

## Chapter DE 12

### DELEGATION OF FUNCTIONS TO UNLICENSED PERSONS

DE 12.01 Nondelegated functions.  
DE 12.02 Training.

DE 12.03 Reporting violations.  
DE 12.04 Allowable delegation.

**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, oral prophylaxes, scaling or root planing, or dental sealants, or any portion of an oral prophylaxis other than supragingival rubber cup and air polishing after calculus is removed if necessary.

**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.**

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

first provide training to 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.**

**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.**

**DE 12.04 Allowable delegation.** An unlicensed person may remove plaque and materia alba with a mechanical device only if the delegation of the function complies with ss. DE 12.01 and 12.02.

**History:** Cr. Register, August, 1991, No. 428, eff. 9-1-91.