

## Chapter DE 12

### DELEGATION OF FUNCTIONS TO UNLICENSED PERSONS

DE 12.01 Nondelegated functions.  
DE 12.02 Training.

DE 12.03 Reporting violations.

**DE 12.01 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, supragingival, or subgingival calculus removal.

**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; CR 18-063: am. (3) Register August 2019 No. 764, eff. 9-1-19; republished to correct transcription error in (3) Register September 2019 No. 765.

**DE 12.02 Training.** A dentist who delegates any remedia-

ble dental procedure or function to an unlicensed person shall first provide training to or verify competency of 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; CR 18-063: am. Register August 2019 No. 764, eff. 9-1-19.

**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.