



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2013 Senate Bill 573**

**Senate Substitute Amendment 1**

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2013 Senate Bill 573 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.

### **SENATE SUBSTITUTE AMENDMENT 1**

Senate Substitute Amendment 1 to Senate Bill 573: (1) creates a statutory requirement that a person owning or operating a mobile dentistry unit 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 authorizes 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**

On March 4, 2014, the Senate Committee on Energy, Consumer Protection, and Government Reform voted to recommend adoption of Senate Substitute Amendment 1 and passage of 2013 Senate Bill 573 as amended on votes of Ayes, 5; and Noes, 0.

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