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## WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

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### CLEARINGHOUSE RULE 06-016

#### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated January 2005.]**

#### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. The rule analysis states that the rule creates a definition of “local anesthesia” to “clarify educational requirements” for dental hygienists who apply topical anesthesia. However, the rule creates confusion as to what educational requirements do apply for administration of topical anesthesia.

First, one result of defining “local anesthesia” in ch. DE 7 to exclude topical anesthesia, is to eliminate the authority of a hygienist who is certified under ch. DE 7 to apply topical anesthesia. Thus, a hygienist who is certified to inject anesthesia would not be authorized to apply anesthesia topically.

Second, it appears that administration of topical anesthesia is not included within the “Practice of dental hygiene defined” in s. DE 3.02, which sets forth the practices that a dental hygienist may perform. Since, as discussed above, under the rule, a ch. DE 7 certification would not authorize administration of topical anesthesia, it appears that no dental hygienists would have authority to administer topical anesthesia.

The rule should clearly specify who may administer topical anesthesia and whether specific training is required to receive this authorization. If the board wishes to exempt dental hygienists who administer only topical anesthesia, but not other forms of local anesthesia, from certain provision of ch. DE 7, this could be done more explicitly.

b. At several places in the analysis, “subginival” is used. It appears that “subgingival” is the correct word. [See s. DE 3.04.]