



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-5014/P1
MED:klm

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

1 **AN ACT** *to amend* 447.056 (1) and 448.07 (1) (d); and *to create* 447.02 (2) (k),
2 448.13 (4), 448.20 (3) (c) and 448.40 (2) (cm) of the statutes; **relating to:**
3 continuing education in prescribing controlled substances for physician
4 assistants and dentists and granting rule-making authority.

Analysis by the Legislative Reference Bureau

This bill requires a physician assistant or dentist who is authorized to prescribe controlled substances, when renewing his or her license issued by the Medical Examining Board or the Dentistry Examining Board, whichever is applicable, to submit proof of completion of continuing education requirements promulgated by rule of the board regarding best practices in prescribing controlled substances.

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

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

5 **SECTION 1.** 447.02 (2) (k) of the statutes is created to read:
6 447.02 (2) (k) Continuing education requirements for dentists under s. 447.056
7 regarding best practices in prescribing controlled substances, as defined in s. 961.01

1 (4). The board shall specify a minimum number of hours of such instruction that
2 must be completed in each 2-year period. Continuing education requirements
3 established in the rules promulgated under this paragraph shall apply only with
4 respect to a dentist who is authorized to dispense controlled substances under 21
5 USC 821 to 831.

****NOTE: As with physician assistants, I said that these would only apply to dentists who can prescribe controlled substances. I'm not sure if that's necessary (i.e., do all dentists, as a practical matter, have a DEA registration to prescribe controlled substances?) or if you'd like it to apply to all dentists regardless, so let me know if you don't want that caveat.

6 **SECTION 2.** 447.056 (1) (intro.) of the statutes is amended to read:

7 447.056 (1) (intro.) Except as provided in subs. (2) to (4), a person is not eligible
8 for renewal of a license to practice dentistry, other than a permit issued under s.
9 447.02 (3), unless the person has taught, attended, or otherwise completed, during
10 the 2-year period immediately preceding the renewal date specified under s. 440.08
11 (2) (a), 30 credit hours of continuing education related to the practice of dentistry or
12 the practice of medicine, including not less than 25 credit hours of instruction in
13 clinical dentistry or clinical medicine and including the credit hours of instruction
14 regarding best practices in prescribing controlled substances that are required by
15 the board in rules promulgated under s. 447.02 (2) (k). Not more than 4 of the 30
16 hours may be from teaching. Continuing education does not satisfy the requirements
17 under this subsection unless the continuing education is one of the following:

****NOTE: See SECTION 1 of this draft. I did not specify a particular number of credit hours, I left this up to the board, as I did with physician assistants. OK? See also s. 447.056 (1) (a) and (b). I assume those would still work with respect to these hours, but I would suggest confirming that. See also the rest of s. 447.056 and make sure no other qualifications need to be added here. For example, note that under s. 447.056 (2), CE is not required for an first-time license renewal.

18 **SECTION 3.** 448.07 (1) (d) of the statutes, as affected by 2013 Wisconsin Act 240,
19 is amended to read:

