

## Halbur, Jennifer

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**From:** Peter Theo [petertheo@tds.net]  
**Sent:** Thursday, September 18, 2003 11:00  
**To:** Halbur, Jennifer  
**Subject:** follow up

Good Morning Jennifer:

As a follow up to the Hearing a few weeks ago regarding SB 225 the Dental Hygienist's CE Bill, Sen. Roessler asked us to obtain information regarding Hygienist's licensing fees from other states. Here is the information we have at this point. If Carol would like additional information, please let me know.

Also, per Carol's instructions, we will soon be meeting with the Department staff to discuss their issues with our Bill. I will contact you as soon as we have completed that meeting with an up date on any changes we may want to the Bill. I am confident we will all come to an understanding as to what changes should be made to improve the Bill. Thank you again for all your help as well as Sen. Roessler for her dedication to this issue.

Peter Theo

### Fees for DH license renewal 2003

State, district or province	License renewal fee	Renewal period	Annual	CEUs per year
1. Alabama				12
2. Alaska	\$200	2	\$100.00	7 +CPR
3. Arizona	\$325	3	\$108.00	18
4. Arkansas				15
5. California	\$35	2	\$17.50	12.5
6. Colorado	\$150	2	\$75.00	0
7. Connecticut	\$54	2	\$27.00	8
8. Delaware	\$37	2	\$18.50	12 + CPR**
9. District of Columbia		2		7.5
10. Florida	\$140	2	\$70.00	12
11. Georgia	\$85	2	\$42.50	10
12. Hawaii				10
13. Idaho	\$70	1	\$35.00	12
14. Illinois	\$100	2	\$50.00	12
15. Indiana	\$50	2	\$25.00	7
16. Iowa	\$120 \$140 (LA)*	2	\$60.00 (LA)*\$70.00	15
17. Kansas	\$125	2	\$62.50	15
18. Kentucky				15
19. Louisiana				12
20. Maine				10
21. Maryland	\$180	2	\$90.00	12.5
22. Massachusetts	\$30	2	\$15.00	10
23. Michigan	\$75	2	\$37.50	12
24. Minnesota	\$ 50	1	\$50.00	8
25. Mississippi				10
26. Missouri	\$125	2	\$62.50	15
27. Montana				12
28. Nebraska	\$112	2	\$56.00	15
29. Nevada	\$150	1	\$150.00	12
30. New Hampshire				10
31. New Jersey	\$75	2	\$37.50	5
32. New Mexico	\$240	3	\$80.00	15
33. New York	\$80	3	\$26.66	8
34. North Carolina	\$75	1	\$75.00	6 + CPR**
35. North Dakota				8
36. Ohio	\$102	2	\$51.00	6
37. Oklahoma	\$50	1	\$50.00	10 + CPR**
38. Ontario	\$250 (Canadian) (\$182 US 9-03)	1	\$250.00 (Canadian)	
39. Oregon	\$120	2	\$60.00	12
40. Pennsylvania	\$40	2	\$20.00	10
41. Rhode Island				10
42. South Carolina	\$67 (w/o LA)* \$72 (w/ LA)	1 1	\$67.00 \$72.00	7
43. South Dakota				15
44. Tennessee	\$155	2	\$77.50	15 + CPR**
45. Texas	\$59	1	\$59.00	12
46. Utah				15
47. Vermont				6
48. Virginia	\$55	1	\$55.00	15
49. Washington	\$78	1	\$78.00	16
50. West Virginia	\$50	2	\$25.00	6
51. Wisconsin	\$57	2	\$28.50	0
52. Wyoming				0

\* LA - local anesthesia

\*\* CPR cannot be used for CEUs in this state - required separately

SEPTEMBER 4, 2003  
PUBLIC HEARING

SENATE BILL 225

The Department of Regulation and Licensing

- Barb Showers testified. Submitted written testimony.
- This bill does not allow the Board to specify the educational requirements. This is different from other professions.
- CR asked if it would be unreasonable to increase the renewal fee imposed on dental hygienists as a way to fund continuing educational requirements. The Dept. said that it would not be unreasonable. A comparison of WI rates to that of other states is in the bill folder, written on a yellow piece of paper.
- The Department recently had a fee study done. JFC did not take approve the increases the Dept asked for in response to the study.

Jodi Olmsted, President of the WI Dental Hygienists Association (has practiced for 17 years).

- Supports the bill. She made the point that even cosmetologists have a continuing education requirement.
- WI. currently charges dental hygienists \$57 every other year for license renewal.
- **CR ASKED THAT THE ASSOCIATION WORK WITH THE DEPARTMENT TO REACH A COMPROMISE BILL.**
- **CR EXPRESSED A CONCERN TO GARY RADLOFF AND ASKED HIM TO LOOK INTO IT: ARE FOSTER PARENTS BEING SANCTIONED FOR NOT PROVIDING DENTAL CARE TO FOSTER KIDS EVEN THOUGH THERE IS A SHORTAGE OF DENTISTS WHO WILL SERVE MA PATIENTS.**

**Halbur, Jennifer**

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**From:** Klein, Christopher

**Sent:** Friday, November 21, 2003 4:08

**To:** Halbur, Jennifer

Random Audits for Dental Hygienist CEs.

.75 PA3

1560 Hours

\$26,520 Annually

\$53,040 Recover Biennially

\$58,344 Plus 10%

Divide that by 5,000 active Hygienists and it

Equals \$11.67 biennial renewal fee increase

Christopher P. Klein

Executive Assistant

Department of Regulation & Licensing

608-266-8608

Sent fee 12/2  
Info +  
amendment to  
Mark Kuntel

**Halbur, Jennifer**

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**From:** Klein, Christopher

**Sent:** Friday, November 21, 2003 4:53

**To:** Halbur, Jennifer

Here's the rule -

Chir 5.02 (1) (a)

Christopher P. Klein  
Executive Assistant  
Department of Regulation & Licensing  
608-266-8608

11/21/2003

**Halbur, Jennifer**

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**From:** Peter Theo [petertheo@tds.net]  
**Sent:** Sunday, November 16, 2003 4:47  
**To:** Halbur, Jennifer  
**Subject:** changes to Dental Hygieniest's Bill

Happy Sunday Jennifer:

I am forwarding proposed changes to SB 225 basses off of our meeting with staff from the Department of Regulation and Licensing. The only outstanding issue remains the cost for random auditing by the department. The Department wants to include this cost in the Bill. We are not crazy about that idea.

Call me so we can discuss this further. Office 274-4322 or Cell 332-6828.

Thanks,

Peter Theo

11/17/2003

## Privileged and Confidential

Proposed changes to Senate Bill 225, November 17, 2003.

**Change #1:** Page 2 line 19 of Draft. Remove the words “No more than 10 of”, and begin the sentence with “The credits.....”. Add language to restrict courses to those that test and are conducted by nationally recognized organizations. Additionally, add language stating that the courses must be “relevant and related to the practice of Dental Hygiene”.

Explanation: These changes would place *no limitation* on the number of CE credits that can be earned via self- study, correspondence or the internet, as long as those courses are from nationally recognized sources, credit(s) are awarded following testing and the courses are relevant and related to the practice of Dental Hygiene. There are currently several excellent courses available through electronic and self-study means available to dental hygienists. These courses are typically more academically rigorous when it comes to assessing comprehension and learning. Additionally, those hygienists who are located in the more remote parts of the state would benefit greatly from this section by not having to travel long distances to meet the CE requirement. The intent of this proposal is to maintain a high level of care in the profession through education, not to limit or restrict the access to that CE.

**Change #2:** Page 3 Line 10, Add sub-section (6) to allow instructors who are presenting, and or preparing for a CE presentation “relevant and related to the practice of dental hygiene” to earn the same credits as those receiving the instruction. The instructor may submit the course only once in the two-year renewal cycle for CE credit.

Explanation: This provision would allow dental hygienists who instruct the CE courses to receive CE credit for their work. Most states allow the presenters of CE courses to receive credit for the courses they teach.

**Change #3:** Page 3, Add sub-section (7) to provide a 6 to 1 ratio for college level courses “relevant and related to the practice of dental hygiene” toward CE credits. Therefore, for every one credit of college course work, individuals would earn 6 hours to go toward the 20 hour CE requirement.

Explanation: Both the American Dental Hygienists’ Association and the Wisconsin Dental Hygienists’ Association have policies in support of this element of the proposal. We believe that if a dental hygienist pursues additional education that is relevant and related to the practice of dental hygiene and at the college level, they should receive CE credits for that work.

**Change # 4:** Page 3, Line 4, sub-section 4, Credit for Volunteer activity should be “relevant and related to the practice of dental hygiene” and will be granted at a ratio of 4 to 1 hours. (Four hours of volunteering dental hygiene services would yield 1 CE credit)

Peter Theo

August 30, 2003

SEP 03 2003

Dear Senator Roessler,

My name is Patti Bavluka and I am a dental hygienist who is against mandating continuing education as a condition for license renewal for dental hygienists. I am currently working in a private practice in the Madison area. I have 34 years of experience and have a Masters Degree in Education.

I am not a member of the Wisconsin Dental Hygienists' Association. I have been a member in the past and have held many leadership positions including legislative liaison. I have participated in past legislative efforts and was one of the two dental hygienists who worked with Rep. Underheim and the Wisconsin Dental Association on expanded functions for dental hygienists and increasing representation on the Dentistry Examining Board.

Here are my reasons for opposing mandating continuing education as a condition for license renewal.

1. Dental hygienists in Wisconsin value their license and their profession. Mandating continuing education as a requirement to maintain that license is not necessary. Dental hygienists have been practicing safely and professionally with respect and concern for the patients we treat for over 75 years.
2. Dental hygienists have very few complaints against them. We already practice safely and our record in the Department of Regulation and Licensing proves it. Not too long ago, when WDHA proposed legislation to establish a separate dental hygiene examining board, the number one reason given in opposition was that a separate dental hygiene examining board was unnecessary because there are so few practice complaints, practice safety issues, or unprofessional conduct among dental hygiene professionals. If dental hygienists have proven that they have an excellent practice record in terms of public safety, trust, and standard of care, - why is it necessary to create a law to establish mandatory continuing education for license renewal?
3. WDHA has stated " We believe patient safety is affected when license holders are not held accountable or given precise requirements for maintaining their license." History and the facts just don't support this. Where are their studies to support this statement?
4. WDHA also states that without mandating continuing education for dental hygienists patient trust and safety may be compromised. This is not true and again there is no complaint evidence in the Department of Regulation and Licensing to support this.
5. Records show that there are many more complaints against dentists than dental hygienists in Wisconsin. If the state is not requiring dentists to have mandatory continuing education for licensure, why should it require mandatory continuing education for dental hygienists? This makes no sense.
6. Dentists provide far more technical and potentially damaging treatment if done improperly than do dental hygienists. Again, if the state is not considering requiring



dentists to have mandatory continuing education as a condition for licensure, why is it doing so for dental hygienists?

7. The people of Wisconsin, the dental consumers, have **not** brought this bill forward. The bill is the result of legislative efforts of a dental hygiene association that represents far less than 1/10 of the total number of dental hygienists licensed in this state. If the people of Wisconsin were concerned with their safety and trust, as the hygiene association states as one of the reasons for this legislation, the dental consumer would have brought this bill forward.
8. Patient trust and safety issues are addressed both in the statutes and through the Wisconsin Dentistry Examining Board. This is the proper place to address and ensure patient safety issues and complaints. If the complaint warrants investigation and discipline, continuing education and proof of rehabilitation is often required to address any problems.
9. As credential holders in the state of Wisconsin, dental hygienists are held accountable to the people of Wisconsin through the state statutes defining and regulating the profession of dental hygiene. The statutes clearly define practice conditions and requirements that every dentist and dental hygienist must follow. Certain ethical and moral standards of practice and behavior are also required.
10. Studies have shown that mandating continuing education has not made a difference in the number of complaints to dental examining boards across the country.
11. The Wisconsin Dental Hygienists' Association has stated that many dental offices provide continuing education courses as a benefit. Many do not. There are many dental hygienists who work part-time or who work two or more part time jobs to get enough hours per week. Part-time jobs do not provide the same types of benefits as full time jobs. With more hygienists than dentists in Wisconsin, it has been difficult for recent graduates, hygienists who wish re-enter the work force, or hygienists who wish to change offices, to find jobs. With supply and demand being what it is, benefits are often not part of the employment package as they were when the numbers were reversed. With many dental hygienists not finding enough hours per week of employment, it could be quite difficult for many hygienists to pay for these courses. WDHA has also stated that without mandating continuing education as a requirement for license renewal, the courses are not tax deductible. You still have to have the money in your checking account to pay for these courses and requiring 20 credits is too much!
12. WDHA's proposed legislation would require 20 hours of continuing education per two years. Continuing education courses are typically offered on Fridays or weekends. Hygienists who are working or busy with their families may find it difficult to attend face to face meetings. Because Wisconsin is geographically large, travel time is an issue. Hygienists may have to take time off from work without pay, pay to take the course, pay for gas, lunch, overnight stays, to attend just one course. Typically these courses can cost over \$100 for just three credits. Factor in mileage, food, lodging, lost wages and one course can cost that dental hygienist almost \$500.00. This can be broken down as follows:
  - \$125.00 for the 3-4 credit course
  - \$200.00 in lost wages per day ( where appropriate)
  - approx. \$20 -50.00 in gas and food

- \$65.00 - for lodging - if room is shared with someone else
  - Total is approximately \$450.00 for the mandated course. Times this by 6 and you can see the cost for mandating continuing education for Wisconsin dental hygienists will be a cost issue for them. ( 20 hours is required, if we multiply the above bullets by 6 it only equals 18 credit hours, however I think you see the point)
  - These types of courses are expensive to put on and require a high meeting fee to be profitable. However, if well attended, continuing education courses can be huge profit makers for an association. Indeed, the American Dental Hygienists' Association has told the Wisconsin Dental Hygienists' Association that they could increase membership and association revenues if continuing education was mandatory. I was at meetings where this very issue was discussed and planned. Is this being done to increase membership and revenue for associations?
  - Internet and courses offered through journal articles could cost \$25.00 or more per credit to take. Taking 10 -20 courses in this manner can cost over \$500.00. I can read these same articles and derive the same benefits for myself and the dental consumer without submitting a continuing education fee (to some business who makes money providing the service of grading a test and sending you a form saying you passed a test and earned the credits).
  - In the current economic recession many hygienists (as well as other workers) are receiving fewer benefits. Meeting these requirements (20 credits) will be particularly burdensome for part-time dental hygienists, recent grads, dental hygienists wishing to re-enter the workforce, hygienists wishing to change offices, and dental hygienists who are the primary family provider.
13. WDHA has **not** sent a statewide mailing to **all** licensed dental hygienists explaining this proposed legislation and what it will mean to them in terms of continuing education credit hours, time and money. They recently sent out a statewide letter to all licensed hygienists and there was **NO** mention of WDHA's mandatory continuing education legislation mentioned or the requirements of the legislation. This is not professional or ethical. It is their responsibility and obligation to properly inform all dental hygienists of this matter before it becomes law. **Is WDHA doing this to keep the grass roots dental hygienist uninformed so there is less opposition?**
14. The legislation requires 20 hours of continuing education. 10 credits can be obtained thorough internet or magazine courses; 10 hours must be obtained through attendance at meetings or seminars. Five credits can be obtained through volunteerism. 2 credits must be obtained in CPR and at least 2 must be obtained on OSHA and infection control.
- The statues have a CPR requirement
  - Federal requirements state that all offices must provide a yearly update on OSHA and infection control
  - These requirements are currently met by practicing dental hygienists and dentists (and other office personnel). Their patients' safety and trust issues, especially in regard to CPR certification and infection control, are addressed.
  - It will be difficult and expensive to monitor, verify and evaluate the benefits of volunteerism and their relationship to patients' safety and trust issues.

- If at least 2 credits are required in infection control and OSHA updates, how will this be handled? Will a person certified in OSHA and infection control be required to come to all offices to provide these lectures (since all offices must currently provide a yearly update)? This will be difficult if not impossible. Most yearly OSHA updates are handled in-office through their OSHA and infection control monitors and they are usually dental hygienists or office managers. These individuals are not certified in presenting courses.
  - If it is permissible to obtain 10 credits through Internet and magazine or journal articles, why not all 20? What is the magic number of credits?
  - Why are 20 credits of mandatory continuing education the magic number? Have there been any studies or research to address what the right number is? Will requiring 10 credits make a less safe and professional dental hygienist? Will requiring mandatory education make safe and professional dental hygienists? Will NOT requiring mandatory continuing education make safe and professional dental hygienists? **Our long-standing track record has already proven that dental hygienists practice safely and professionally without mandating continuing education as a requirement for licensure.**
15. The science of dental hygiene and dentistry is challenging and coming into a new era of recognition. The basics will remain the same. Many dental hygienists keep current through office seminars, lectures, reading and attending continuing education courses on a regular basis. Mandating this is not necessary. More state regulation is not necessary. All licensed dental hygienists receive many magazines, newsletters, and educational journals on a monthly and quarterly basis. These contain the latest in scientific research and study. The Internet provides other sources as well. Professionals will keep up to date on the latest issues concerning their profession without mandating this for licensure

Please vote no on mandatory continuing education requirements for dental hygienists as a condition for licensure.

Sincerely,



Patti Bavluka, RDH, M.Ed.  
640 Eddington Drive  
Sun Prairie, WI 53590  
608-825-2292

Halbur, Jennifer

Continuing ed for Dental

Hygienists

To: Kunkel, Mark

Subject: FW: changes to Dental Hygienist's

Hi Mark,

I do have the e-mail version after all. Here are the SB 225 changes we just talked about.

I am going to ask Sen. Roessler if she wants this bill added to the public hearing agenda for Monday the 24th. I will let you know what she says so that you know.

Thanks,

Jennifer Halbur  
Office of Senator Roessler  
-----Original Message-----

From: Peter Theo [mailto:petertheo@tds.net]

Sent: Sunday, November 16, 2003 4:47 PM

To: Halbur, Jennifer

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Happy Sunday Jennifer:

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Call me so we can discuss this further. Office 274-4322 or Cell 332-6828.

Thanks,

Peter Theo

fees -  
by such + such a  
for fees  
revised to  
reflect

\* Submitted to Mark on 11-19-03!

CR - want to add to 11/24/03 agenda.

\* CR think we need a companion? ~~board changes~~

\* Random audits not agreed to (Board decides - not bill).

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Explanation: Both the American Dental Hygienists' Association and the Wisconsin Dental Hygienists' Association have policies in support of this element of the proposal. We believe that if a dental hygienist pursues additional education that is relevant and related to the practice of dental hygiene and at the college level, they should receive CE credits for that work.

**Change # 4:** Page 3, Line 4, sub-section 4, Credit for Volunteer activity should be "relevant and related to the practice of dental hygiene" and will be granted at a ratio of 4 to 1 hours. (Four hours of volunteering dental hygiene services would yield 1 CE credit)

Peter Theo

**Jim Doyle**  
Governor

**Donsia Strong Hill**  
Secretary

**WISCONSIN DEPARTMENT OF  
REGULATION & LICENSING**



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PO Box 8935  
Madison WI 53708-8935  
Email: [web@drl.state.wi.us](mailto:web@drl.state.wi.us)  
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FAX: 608-267-0644  
TTY: 608-267-2416

**Testimony on SB 225**

**Before The  
SENATE COMMITTEE ON HEALTH, CHILDREN, FAMILIES,  
AGING AND LONG-TERM CARE  
Senator Carol Roessler, Chair**

**September 4, 2003  
411 South, State Capitol**

**Statement of Director of Education and Examinations Dr. Barbara Showers  
representing the Department of Regulation and Licensing**

Good afternoon, Chairman Roessler and members of the Committee. Thank you for the opportunity to appear today. I am the Director of Education and Examinations for the Department of Regulation and Licensing. I appear on behalf of the Department to comment on SB 225, regarding the creation of a continuing education requirement for dental hygienists.

As you are aware, the Department of Regulation and Licensing is an umbrella agency, which, among other things, provides administrative services and support for 53 professional regulatory boards, councils and advisory committees including the Dental Examining Board.

The goal of continuing education is to keep the licensee current in the profession. Twenty four regulated professions currently have continuing education requirements. The Department supports continuing education requirements for dental hygienists and other professionals as an effective, proactive means to prevent public harm. However, the Department has two concerns about the proposed legislation as currently drafted.

First, this proposal differs from other legislation regarding continuing education in that the proposal does not authorize the regulatory board to specify the content, coursework or instructional standards that continuing education must meet. The proposed law specifies 20 credit hours of continuing education, of which no more than 2 are in CPR and no less than 2 are in infection control. The content and nature of the remaining hours is not defined, even as to being relevant to dental hygiene, and up to half of the total hours may include self study, correspondence, or Internet courses or programs. There is no requirement that these distance learning programs be interactive learning experiences or that learning activity is measured in any way.

In addition, up to five hours credit may be gained by uncompensated voluntary activity related to dental hygiene. Voluntary activity is a public good, but it is not clear what the relationship is between voluntary activity and advancing the education of the licensee. Moreover, effectively monitoring compliance with respect to reported voluntary activity would be difficult at best.

The Department's second concern is that while the proposal authorizes the examining board to require submission of proof of compliance with continuing education requirements, it provides no resources for such an audit. The Department administers continuing education requirements by verifying attestations of CE completion upon renewal and conducting audits of completion following renewal. Licensees found non-compliant are not renewed, or are referred to the Division of Enforcement if they have renewed without being in compliance.

The process of an audit involves multiple correspondences with licensees, collecting and verifying proofs of continuing education, and referring the noncompliant to the Division of Enforcement. Audits of professions with existing continuing education requirements have shown up to 16% noncompliance in attaining continuing education, even when the licensees have attested to doing so at renewal time.

Continuing education requirements are meaningless unless effectively enforced. The Department would like to increase its efforts to enforce continuing education requirements, but is unable to do so with existing resources. We currently have a staff of 23.5 FTE employees available for processing an average of approximately 170,300

license applications and renewals each year, as well as to answer literally thousands of calls regarding the process and regulations affecting the professions. The applications and renewals for many professions require extensive information gathering and review, including but not limited to, determining compliance with degree and coursework requirements, work experience requirements that necessitate verifying the hours and nature of work conducted, tabulating and tracking exam scores on a series of tests taken over a period of time, reviewing building floor plans to confirm compliance with regulatory requirements, and verifying and investigating license status in other states. Given the limited resources currently available, the Department is not able to undertake additional information tracking and review responsibilities, and the additional workload of dealing with the noncompliant.

The continuing education requirement for dental hygienists is one that the Department would support, if the requirement allowed for the setting of content and education quality standards, and if the Department had the resources to meaningfully enforce the requirement. However, because the proposed legislation does not provide significant content quality standards or the necessary resources for enforcement, the Department suggests that it work with the authors to ensure that this proposal does not merely become an empty regulatory requirement.



DENTAL  
HYGIENISTS

SENATE COMMITTEE ON HEALTH, CHILDREN, FAMILIES,  
AGING AND LONG TERM CARE  
411 SOUTH  
SENATE BILL 225

UNDER CURRENT LAW, A LICENSED DENTAL HYGIENIST IS NOT  
REQUIRED TO OBTAIN CONTINUING EDUCATION AS A  
CONDITION FOR LICENSE RENEWAL. A HYGIENIST ONLY HAS  
TO PAY A \$40 RENEWAL FEE AND THEIR STATE LICENSE IS  
AUTOMATICALLY RENEWED.

\$157 every other year

58%

AU =

10 credits  
Per yr.

Pres.  
Curriculum

ON BEHALF OF THE WISCONSIN DENTAL HYGIENISTS  
ASSOCIATION, I INTRODUCED SB 225, WHICH REQUIRES DENTAL  
HYGIENISTS TO COMPLY WITH CONTINUING EDUCATION  
REQUIREMENTS AS A CONDITION FOR LICENSE RENEWAL.  
ACCORDING TO THE DENTAL HYGIENISTS ASSOCIATION, A  
RECENT SURVEY INDICATED THAT 84% OF WISCONSIN  
HYGIENISTS WHO RESPONDED AGREED THAT CONTINUING  
EDUCATION FOR LICENSE RENEWAL SHOULD BE MANDATED  
BY THE STATE, AND HAVE WANTED A MANDATE FOR TWO  
DECADES.

WISCONSIN IS ONE OF ONLY THREE STATES THAT DO NOT REQUIRE CONTINUING EDUCATION FOR DENTAL HYGIENE LICENSE RENEWAL. THE OTHER STATES ARE COLORADO AND WYOMING. BOTH ARE CURRENTLY SEEKING MANDATORY CONTINUING EDUCATION AS WELL.

THROUGHOUT THE EDUCATION, TRAINING AND CAREERS OF DENTAL HYGIENISTS, PATIENT SAFETY IS AND WILL ALWAYS BE THE PRIMARY CONCERN.

THE ASSOCIATION BELIEVES PATIENT SAFETY IS AFFECTED WHEN LICENSE HOLDERS ARE NOT HELD ACCOUNTABLE OR GIVEN PRECISE REQUIREMENTS FOR MAINTAINING THEIR LICENSE. PATIENTS SHOULD BE ABLE TO TRUST THAT A PROFESSIONAL WHO IS LICENSED BY THE STATE HAS MET REASONABLE REQUIREMENTS FOR CONTINUING EDUCATION. WITHOUT IT, PATIENT TRUST AND SAFETY MAY BE COMPROMISED.

3.

I HOPE THAT YOU WILL SUPPORT THIS BILL. THANK YOU.

Jim Doyle  
Governor

WISCONSIN DEPARTMENT OF  
REGULATION & LICENSING

1400 E Washington Ave  
PO Box 8935  
Madison WI 53708-8935  
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Voice: 608-266-2112  
FAX: 608-267-0644  
TTY: 608-267-2416

Donsia Strong Hill  
Secretary



*Writer of statute  
concerning  
W.D.L.*

Testimony on SB 225

Before The  
SENATE COMMITTEE ON HEALTH, CHILDREN, FAMILIES,  
AGING AND LONG-TERM CARE  
Senator Carol Roessler, Chair

September 4, 2003  
411 South, State Capitol

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representing the Department of Regulation and Licensing

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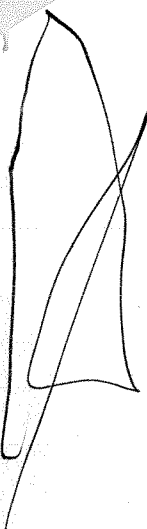
The goal of continuing education is to keep the licensee current in the profession. Twenty four regulated professions currently have continuing education requirements. The Department supports continuing education requirements for dental hygienists and other professionals as an effective, proactive means to prevent public harm. However, the Department has two concerns about the proposed legislation as currently drafted.

*notable reg. w/o resources -*

*Fee gross recently done after study*

*Topic: Olmsted  
Range*

*Cosmetologists  
Care Providers  
are covered*




First, this proposal differs from other legislation regarding continuing education in that the proposal does not authorize the regulatory board to specify the content, coursework or instructional standards that continuing education must meet. The proposed law specifies 20 credit hours of continuing education, of which no more than 2 are in CPR and no less than 2 are in infection control. The content and nature of the remaining hours is not defined, even as to being relevant to dental hygiene, and up to half of the total hours may include self study, correspondence, or Internet courses or programs. There is no requirement that these distance learning programs be interactive learning experiences or that learning activity is measured in any way.

In addition, up to five hours credit may be gained by uncompensated voluntary activity related to dental hygiene. Voluntary activity is a public good, but it is not clear what the relationship is between voluntary activity and advancing the education of the licensee. Moreover, effectively monitoring compliance with respect to reported voluntary activity would be difficult at best.


The Department's second concern is that while the proposal authorizes the examining board to require submission of proof of compliance with continuing education requirements, it provides no resources for such an audit. The Department administers continuing education requirements by verifying attestations of CE completion upon renewal and conducting audits of completion following renewal. Licensees found non-compliant are not renewed, or are referred to the Division of Enforcement if they have renewed without being in compliance.

The process of an audit involves multiple correspondences with licensees, collecting and verifying proofs of continuing education, and referring the noncompliant to the Division of Enforcement. Audits of professions with existing continuing education requirements have shown up to 16% noncompliance in attaining continuing education, even when the licensees have attested to doing so at renewal time.



Continuing education requirements are meaningless unless effectively enforced. The Department would like to increase its efforts to enforce continuing education requirements, but is unable to do so with existing resources. We currently have a staff of 23.5 FTE employees available for processing an average of approximately 170,300

license applications and renewals each year, as well as to answer literally thousands of calls regarding the process and regulations affecting the professions. The applications and renewals for many professions require extensive information gathering and review, including but not limited to, determining compliance with degree and coursework requirements, work experience requirements that necessitate verifying the hours and nature of work conducted, tabulating and tracking exam scores on a series of tests taken over a period of time, reviewing building floor plans to confirm compliance with regulatory requirements, and verifying and investigating license status in other states. Given the limited resources currently available, the Department is not able to undertake additional information tracking and review responsibilities, and the additional workload of dealing with the noncompliant.

 The continuing education requirement for dental hygienists is one that the Department would support, if the requirement allowed for the setting of content and education quality standards, and if the Department had the resources to meaningfully enforce the requirement. However, because the proposed legislation does not provide significant content quality standards or the necessary resources for enforcement, the Department suggests that it work with the authors to ensure that this proposal does not merely become an empty regulatory requirement.

trash rule <sup>making</sup> A.

Send Jim Ressler copy of study  
↓  
Committee

### Dental Hyg.

	Wis	\$57
Renewals	Midwest	\$74
	National	\$98

New	Midwest	\$99
	National	\$103

8/29/03

Chris Klein

Reg + Lic

SB 225, SB 226, SB 227

- The Dept. will testify on all of these bills on Sept 4th.

### SB 225 Cont. Education for Dentists

- Support with the assumption that the Dept. will be doing random audits. Currently, for various things, either random audits ~~are~~ done or complaint audits.
- The Secretary does not see the point of the bill if they aren't going to check on people. Given that people don't typically file complaints against dental hygienists ... the Dept. supports the use of Random audits. (more costly).
- Some objection to Section 4 ... uncompensated voluntary hours.

### SB 226

- Chris needs to know why Carol has link to Medical Society in bill. 3 Key words ... in place of.
- Expensive, even though bill says the Dept can increase fees, the Dept. believes it will need additional staff as well.



- Do we know how expensive this has been for other states ... how long to implement?

August 18, 2003

To: Carol

From: Jennifer

Re: SB 225 relating to continuing education for Dental Hygienists

Peter Theo provided me with some changes he would like made to SB 225. If the changes are made, there will be more support for the bill.

His changes are attached. They look fine.

Are you okay with me getting an amendment drafted?

**Halbur, Jennifer**

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**From:** Peter Theo [petertheo@tds.net]  
**Sent:** Friday, August 15, 2003 12:37  
**To:** Halbur, Jennifer  
**Subject:** changes to SB225

Good Afternoon Jennifer:

I have listed below the proposed changes to SB 225 we discussed yesterday. If these modifications are made to the bill, the other dental hygienists' association in the state will support its passage. My client fully supports these changes.

**Proposed Changes to Senate Bill 225, August 15, 2003.**

**Change #1:** Page 2 line 19 of Draft. Remove the words "No more than 10 of", and begin the sentence with "The credits.....".

Explanation: This change would allow individuals to earn all 20 required CE credits via self-studies, correspondence or the Internet. There are currently several excellent courses available through electronic and self-study means available to Wisconsin Dental Hygienist's. These courses are typically more aggressive when it comes to demonstrating comprehension and learning. Additionally, those hygienists' who are located in the more remote parts of the state would benefit greatly from this section by not having to travel long distances to take the CE. The intent of this proposal is to maintain a high level of care in the profession through education, not to limit or restrict the access of that CE.

**Change #2:** Add Section (6) to allow instructors who are presentation, and or preparing for a CE presentation to earn the same credits as those receiving the instruction. The instructor may submit the course only once in the two-year renewal cycle for CE credit.

Explanation: This provision would allow dental hygienists' who instruct the CE courses to receive CE credit for their work. Most states allow the presenters of CE courses to receive credit for the courses they teach.

**Change #3:** Add Section (7) to provide a 6 to 1 ratio for college level courses toward CE credits. Therefore, for every one credit of college course work, individuals would earn 6 hours to go toward the 20 hour CE requirement.

Explanation: Again, most state allow for this type of ratio. We believe that if a dental hygienists' pursues additional education at the college level, they should receive CE credits for that work.

Should you have any questions, comments or are in need of additional information, please call or email me. Again, you may reach me at (608) 274-4322 or Cell (608) 332-6828.

Thank you for all your assistance.

Peter Theo

08/15/2003

## Halbur, Jennifer

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**To:** Peter Theo

**Subject:** RE: Hygienist's CE

Peter,

If the changes are not too substantial, I think we should do an amendment. Could you send the changes over along with an explanation as to why the changes are needed? I can go over that with Carol and then if she wants to meet we can go from there. Does that sound okay?

Thanks,

Jennifer

-----Original Message-----

**From:** Peter Theo [mailto:petertheo@tds.net]

**Sent:** Thursday, August 14, 2003 3:03 PM

**To:** jennifer.halbur@legis.state.wi.us

**Subject:** Hygienist's CE proposal

Jennifer:

Thank you so much for your assistance on this proposal. Could you please let me know as soon as you have confirmed September 4th as the hearing date for SB 225? I will have to secure a few Dental Hygienist's to testify that day. Their schedules are very tight and will need as much advanced notice as possibly to take the day off.

Also, as I mentioned to you before we both went on vacation, we have a few modifications to the Bill that we worked out with the other Dental Hygienist's Association in the state. With these changes, that group will also support the Bill. How would Sen. Roessler like to address these changes? An amendment? A Substitute Amendment? What would you suggest? We would be willing to meet with you and/or the Senator to discuss these changes at your convenience.

Again, thank you for your help.

Peter Theo

**Halbur, Jennifer**

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**From:** Peter Theo [petertheo@tds.net]  
**Sent:** Thursday, August 14, 2003 3:03  
**To:** jennifer.halbur@legis.state.wi.us  
**Subject:** Hygienist's CE proposal

Jennifer:

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Again, thank you for your help.

Peter Theo

08/14/2003

FEB 09 2004

Kim Ainsworth, RDH  
5362 Bramschreiber Road  
Little Suamico, WI 54141

*for fill*

*JH  
CR*

Senator Carol Roesler  
Room 8 South  
State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882

Dear Senator;

I would like to take this time to thank you for your part in passing our Continuing Education Bill SB 225. Your support is greatly appreciated.

Thank you

*Kim Ainsworth*  
Kim Ainsworth, RDH

Shirley Gutkowski, RDH, BSDH  
President of the Madison Area Dental Hygienists' Association  
2775 Shadow Trail  
Sun Prairie, WI 53590  
shirdent@aol.com

*file* *JHX*  
*CR*  
FEB 03 2004

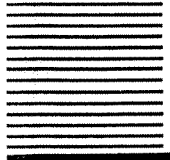
Dear Senator Roessler,

Thank you for voting for SB 225.  
This may seem like a small bill, or  
small issue but it's important to our  
profession.

Shirley Gutkowski RDH, BSDH



FEB 09 2004



# Wisconsin Dental Hygienists' Association



"A Constituent of the American Dental Hygienists' Association"

February 6, 2004

Senator Carol Roessler  
Room 8 South  
State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882

*Handwritten signatures and initials: "M. Hill", "J.H.", and "CR" with a horizontal line.*

Dear Senator,

I am the Central Component Trustee for the Wisconsin Dental Hygienists Association. I wanted to thank you for your work on bill SB225. I just heard it passed unanimously through the senate. Once again thank you.

Sincerely,

*Raeann Rowland RDH*

Raeann Rowland RDH



**Halbur, Jennifer**

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**From:** Asbjornson, Karen  
**Sent:** Tuesday, February 10, 2004 7:46 AM  
**To:** Halbur, Jennifer  
**Subject:** FW: Thanks  
CR email

T.O. ~~SJH~~  
\_\_\_\_\_

Karen Asbjornson  
Office of Senator Carol Roessler  
(608) 266-5300/1-888-736-8720  
Karen.Asbjornson@legis.state.wi.us

-----Original Message-----

**From:** verdevly [mailto:verdevely@execpc.com]  
**Sent:** Monday, February 09, 2004 6:13 PM  
**To:** sen.roessler@legis.state.wi.us  
**Subject:** Thanks

Senator Roessler:

I want to thank you for your support of Senate Bill 225, requiring continuing education for dental hygienists. I believe this will improve the professional care that hygienists offer Wisconsin citizens. This is something I have wanted for 25 years.

Your interest and advocacy have been invaluable in moving this bill forward. I appreciate all your efforts.

Rhonda Akeson  
N3430 Verde Valley Rd.  
LaCrosse, WI 54601

**Halbur, Jennifer**

**From:** Seaquist, Sara  
**Sent:** Wednesday, February 11, 2004 1:41 PM  
**To:** Halbur, Jennifer  
**Subject:** FW: SB225

SB225

CR email...not a constituent...dental hygentist  
-----Original Message-----

T.J. — CR

**From:** Linda Jorgenson [mailto:l.jorgenson@century.mnscu.edu]  
**Sent:** Tuesday, February 10, 2004 5:44 PM  
**To:** sen.roessler@legis.state.wi.us  
**Subject:** SB225

Dear Sen. Roessler,

Thank you so much for your support of the dental hygiene continuing education bill. As we look forward to ways that dental hygienists can provide preventive oral health care to more citizens of Wisconsin, I hope that this CE bill will play a small but important role in the professional development of dental hygienists and ultimately improvement in the health status of the public.

I believe that the amendment regarding credit for volunteer work is likely to be a model for the rest of the country. It is a way to both encourage volunteerism and give acknowledgement to those who give their time and skills for the greater good.

Thank you again.  
Linda Jorgenson  
Wisconsin Dental Hygienists' Association  
Immediate Past President  
121 N. Third St.  
River Falls, WI 54022

Linda Jorgenson, RDH, BS  
Century College  
Dental Hygiene Program Instructor / Director  
phone - 651 779-3983  
fax - 651 779-5779  
Office - East Campus # 3561