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# State of Misconsin 2017 - 2018 LEGISLATURE

LRB-2335/1 KP:klm

# 2017 ASSEMBLY BILL 146

March 15, 2017 - Introduced by Representatives Bernier, Sanfelippo, Allen, Born, R. Brooks, Kessler, Mursau, Nygren, Ripp, Skowronski, Summerfield, Thiesfeldt, Tranel, Tusler, E. Brooks, Goyke, Kremer, Murphy, Jacque, C. Taylor, Kolste, Rohrkaste, Tauchen, Petryk, Gannon, Riemer, Kooyenga, Considine, Sargent, Spiros, Macco, Schraa, Ohnstad, Sinicki, Jarchow, Horlacher, Anderson, Billings, Tittl, Stafsholt, Doyle, Subeck, Bowen and Felzkowski, cosponsored by Senators Harsdorf, Carpenter, Vukmir, Moulton, Johnson, Marklein, Wirch, Olsen, Bewley, Darling, Kapenga, C. Larson, L. Taylor, Testin, Ringhand, Wanggaard, Hansen and Risser. Referred to Committee on Health.

#### \*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

AN ACT to amend 447.06 (2) (a) 4. and 447.06 (2) (b) and (c) (intro.); and to create

447.06 (2) (a) 9. of the statutes; **relating to:** the practice of dental hygienists.

### Analysis by the Legislative Reference Bureau

This bill expands the circumstances under which dental hygienists are permitted to practice dental hygiene. Under the bill, dental hygienists are allowed to practice in the following settings without the authorization and presence of a licensed dentist: 1) federal, state, county, or municipal correctional or detention facilities and facilities established to provide care for terminally ill patients; 2) charitable institutions open to the general public or members of a religious sect or order; 3) nonprofit home health care agencies; 4) nonprofit dental care programs serving primarily indigent, economically disadvantaged, or migrant worker populations; 5) nursing homes, community-based residential facilities, and hospitals; and 6) facilities that are primarily operated for the purpose of providing outpatient medical services.

Current law does not specifically authorize dental hygienists to practice in facilities operated primarily to provide outpatient medical services. Also, current law does not permit dental hygienists to practice in settings 1) through 5) unless a licensed dentist who is present authorizes the services or the services are performed under a written or oral prescription and certain other conditions are met.

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

# **ASSEMBLY BILL 146**

<b>Section 1.</b> 447.06 (2) (a) 4. of the statutes is amended to read:
447.06 (2) (a) 4. For a facility, as defined in s. 50.01 (1m), a hospital, as defined
in s. 50.33 (2), a state or federal prison, county jail or other federal, state, county or
municipal correctional or detention facility, or a facility established to provide care
for terminally ill patients.
<b>Section 2.</b> 447.06 (2) (a) 9. of the statutes is created to read:
447.06 (2) (a) 9. At a facility, as defined in s. 50.01 (1m), a hospital, as defined
in s. 50.33 (2), or a facility that is primarily operated to provide outpatient medical
services.
<b>Section 3.</b> 447.06 (2) (b) and (c) (intro.) of the statutes are amended to read:
447.06 (2) (b) A dental hygienist may practice dental hygiene or perform
remediable procedures under par. (a) 1., 4., 6., 7. or 8. only as authorized by a dentist
who is licensed to practice dentistry under this chapter and who is present in the
facility in which those practices or procedures are performed, except as provided in
par. (c).
(c) (intro.) A dental hygienist may practice dental hygiene or perform
remediable procedures under par. (a) 1., 4., 6., 7. or 8. if a dentist who is licensed to
practice dentistry under this chapter is not present in the facility in which those
practices or procedures are performed only if all of the following conditions are met:

(END)