

No. 550, S.

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CHAPTER 342

AN ACT to repeal 152.08 (8); to amend 152.01 (1) and (2), 152.02 (1) (intro. par.) and (g), 152.04 (1), 152.05 (1), (4), (6) and (7), 152.07 (6) (f), 152.08 (1), (2), (3), (6) and (7) and 152.52 (1); to repeal and recreate 152.52 (4); and to create 152.08 (9) of the statutes, relating to the practice of dentistry.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 152.01 (1) and (2) of the statutes are amended to read:

152.01 (1) The state board of dental examiners shall consist of 5 licensed, resident * * * dentists, appointed by the governor, one each year for terms of 5 years, and who may be selected from nominees of the Wis-

consin state dental society. No person shall be appointed who is in any way connected with or interested in a dental school or dental department thereof. Each member shall take and file the official oath. Each member of the board shall be paid \$25 per day and travel expenses incurred when actually and necessarily engaged in his duties. The secretary of the board shall be paid an annual salary to be fixed by the board, which shall be in addition to any per diem to which he may be entitled, and shall not be less than \$3,000 annually. *All terms shall begin on July 1 of the year appointed.*

(2) * * * *The annual meeting of the board shall be held in July at a time and place fixed by the board. Officers shall be elected at such meeting and the board may at the same time conduct any other business. Other meetings may be called by the board as needed.*

SECTION 2. 152.02 (1) (intro. par.) and (g) of the statutes are amended to read:

152.02 (1) (intro. par.) Any person who was lawfully engaged in the practice of dentistry in this state on January 1, 1939, may so continue if he has registered annually as required by s. 152.05 (4). No other person shall practice dentistry in this state, unless he is licensed by the board and annually registered in this state. *Without limitation by reason of specific enumeration, any person is deemed to be "practicing dentistry" within the meaning of this chapter who:*

(g) Directly or indirectly, by mail, carrier, person or any other method, furnishes, supplies, constructs, reproduces or repairs prosthetic dentures, bridges, appliances or other structures to be used or worn as substitutes for natural human teeth, except on a written prescription of a licensed dentist, and by the use of impressions taken by a dentist licensed by and practicing in this state; or who places such substitutes in the mouth directly or indirectly or adjusts the same; or who takes or makes or gives advice or assistance or provides facilities for the taking or making of any impression, bite, cast or design preparatory to, or for the purpose of, or with a view to the making, producing, reproducing, constructing, fitting, furnishing, supplying, altering or repairing of any such prosthetic denture, bridge or appliance; *or taking impressions for and fitting athletic mouthguards;*

SECTION 3. 152.04 (1) of the statutes is amended to read:

152.04 (1) An applicant who has complied with s. 152.03, shall be examined in writing in such of those subjects usually taught in reputable dental schools or colleges as the board deems necessary. In addition, an applicant shall submit to * * * *a clinical and laboratory examination in operative and restorative dentistry as may be prescribed by the board. In lieu of its own examination, the board may accept, in whole or in part, the certificate of the national board of dental examiners.*

SECTION 4. 152.05 (1), (4), (6) and (7) of the statutes are amended to read:

152.05 (1) If a majority of the board finds an applicant qualified, it shall issue him a license to practice dentistry, signed by *at least 2 of the members and attested by the seal of the board.*

(4) Dentists shall annually register with and pay a fee to be fixed each year by the board, which fee shall not exceed * * * *\$15. This fee * * * is due and payable to the secretary of the board on or before September 30 of each year. Late registrants shall pay an additional fee of \$3.* The board shall publish and mail an annual report and list of the names and places of practice of all licensed and registered dentists to each licensee at his last known address. The secretary of the board shall also cause to be mailed a copy of such published list to the secretary of state, the district

attorney of each county, each local board of health, and to any other public official who may request or have need thereof. Any registrant who, subsequent to registering changes the address or place of his residence or professional office, or who opens an additional office, shall, within 30 days thereafter, notify the board in writing of such change and furnish his new residence or professional address.

(6) Upon proof of loss of the original and payment of * * * \$10, a duplicate license shall be issued.

(7) No person shall practice dentistry in this state under any other Christian or given name, or any other surname than that under which he was originally licensed or registered to practice dentistry in this or any other state, in any instance in which the board, after a hearing, finds that practicing under such changed name operates to enable him to compete unfairly with another practitioner, or to mislead the public as to his identity, or otherwise to result in a detriment to the public or the profession. This subsection does not apply to a change of name resulting from marriage or divorce. *Upon furnishing proof of such change of name and the payment of \$10 a new license shall be issued to such person.*

SECTION 5. 152.07 (6) (f) of the statutes is amended to read:

152.07 (6) (f) Advertising either by sign or in any manner under the name of a corporation, company, association, parlor or trade name. No dentist shall display any sign or advertise in any manner concerning his work by the use of any name except the name under which he is licensed to practice dentistry in this state, nor shall he use any parlor or trade name or display any sign or advertise in any manner under any parlor, trade or assumed name under which his practice was formerly conducted, except as permitted by s. 152.02 (2). *Nothing contained in this subsection shall forbid a dentist currently licensed and registered in this state from being a member of a corporation organized and operated under s. 180.99, or from doing such advertising in connection therewith as is reasonably necessary to identify an incorporated dental group and the location of its practice.*

SECTION 6. 152.08 (1), (2), (3), (6) and (7) of the statutes are amended to read:

152.08 (1) No person shall engage in practice as a dental hygienist without a certificate from the state board of dental examiners. * * * *Such a certificate shall authorize the holder to remove calcareous deposits, accretions and stains from the surfaces of teeth, to apply ordinary washes of a soothing character, but not to operate otherwise on the teeth or elsewhere in the oral cavity.*

(2) (a) An applicant shall file proof satisfactory to the board that he is a citizen of the United States; that he has a general education equivalent to graduation from a high school or academy in this state offering a 4-year curriculum beyond the eighth grade; and that he is a graduate of a training school for dental hygienists, approved by the board, which has a course of not less than 2 years of 8 months each. A remittance of * * * \$25 shall accompany the application, returnable to the applicant only if from sickness or other good cause he is unable to complete the examination. Applicants who have graduated prior to July 1, 1941, shall file proof satisfactory to the board that their educational requirements at the time of their graduation equaled those then required by the board.

(b) Applicants who qualify under par. (a) shall be examined in writing in such subjects usually taught in reputable schools for the training of dental hygienists as the board deems necessary. *In lieu of its own examination, the board may accept, in whole or in part, the certificate of the national board of dental examiners.* In addition, the applicants shall submit to such practical examination as is prescribed by the board.

(3) One to whom a certificate is issued shall register with the secretary and pay a fee * * * *to be fixed each year by the board, which fee shall not exceed \$10. This fee shall be due and payable to the secretary of the board on or before September 1 of each year. Late registrants shall pay an additional fee of \$3.*

(6) The board may certify without written examination one certified to practice dental hygiene in another state who presents satisfactory proof that he has reputably engaged in practice therein for 5 years next preceding his application, if in such state the requirements imposed are equivalent to those of this state, upon presentation of a certificate from such other state, and evidence of completion of a course in a reputable training school for dental hygienists approved by the board in this state; provided, such other state extends similar treatment to dental hygienists certified to practice in this state. The fee for such certificate shall be fixed by the board at not less than the reciprocity fee in the state whose certificate the applicant presents, *but in no event * * * less than * * * \$25.* The applicant shall pass a practical demonstration in dental hygiene to the satisfaction of the board.

(7) The board may without further notice or process revoke the certificate of a dental hygienist who fails within 60 days after the mailing of notice in writing, sent by registered mail to his last known address, to register and pay the fee due for that year. His license may be reinstated, in the discretion of the board, by the payment of * * * \$25 within one year after revocation. If application for reinstatement is not made, within one year from the date of such revocation he may be required to demonstrate that he is still qualified by taking an examination in such subjects relating to dental hygiene as may be required by the board. The fee for such examination and reinstatement of certificate shall be * * * \$25.

SECTION 7. 152.08 (8) of the statutes is repealed.

SECTION 8. 152.08 (9) of the statutes is created to read:

152.08 (9) No person shall practice as a dental hygienist under any other Christian or given name, or any other surname than that under which he was originally registered to practice dental hygiene in this or any other state. This subsection does not apply to a change of name resulting from marriage or divorce. Upon furnishing proof of such change of name and the payment of \$10 a new certificate of registration shall be issued to such person.

SECTION 9. 152.52 (1) of the statutes is amended to read:

152.52 (1) The dentists of the several counties who are licensed to practice in this state, provided there are at least 5 in a given county, may meet at such time and place as a majority agree upon, and organize a county dental society. When so organized it shall be a body corporate, and shall thereafter be designated as the dental society of such county, and shall have the general powers of a corporation and may take by purchase or gift and hold real and personal property. County dental societies now existing are continued with the powers and privileges conferred by this chapter. *A county or district dental society which was in existence but unincorporated on the effective date of this amendment (1963), shall not be required by the terms hereof to incorporate unless that is the express wish of the majority of its members.*

SECTION 10. 152.52 (4) of the statutes is repealed and recreated to read:

152.52 (4) A county or district dental society may adopt, alter and enforce articles and bylaws, or a constitution and bylaws for the admission and expulsion of members, the election of officers and the management

of its affairs, but no such instrument or action on the part of such a society shall be valid which is inconsistent with the articles, bylaws or policies of the state dental society, or which violates the autonomy of any other component of the state dental society. Any county or district dental society which incorporates after the effective date of this amendment (1963) shall file its articles as provided in ch. 181.

SECTION 11. Wherever the reference to section "152.08 (8)" appears in section 152.08 (4) of the statutes, such reference is deleted. The revisor of statutes shall show the change in printing the statutes.

Approved September 18, 1963.
