

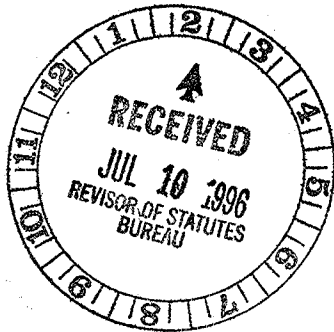
CERTIFICATE

**STATE OF WISCONSIN
DEPARTMENT OF REGULATION AND LICENSING**

TO ALL WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Patrick D. Braatz, Director, Bureau of Health Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Dentistry Examining Board, do hereby certify that the annexed rules were duly approved and adopted by the Dentistry Examining Board on the 10th day of July, 1996.

I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin this 10th day of July, 1996.

Patrick D. Braatz, Director, Bureau of Health Professions, Department of Regulation and Licensing

STATE OF WISCONSIN
DENTISTRY EXAMINING BOARD

IN THE MATTER OF RULE-MAKING : ORDER OF THE
PROCEEDINGS BEFORE THE : DENTISTRY EXAMINING BOARD
DENTISTRY EXAMINING BOARD : ADOPTING RULES
: (CLEARINGHOUSE RULE 96-050)

ORDER

An order of the Dentistry Examining Board to amend DE 12.01 (3) relating to the delegation of the polishing portion of an oral prophylaxis by a dentist to an unlicensed person.

Analysis prepared by the Department of Regulation and Licensing.

ANALYSIS

Statutes authorizing promulgation: ss. 15.08 (5) (b), 227.11 (2) and 447.02 (2) (c), Stats.

Statutes interpreted: ss. 447.01 (12), 447.02 (2) (c), 447.03 (3) (g) and 447.065, Stats.

This proposed rule-making order of the Dentistry Examining Board makes a technical clarification to s. DE 12.01 (3). On February 1, 1996, an amendment to that rule became effective which permits a dentist to delegate the polishing portion of an oral prophylaxis to an unlicensed person (Clearinghouse Rule 95-054). However, the location of the new language in the body of the rule is such that it could be misinterpreted as also permitting the procedures subsequently listed in the provision to be delegated. The use of the phrase "other than", in its current location, could be read as applying to functions not intended to be affected by the earlier amendment. The purpose of the structural change made in the proposed order is to assure that the rule is interpreted consistent with the intent of the prior amendment; that being to authorize the delegation of only the polishing portion of an oral prophylaxis to an unlicensed person. The modification does not change the language or substance of the rule as it became effective on February 1, 1996. Rather, it merely relocates the relevant language in the rule to provide clarity respecting the intent and substantive effect of the prior amendment.

TEXT OF RULE

SECTION 1. DE 12.01 (3) is amended to read:

DE 12.01 (3) Is intended, interpreted, or represented to be preliminary assessments, dental hygiene treatment planning, oral screenings, oral prophylaxes ~~or any portion of an oral prophylaxis other than supragingival rubber cup and air polishing after calculus is removed if~~

necessary, 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.

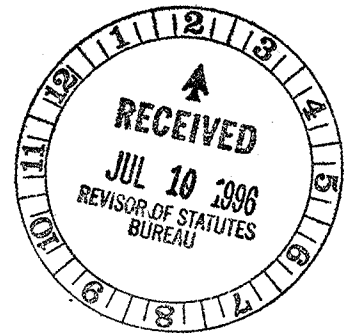
(END OF TEXT OF RULE)

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register pursuant to s. 227.22 (2) (intro.), Stats.

Dated 7-10-96

Agency *[Signature]*
Chairperson
Dentistry Examining Board

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7/1/96





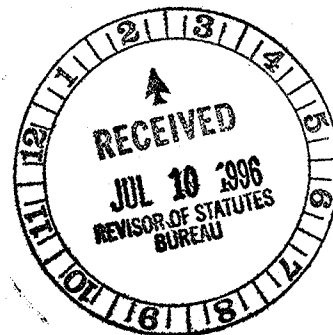
State of Wisconsin
DEPARTMENT OF REGULATION AND LICENSING
MEMORANDUM

DATE: July 10, 1996

TO: Gary Poulson
Assistant Revisor of Statutes

FROM: Pamela A. Haack, Rules Center Coordinator
Department of Regulation and Licensing
Office of Administrative Rules

SUBJECT: Final Order Adopting Rules



Agency: DENTISTRY EXAMINING BOARD

Clearinghouse Rule 96-050

Attached is a copy and a certified copy of a final order adopting rules. Would you please publish these rules in the register.

Please stamp or sign a copy of this letter to acknowledge receipt.

Thank you.