

Chapter DE 8

PATIENT DENTAL RECORD RETENTION

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DE 8.01 Authority and purpose. The provisions in this chapter are adopted pursuant to authority in ss. 15.08 (5) (b) and 227.11 (2) and ch. 447, Stats., to govern the practice of dentists in the maintenance, retention, and destruction of patient dental records.

History: CR 14-011: cr. Register August 2014 No. 704, eff. 9-1-14; correction made under s. 35.17, Stats., Register August 2014 No. 704.

DE 8.02 Definitions. In this chapter:

(1) “Patient” means a person who receives dental services from a licensed dentist, dental therapist, or dental hygienist.

(2) “Patient dental record” or “patient health care record” has the meaning given in s. 146.81 (4), Stats.

History: CR 14-011: cr. Register August 2014 No. 704, eff. 9-1-14; **EmR2410: emerg. am. (1), eff. 7-26-24; CR 24-094: am. (1) Register July 2025 No. 835, eff. 8-1-25.**

DE 8.03 Minimum standards for patient health care record retention. Patient health care records on every patient administered shall be maintained for a period of at least 10 years after the date of the last entry, unless otherwise required by state or federal law.

History: CR 14-011: cr. Register August 2014 No. 704, eff. 9-1-14.

DE 8.035 Preservation of patient health care records. A person who manages or controls a business that offers dental, dental therapy, or dental hygiene services, including management or control of a business through which the person allows another person to offer dental, dental therapy, or dental hygiene services, shall preserve patient health care records for at least 10 years from the date of the last entry.

History: CR 18-089: cr. Register November 2019 No. 767, eff. 12-1-19; **EmR2410: emerg. am., eff. 7-26-24; CR 24-094: am. Register July 2025 No. 835, eff. 8-1-25.**

DE 8.04 Confidentiality of patient health care records. All patient health care records shall remain confidential as provided in s. 146.82, Stats.

History: CR 14-011: cr. Register August 2014 No. 704, eff. 9-1-14.

DE 8.05 Preservation or destruction of patient health care records. The preservation or destruction of patient health care records shall be in compliance with s. 146.819, Stats.

History: CR 14-011: cr. Register August 2014 No. 704, eff. 9-1-14.