



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2013 Assembly Bill 763	Assembly Substitute Amendment 1
<i>Memo published: March 3, 2014</i>	<i>Contact: David Moore, Staff Attorney (266-1946)</i>

2013 Assembly Bill 763 authorizes the Dentistry Examining Board (DEB) to promulgate rules governing the standards and conditions for the provision of dental services out of a mobile dentistry unit and the use of portable dental equipment.

ASSEMBLY SUBSTITUTE AMENDMENT 1

Assembly Substitute Amendment 1 to Assembly Bill 763: (1) creates a statutory requirement that mobile dentistry programs operating in this state be registered; (2) directs DEB to promulgate rules to implement this requirement; (3) provides a mechanism for DEB to enforce these rules; and (3) delays the effective date of the registration requirement until two months after DEB has promulgated the required rules.

Registration Required

Under the substitute amendment, no person may own or operate a mobile dentistry program in this state unless the person is registered with the state. DEB may grant a registration to a person who does all of the following:

- Submits an application for registration to the Department of Safety and Professional Services (DSPS) on a form provided by the DSPS. The application must include the person's name and tax identification number, the person's business address and telephone number, and any other information DSPS or DEB requires.
- Pays a fee.
- Satisfies any other requirements DEB has established by rule.

A mobile dentistry program registration must be renewed October 1 of each odd-numbered year.

Rule-Making

The substitute amendment directs DEB to promulgate rules that do all of the following:

- Require a mobile dentistry program to establish procedures for a patient treated in the mobile dentistry program to access his or her patient records.
- Establish standards of conduct for the operation of a mobile dentistry program in this state, the provision of dental services through a mobile dentistry program, and the use of portable dental equipment.
- Define “mobile dentistry program” and the activities that constitute the operation of a mobile dentistry program for purposes of the registration requirement.

Enforcement

The substitute amendment authorizes DEB to investigate and conduct hearings on the conduct of mobile dentistry registrants. The substitute amendment empowers DEB to discipline and assess forfeitures against mobile dentistry registrants in essentially the same manner as it may discipline and assess forfeitures against dentists, dental hygienists, and others engaged in the practice of dentistry under current law.

Effective Date

The substitute amendment delays the effective date of the provisions requiring registration of mobile dentistry programs and authorizing DEB to discipline mobile dentistry registrants until two months after DEB promulgated the rules implementing the registration requirement.

BILL HISTORY

Representative Murphy offered Assembly Substitute Amendment 1 to Assembly Bill 763 on February 24, 2014. On February 25, 2014, the Assembly Committee on Public Safety and Homeland Security voted to recommend adoption of Assembly Substitute Amendment 1 and passage of Assembly Bill 763, as amended, both on votes of Ayes, 6; Noes, 0.

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