

## Chapter DE 2

### LICENSURE

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**Note:** Chapter DE 2 as it existed on February 28, 1982, was repealed and a new chapter DE 2 was created effective March 1, 1982.

**DE 2.01 Application for license. (1)** An applicant for license as a dentist shall submit all of the following to the board:

- (a) An application on a form approved by the board.
- (c) The fee authorized by s. 440.05 (1), Stats.
- (d) Evidence of successful completion of an examination on provisions in ch. 447, Stats., and chs. DE 1 to 9.
- (e) Evidence satisfactory to the board of having graduated from an accredited dental school.
- (f) Verification from the commission on national examinations of the American dental association or other board-approved professional testing services of successful completion of an examination.

(g) Verification from the central regional dental testing service or other board-approved testing services of successful completion of an examination in clinical and laboratory demonstrations taken within the 5-year period immediately preceding application. In this paragraph, "successful completion" means an applicant has passed all parts of the examination in no more than 3 attempts on any one part, as required in s. DE 2.09.

**Note:** Application forms are available upon request to the board office at 1400 East Washington Avenue, P. O. Box 8935, Madison, Wisconsin 53708.

**(1m)** An applicant for a license as a dentist who is a graduate of a foreign dental school shall submit all of the following to the board:

- (a) Evidence satisfactory to the board of having graduated from a foreign dental school.
- (b) The information required in sub. (1) (a) to (d), (f) and (g).
- (c) Evidence of the successful completion of an accredited postgraduate program in advanced education in general dentistry or an accredited general dental practice residency.

**(2)** An applicant for license as a dental hygienist shall meet requirements in sub. (1) (a) through (d) and shall also submit to the board:

(a) Verification from the commission on national examinations of the American dental association or other board-approved professional testing service of successful completion of an examination on the basic principles of the practice of dental hygiene; and

(b) Verification from the central regional dental hygiene testing service or other board-approved testing service of successful completion of an examination in clinical and laboratory demonstrations taken within the 5-year period immediately preceding application.

**History:** Cr. Register, February, 1982, No. 314, eff. 3-1-82; am. (1) (g), Register, May, 1984, No. 341, eff. 6-1-84; am. (1) (e), Register, March, 1988, No. 387, eff. 4-1-88; am. (1) (e) and (2) (intro.), Register, June, 1995, No. 474, eff. 7-1-95; am. (1) (intro.), (a), (c), (e), (f) and r. (1) (b), Register, April, 1999, No. 520, eff. 5-1-99; am. (1) (g), Register, June, 2001, No. 546, eff. 7-1-01; CR 09-007: am. (1) (e), cr. (1m) Register October 2009 No. 646, eff. 11-1-09.

**DE 2.015 Faculty license. (1)** The board shall grant a license to practice dentistry to an applicant who is licensed in good standing to practice dentistry in another jurisdiction approved by

the board upon presentation of the license and who does all of the following:

- (a) Submits an application on a form provided by the board.
- (b) Pays the fee specified in s. 440.05 (2), Stats.
- (c) Submits a written certification from an accredited post-doctoral dental residency training program or accredited school of dentistry in this state that the applicant has been offered employment as a full-time faculty member in that program or at that school of dentistry.
- (d) Submits to an initial interview and any other interview that the board may require that demonstrates, to the board's satisfaction, that the applicant is competent to practice dentistry.
- (e) Discloses all discipline which has ever been taken against the applicant in any jurisdiction.

**(2)** A license granted under sub. (1) authorizes the license holder to do all of the following:

(a) Practice dentistry only within the primary educational facility affiliated with an accredited post-doctoral dental residency training program or accredited school of dentistry in this state.

(b) Perform dental procedures that are incident to instruction while at a site affiliated with an accredited post-doctoral dental residency training program or accredited school of dentistry located in this state.

**(3)** A license granted under sub. (1) shall not be transferable to another accredited school of dentistry in this state or accredited post-doctoral dental residency training program without prior approval by the board.

**(4)** A license granted under sub. (1) is no longer in effect if the license holder ceases to be employed as a full-time faculty member at an accredited post-doctoral dental residency training program or accredited school of dentistry in this state. The license holder shall notify the board in writing within 30 days of the date on which his or her employment as a licensed faculty member under sub. (1) is terminated.

**Note:** Application forms are available upon request to the Dentistry Examining Board, 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

**History:** CR 02-139: cr. Register December 2003 No. 576, eff. 1-1-04; CR 11-034: am. (1) (c), (2) (a), (b), (3), (4) Register July 2012 No. 679, eff. 8-1-12.

**DE 2.02 Duration of license. (1)** Every person granted a license as a dentist shall be deemed licensed for the current biennial license period.

**(2)** Every person granted a license as a dental hygienist shall be deemed licensed for the current biennial license period.

**(3)** Licensees shall qualify biennially for renewal of license.

**History:** Cr. Register, February, 1982, No. 314, eff. 3-1-82; am. (2), Register, June, 1995, No. 474, eff. 7-1-95; am. Register, April, 1999, No. 520, eff. 5-1-99.

**DE 2.03 Biennial renewal. (1)** REQUIREMENTS FOR RENEWAL; DENTISTS. To renew a license a dentist shall, by October 1 of the odd-numbered year following initial licensure and every 2 years thereafter, file with the board all of the following:

- (a) An application for renewal on a form prescribed by the department.

(b) The fee authorized by s. 440.08 (2), Stats.

(c) Evidence satisfactory to the board that the licensee has current proficiency in cardiopulmonary resuscitation, including the use of an automated external defibrillator, achieved through instruction provided by an individual, organization, or institution of higher education approved by the Wisconsin department of health services.

(d) Except as provided in sub. (4), evidence satisfactory to the board of successful completion of the continuing education credit hours required under ch. DE 13.

**(2) REQUIREMENTS FOR RENEWAL; DENTAL HYGIENISTS.** A dental hygienist shall by October 1 of the odd-numbered year following initial licensure and every 2 years thereafter, meet the requirements for renewal specified in sub. (1) (a) to (d).

**(3) FAILURE TO MEET REQUIREMENTS.** A dentist or dental hygienist who fails to meet the requirements under subs. (1) (a) to (d) and (2) by the renewal date shall cease and desist from dental or dental hygiene practice.

**(4) NEW LICENSEES.** Dentists and dental hygienists are not required to satisfy the continuing education requirements under sub. (1) (d) for the first renewal period following the issuance of their initial licenses.

**(5) REQUIREMENTS FOR LATE RENEWAL; REINSTATEMENT.** (a) A dentist or dental hygienist who files an application for renewal of a license within 5 years after the renewal date may renew his or her license by filing with the board all of the following:

1. An application for renewal on a form prescribed by the department.

2. The fee authorized by s. 440.08 (2), Stats., plus the applicable late renewal fee authorized by s. 440.08 (3), Stats.

3. Evidence satisfactory to the board that the licensee has current proficiency in cardiopulmonary resuscitation, including the use of an automated external defibrillator, achieved through instruction provided by an individual, organization, or institution of higher education approved by the department of health services.

4. Except as provided under sub. (4), evidence satisfactory to the board of successful completion of the continuing education credit hours required under ch. DE 13.

(b) A dentist or dental hygienist who files an application for renewal more than 5 years after the renewal date may be reinstated by filing with the board an application and fees as specified in subs. (1) and (2) and verification of successful completion of examinations or education, or both, as the board may prescribe.

**(6) REINSTATEMENT FOLLOWING DISCIPLINARY ACTION.** A dentist or dental hygienist applying for licensure following disciplinary action by the board, pursuant to s. 447.07, Stats., may be reinstated by filing with the board:

(a) An application as specified in s. DE 2.01;

(b) The fee authorized by s. 440.05 (1), Stats.;

(c) Verification of successful completion of examinations as the board may prescribe; and,

(d) Evidence satisfactory to the board, either orally or in writing as the board deems necessary, that reinstatement to practice will not constitute a danger to the public or a patient.

**(7) DISPLAY OF LICENSE.** The license and certificate of registration shall be displayed in a prominent place by every person licensed and currently registered by the board.

**History:** Cr. Register, February, 1982, No. 314, eff. 3-1-82; correction in (6) (b) made under s. 13.93 (2m) (b) 7., Stats., Register, April, 1986, No. 364; am. (1) (intro.), (b), (2), (5) (a) (intro.), 2., (b), (6) (intro.) and (7), r. (4), Register, June, 1995, No. 474, eff. 7-1-95; am. (1) (intro.), (2), Register, June, 1996, No. 486, eff. 7-1-96; am. (1) (b), (5) (a) 2. and (6) (b), Register, April, 1999, No. 520, eff. 5-1-99; **CR 11-033; am. (1) (intro.), (a), cr. (1) (d), am. (2), (3), cr. (4), am. (5) (a) (intro.), 1., cr. (5) (a) 4. Register July 2012 No. 679, eff. 8-1-12.; CR 11-035; am. (1) (intro.), (a), cr. (1) (c), am. (5) (a) (intro.), 1., cr. (5) (a) 3. Register July 2012 No. 679, eff. 8-1-12.**

**DE 2.04 Endorsement. (1)** The board may grant a license as a dentist to an applicant who holds a valid license issued by the proper authorities of any other jurisdiction of the United States or Canada upon payment of the fee authorized by s. 440.05 (2), Stats., and submission of evidence satisfactory to the board that all of the following conditions are met:

(a) The applicant has graduated from an accredited school of dentistry or the applicant has graduated from a foreign dental school and has successfully completed an accredited postgraduate program in advanced education in general dentistry or an accredited general dental practice residency.

(b) The applicant submits a certificate from each jurisdiction in which the applicant is or has ever been licensed stating that no disciplinary action is pending against the applicant or the license, and detailing all discipline, if any, which has ever been imposed against the applicant or the license.

(c) The applicant has not failed the central regional dental testing service clinical and laboratory demonstration examination, or any other dental licensing examination, within the previous 3 years.

(d) The applicant has been engaged in the active practice of dentistry, as defined in s. DE 1.02 (2), in one or more jurisdictions in which the applicant has a current license in good standing, for at least 48 of the 60 months preceding the application for licensure in Wisconsin.

(e) The applicant has successfully completed a clinical and laboratory demonstration licensing examination on a human subject which, in the board's judgment, is substantially equivalent to the clinical and laboratory demonstration examination administered by the central regional dental testing service, or, alternatively, has successfully completed a board specialty certification examination in a dental specialty recognized by the American Dental Association.

(f) The applicant has successfully completed a jurisprudence examination on the provisions of Wisconsin statutes and administrative rules relating to dentistry and dental hygiene.

(g) The applicant possesses a current certificate of proficiency in cardiopulmonary resuscitation from a course provider approved by the Wisconsin department of health services.

(h) The applicant has disclosed all discipline which has ever been taken against the applicant in any jurisdiction shown in reports from the national practitioner data bank and the American Association of Dental Boards.

(i) The applicant has presented satisfactory responses during any personal interview with the board which may be required to resolve conflicts between the licensing standards and the applicant's application.

**(2)** The board may grant a license as a dental hygienist to an applicant who holds a license issued by the proper authorities of any other jurisdiction of the United States or Canada upon payment of the fee authorized by s. 440.05 (2), Stats., and submission of evidence satisfactory to the board that all of the following conditions are met:

(a) The applicant has graduated from a school of dental hygiene accredited by the Commission on Dental Accreditation of the American Dental Association.

(b) The applicant submits a license from each jurisdiction in which the applicant is or has ever been licensed stating that no disciplinary action is pending against the applicant or the license, and detailing all discipline, if any, which has ever been imposed against the applicant or the license.

(c) The applicant has not failed the central regional dental testing service clinical and laboratory demonstration examination, or any other dental hygiene licensing examination, within the previous 3 years.

(d) The applicant has successfully completed a clinical and laboratory demonstration examination on a human subject which, in the board's judgment, is substantially equivalent to the clinical and laboratory demonstration examination administered by the central regional dental testing service.

(e) The applicant has successfully completed a jurisprudence examination on the provisions of Wisconsin statutes and administrative rules relating to dentistry and dental hygiene.

(f) The applicant has been engaged in the active practice of dental hygiene, as defined in s. DE 1.02 (1), in a jurisdiction in which the applicant has a current license in good standing.

(g) The applicant possesses a current certificate of proficiency in cardiopulmonary resuscitation from a course provider approved by the Wisconsin department of health services.

(h) The applicant has disclosed all discipline which has ever been taken against the applicant in any jurisdiction shown in reports from the national practitioner data bank and the American Association of Dental Boards.

(i) The applicant has presented satisfactory responses during any personal interview with the board which may be required to resolve conflicts between the licensing standards and the applicant's application.

**History:** Cr. Register, February, 1982, No. 314, eff. 3–1–82; renum. (1) (c) and (d), (2) (c) and (d) to be (1) (d) and (f), (2) (d) and (e) and am. (1) (f), (2) (d) and (e), am. (1) (e), cr. (1) (c) and (2) (c), Register, August, 1987, No. 380, 9–1–87; am. (1) and (2), cr. (1) (g) to (i) and (2) (f) to (i), Register, August, 1991, No. 428, eff. 9–1–91; emerg. r. and recr. (1) (ed), eff. 3–18–97; am. (1) (intro.), (c) (e), (2) (intro.), (c) and (d), Register, April, 1999, No. 520, eff. 5–1–99; CR 09–007: am. (1) (a) Register October 2009 No. 646, eff. 11–1–09; **CR 11–034: am. (1) (e) Register July 2012 No. 679, eff. 8–1–12; CR 11–035: am. (1) (g), (h), (2) (a), (g), (h) Register July 2012 No. 679, eff. 8–1–12.**

**DE 2.05 Examination passing score.** The score required to pass an examination shall be based on the board's determination of the level of examination performance required for minimum acceptable competence in the profession. The board shall make the determination after consultation with subject matter experts who have reviewed a representative sample of the examination questions and available candidate performance statistics, and shall set the passing score for the examination at that point which represents minimum acceptable competence in the profession.

**History:** Cr. Register, April, 1999, No. 520, eff. 5–1–99.

**DE 2.06 Unauthorized assistance.** An applicant may not give or receive unauthorized assistance during the examination. The action taken by the board when unauthorized assistance occurs shall be related to the seriousness of the offense. These actions may include withholding the score of the applicant, entering a failing grade for the applicant, and suspending the ability of the applicant to sit for the next scheduled examination after the examination in which the unauthorized assistance occurred.

**History:** Cr. Register, April, 1999, No. 520, eff. 5–1–99.

**DE 2.07 Examination review. (1)** An applicant who fails an examination administered by the board may request a review of that examination by filing a written request to the board within 30 days after the date on which the examination results were mailed to the applicant.

**(2)** An examination review shall be conducted under the following conditions:

(a) The time for review shall be limited to one hour.

(b) The examination shall be reviewed only by the applicant and in the presence of a proctor.

(c) The proctor may not respond to inquiries by the applicant regarding allegations of examination error.

(d) Any comments or claims of error regarding specific questions or procedures in the examination may be placed in writing by the applicant on the form provided for this purpose. The request shall be reviewed by the board in consultation with a subject matter expert. The applicant shall be notified in writing of the board's decision.

(e) An applicant shall be permitted only one review of the failed examination each time it is taken and failed.

**Note:** The board office is located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

**History:** Cr. Register, April, 1999, No. 520, eff. 5–1–99.

**DE 2.08 Claim of examination error. (1)** An applicant wishing to claim an error on an examination administered by the board must file a written request for board review in the board office within 30 days after the date the examination was reviewed. The request shall include all of the following:

(a) The applicant's name and address.

(b) The type of license applied for.

(c) A description of the perceived error, including reference text citations or other supporting evidence for the applicant's claim.

**(2)** The request shall be reviewed by the board in consultation with a subject matter expert. The applicant shall be notified in writing of the board's decision.

**Note:** The board office is located at 1400 East Washington Avenue, P.O. Box 8935, Madison, Wisconsin 53708.

**History:** Cr. Register, April, 1999, No. 520, eff. 5–1–99.

**DE 2.09 Failure and reexamination.** An applicant who fails to achieve a passing grade on the board-approved examination in clinical and laboratory demonstrations may apply for reexamination on forms provided by the board and shall pay the appropriate fee for each reexamination as required in s. 440.05, Stats. If the applicant fails to achieve a passing grade on any part of the second reexamination, the applicant may not be admitted to any further examination until the applicant reapplies for licensure and presents evidence satisfactory to the board of further professional training or education as the board may prescribe following its evaluation of the applicant's specific case.

**History:** Cr. Register, June, 2001, No. 546, eff. 7–1–01.