

CONSCIOUS SEDATION ADVERTISING

At the September 10, 2003 meeting of the Dentistry Examining Board (DEB) the following policy position was adopted:

It is the DEB's position that the use of the phrase "sleep dentistry" or "snooze dentistry" in any advertisement for oral conscious sedation services that are offered to the public, constitutes unprofessional advertising in violation of s DE 6.02(1) of the Wisconsin Administrative Code. Section DE 6.02(1) states that it is unprofessional advertising for a dentist to publish or communicate statements or claims in any media which are false, fraudulent, or deceptive. The Board believes that the use of the phrase "sleep dentistry" or "snooze dentistry" is a false, misleading, and deceptive claim if used to describe the administration of oral medications for the purpose of achieving conscious sedation in patients. Accordingly, the use of such statements or claims in any advertising media must cease. The utilization of such statements or claims will be considered a violation of s DE 6.02(1), Wis. Admin. Code, and may result in disciplinary action by the Board

Re: Diagnosis and Treatment of Dental Diseases Resulting From the Use of Tobacco Products

Based upon several provisions contained in Wis. Stats., ch. 447, including §447.01 (2), which defines “dental disease” and §447.01 (8), which defines “dentistry”, as well as a review of the information of records obtained by the Board during its extensive fact-gathering process, it is my opinion that the diagnosis and treatment of dental diseases that are caused by or the result of the use of tobacco products by dental patients is within the scope of the practice of dentistry.

First, the Legislature by its enactment of Wis. Stats., ch. 447, has established the scope of practice of dentistry. The Legislature has defined the term “dentistry” in §447.01 (8) to mean “the examination, diagnosis, treatment, planning or care of conditions within the human oral cavity or its adjacent tissues and structures”. The statute further states that dentistry includes the following (in part):

(a) Examining into the fact, condition or cause of dental health or dental disease or applying principles or techniques of dental science in the diagnosis, treatment or prevention of or prescription for any of the lesions, dental diseases, disorders or deficiencies of the human oral cavity, teeth, investing tissues, maxilla or mandible, or adjacent associated structures.

(e) Prescribing or administering drugs in the course of or incident to the rendition of dental services, or as part of a representation that dental services have been or will be rendered.

(f) Engaging in any of the practices, techniques or procedures included in the curricula of accredited dental schools.

(h) Developing a treatment plan for a dental patient to treat, operate, prescribe or advise for the patient by any means or instrumentality.

The term “dental disease” is defined in §447.01 (2) to mean “any pain, injury, deformity, physical illness or departure from complete dental health or the proper condition of the human oral cavity or any of its parts”.

- Opinion of Legal Counsel
- Adopted by the Board on January 6, 2010