days after notice in writing, by registered mail, mailed to his last known address, fails to annually register and pay the fee prescribed. He may be reinstated, in the discretion of the board, upon the payment of \$5 within one year from revocation. *If application for reinstatement is not made within a period of one year*

from revocation he may be required to demonstrate that he is still qualified to practice by taking an examination in such subjects relating to dental hygiene as may be required by the board. The fee for such examination and reinstatement of certificate shall be \$10.

Approved July 6, 1949.
