

1969 Senate Bill 256

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CHAPTER 85, LAWS OF 1969

AN ACT to repeal 152.07 (6) (g) and (h); to renumber 152.07 (3) (d); to amend 152.07 (3) (a), (5) and (6) (intro.) and (f); to repeal and recreate 152.09; and to create 152.07 (3) (d) and (e) of the statutes, relating to revocation or suspension of dentists' licenses and dental hygienists' certificates and providing a penalty.

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

SECTION 1. 152.07 (3) (a) of the statutes is amended to read:

152.07 (3) (a) Immoral, *dishonorable* or unprofessional conduct in the course of practicing dentistry;

SECTION 2. 152.07 (3) (d) of the statutes is renumbered 152.07 (3) (f).

SECTION 3. 152.07 (3) (d) and (e) of the statutes are created to read:

152.07 (3) (d) Directly or indirectly sending impressions or measurements to a dental laboratory without a written authorization in form approved by the board, signed by the dentist authorizing the same, or directly or indirectly sending a patient, or an agent of a patient, to a dental laboratory for any purpose whatsoever. The board, its agents or employes may inspect dental offices to determine their compliance with this subsection, and may inspect the work authorization records of dental laboratories to determine compliance with this subsection.

(e) A violation of s. 152.08.

SECTION 4. 152.07 (5) and (6) (intro.) and (f) of the statutes are amended to read:

152.07 (5) "Immoral, *dishonorable* or unprofessional conduct" means: Employing ~~what is known as "cappers" or "streeters"~~ *to obtain business anyone to solicit patients*; or resorting to unprofessional advertising, as defined in sub. (6); obtaining a fee by fraud or deceit; wilfully betraying a professional secret; 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; the advertisement of dental business or treatment or devices in which untruthful or incorrect statements are made; habitual intemperance; or gross immorality; and, in the case of a dentist, conduct unbecoming a professional man.

(6) (intro.) "Unprofessional advertising," as ~~that term is~~ used in sub. (5), includes:

(f) Advertising either by sign or in any manner under the name of a corporation, company, association, ~~partner~~ or trade name. No dentist shall display any sign or advertise in any manner concerning his work by the use of any name except the name under which he is licensed to practice dentistry in this state, nor shall he use any ~~partner~~ or trade name or display any sign or advertise in any manner under any ~~partner~~, trade or assumed name under which his practice was formerly conducted, except as permitted by s. 152.02 (2). Nothing contained in this subsection shall forbid a dentist currently licensed and registered in this state from being a member of a corporation organized and operated under s. 180.99, or from doing such advertising in connection therewith as is reasonably necessary to identify an incorporated dental group and the location of its practice.

SECTION 5. 152.07 (6) (g) and (h) of the statutes are repealed.

SECTION 6. 152.09 of the statutes is repealed and recreated to read:

152.09 PENALTIES. Any person violating any provision of this chapter may be fined not more than \$1,000 or imprisoned not more than one year in county jail or both for the 1st offense and may be fined not more than \$2,500 or imprisoned not more than 2 years or both for the 2nd or subsequent conviction within 5 years.

Approved June 17, 1969.
