

To: Legislative Colleagues

From: Representative Amy Loudenbeck
Senator Dale Kooyenga

Date: February 18, 2020

Re: Co-sponsorship of LRB-5706/LRB-4551 - relating to: using telehealth in the practice of dentistry and dental hygiene and granting rule-making authority.

Deadline: Friday, February 21st at noon

As medical technology continues to evolve, it opens doors in professions not previously affected. While telemedicine has received much attention in the last several years, using telehealth in dentistry is emerging as a tool for practitioners in rural areas and increasing access to the underserved.

Wisconsin law is currently silent on the use of teledentistry, and we are offering LRB-5706/LRB-4551 in order to ensure providers can take advantage of this technology. The bill simply defines telehealth in the practice of dentistry, gives the Dentistry Examining Board authority to write rules governing protocols for its use, and requires that a patient be given their treating dentist's full name and license number, as any patient in a standard office setting would have access to.

While this technology would not be useful in all practices, it would allow for increased basic care in settings such as nursing homes, where even simple exams and cleanings can be hard to come by. Dental hygienists can practice in these and many other settings without being under the direct supervision of a dentist; their use of intraoral cameras and store-and-forward technology can mean faster diagnoses and referrals, if necessary. In addition, patients not located near a dental office can benefit from a dentist's ability to examine images remotely, thus still enabling them to diagnose, plan treatments, and refer appropriately.

Several stakeholders are working with us on this bill, including the Wisconsin Dental Association, Children's Hospital of Wisconsin, Delta Dental of Wisconsin, and others.

If you are interested in co-sponsoring LRB-5706/LRB-4551, please call Rep. Loudenbeck's office at 266-9967 or Senator Kooyenga's office at 266-2512. Authors will be added to both versions unless otherwise requested.

Analysis by the Legislative Reference Bureau

Under this bill, a dentist or dental hygienist who uses telehealth in the practice of dentistry or dental hygiene must provide to a patient his or her full name and license number before treating the patient and must follow protocols established by the Dentistry Examining Board by rule. The bill defines

“telehealth” as a practice of dental care delivery, diagnosis, consultation, treatment, or transfer of medical data by means of audio, video, or data communications, including asynchronous telehealth services, interactive telehealth, and remote patient monitoring.

The bill also allows an individual licensed in good standing to practice dentistry in another state to use telehealth to practice dentistry involving a patient in this state without a license granted by the examining board. Current law generally requires a person to hold a license granted by the examining board in order to practice dentistry in this state.

For further information see the state fiscal estimate, which will be printed as an appendix to this bill.