

## Chapter DE 12

### DELEGATION OF FUNCTIONS TO UNLICENSED PERSONS

DE 12.01 Nondelegated functions.  
DE 12.02 Training.

DE 12.03 Reporting violations.

**DE 12.01 Nondelegated functions.** A dentist may not delegate any dental procedure of any description to an unlicensed person if the procedure or function to be delegated is any of the following:

(1) Of a character which may cause damage to the patient's teeth or oral cavity which cannot be remedied without professional intervention.

(2) Of a character which may cause adverse or unintended general systemic reaction.

(3) Intended, interpreted, or represented to be preliminary assessments, dental hygiene treatment planning, oral screenings, or subgingival calculus removal.

**History:** Cr. Register, August, 1991, No. 428, eff. 9-1-91; am. (3), Register, January, 1996, No. 481, eff. 2-1-96; am. (3), Register, August, 1996, No. 488, eff. 9-1-96; CR 13-074; am. Register June 2014 No. 702, eff. 7-1-14; **CR 18-063; am. (3) Register August 2019 No. 764, eff. 9-1-19.**

**DE 12.02 Training.** A dentist who delegates any remediable dental procedure or function to an unlicensed person shall first

provide training to or verify competency of the person in the performance of the procedure or function.

**History:** Cr. Register, August, 1991, No. 428, eff. 9-1-91; CR 13-074; am. Register June 2014 No. 702, eff. 7-1-14; **CR 18-063; am. Register August 2019 No. 764, eff. 9-1-19.**

**DE 12.03 Reporting violations. (1)** A licensee shall report to the board any dentist who is improperly delegating the performance of any dental procedure or function to an unlicensed person, or is delegating to a person performing any dental procedure or function in a manner which is less than minimally competent.

(2) A licensee who fails to report the circumstances as specified in sub. (1) constitutes aiding and abetting the violation of a law substantially related to the practice of dentistry or dental hygiene, and shall be in violation of s. DE 5.02 (20), (21), or (22).

**History:** Cr. Register, August, 1991, No. 428, eff. 9-1-91; CR 13-074; renum. s. DE 12.03 to (1) and (2) and am. Register June 2014 No. 702, eff. 7-1-14.