

MIDWESTERN SOCIETY OF ORTHODONTISTS

Component Report MSO Board of Directors March 6, 2026 Meeting

Component Name: Wisconsin

Submitted By (Director Name): John Kittleson

Component Officers/Trustees: President: James Kolstad
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Date of Report: 3/6/2026

Ongoing Initiatives: Thanks to ongoing AAO/WSO advocacy and education, we have successfully mitigated attempts to dilute existing Wisconsin specialty advertising laws, the proposed rule currently under consideration is expected to make those specialty advertising laws even stronger. The work on this issue is not done, and we need to support this strengthened rule in Wisconsin all the way across the finish line.

Here's the plain language analysis on the proposed rule:

"The proposed rule clarifies and adds detail to the regulations on dental advertising, especially in the area of dental specialty advertising. In various places, the rule clarifies language to specify that these regulations apply to advertising or communications in any media. The rule creates a detailed list of information, statements, or claims that may be considered false, misleading, fraudulent, or deceptive. The rule does allow dentists to describe training or credentials they have in a specific branch of dental practice, but they may not claim to be a specialist in a non-American Dental Association specialty, and must give a disclaimer that they are a general dentist if they are not officially certified in an ADA specialty. Lastly, the rule creates a requirement that a dentist who advertises as a specialist must avoid implying that other dentists associated with the same practice are also specialists unless the other dentists are also officially certified in an American Dental Association specialty."

Adam Braundmeier, AAO General Counsel, provided a recent update: On January 7, 2026, I attended (virtually) the Wisconsin Dentistry Examining Board's meeting, which included Administrative Rule reviews related to specialty advertising (DE 1, 5, and 6 on "Unprofessional Advertising").

Prior to the meeting, DSPS staff conducted a thorough review of differences and similarities between traditional CODA accredited program requirements and the ABOIID. The comparison laid bare the vast discrepancy in actual education and training between what it takes to become a CODA accredited "specialist" and what ABOIID requires of its members to allegedly become "specialists". This comparison was reviewed by the board members during their meeting and they were largely skeptical of ABOIID's claims that they are qualified specialists on par with CODA accredited graduates.

In discussing the rules, they did open it up to permit ABOIID certificate holders to advertise themselves as “Fellow...”, “Diplomate...”, etc. of the relevant board. However, they would also require these individuals to issue a disclaimer similar to what general dentists often must issue when advertising any specialty type services. The proposed rule is aimed at tightening/clarifying when a dentist may advertise or imply they are a “specialist,” including tying specialist claims to completion of a CODA-accredited postdoctoral program in an ADA-recognized specialty and prohibiting implying specialization in non-ADA-recognized specialties.

Here are the summary bullet points from the AAO general counsel:

AAO and WSO have been actively engaged to keep Wisconsin’s specialty advertising rules strong and patient-safety focused, and to prevent efforts to weaken (“water down”) the existing framework.

On March 5, 2025, AAO General Counsel Adam Braundmeier and WSO President Dr. Dave Kennedy submitted a joint letter to the Wisconsin Dentistry Examining Board supporting Chapter DE 6 (Unprofessional Advertising) without dilution and emphasizing consumer protection and clarity.

AAO/WSO support the rule concept that only dentists who complete a CODA-accredited postdoctoral specialty program (in an ADA-recognized specialty) should advertise themselves as “specialists.” The letter emphasized that CODA is the nationally recognized dental accreditor and is recognized by the U.S. Department of Education, providing a reliable benchmark for patients.

AAO/WSO highlighted that allowing “specialist” advertising without CODA-level training blurs meaningful training distinctions, risks misleading consumers, and undercuts the health/safety purpose behind the existing Wisconsin rules.

AAO attended the Wisconsin Dentistry Examining Board meeting (virtually) on January 7, 2026, where administrative rule reviews tied to specialty advertising (DE 1, 5, and 6) were discussed.

DSPS staff presented a comparison of CODA specialty training requirements vs. ABOIID. The comparison underscored substantial differences in education/training, and Board members were largely skeptical of claims that non-CODA pathways are equivalent to CODA-accredited specialty training.

Current drafting trends are tightening and clarifying when a dentist may advertise/imply “specialist” status—generally tying specialist claims to CODA-accredited postdoctoral completion in an ADA-recognized specialty, and restricting implications of specialization in non-ADA-recognized specialties.

Discussion included allowing certain credential holders (e.g., “Fellow,” “Diplomate”) to advertise those designations, but with required disclaimers (similar to disclaimers required of general dentists when advertising specialty-type services) to reduce consumer confusion.

The immediate risk of dilution has been successfully mitigated to date, and the current proposal is trending toward stronger, clearer protections—but AAO/WSO engagement remains active until the rule is finalized.

Legislative Efforts: In November, the Wisconsin State Senate voted on two WDA-led bills — SB 367 (virtual credit card payments) and SB 504 (network leasing). Both bills passed by unanimous bipartisan vote, reflecting strong support for initiatives that protect dental practices and enhance transparency. The Assembly Insurance Committee recently held a hearing on AB 542 (network leasing). The WDA-led bill, authored by Representative Nancy VanderMeer (R-Tomah), would require transparency and informed consent for insurance companies to “lease” provider contracts to another benefits carrier, ensuring patients and providers are fully informed about their coverage. AB 351 (virtual credit card payments) is also ready for a full Assembly vote. This bill aims to protect dental practices from unnecessary processing fees and guarantee that providers can choose the payment method that works best for their practice. We expect the Assembly to vote on AB 542 and AB 351 in early 2026.

New Initiatives: n/a

Upcoming Meetings/Events (with dates): The 2026 Fall Conference will be held September 10-11 at the Brookfield Conference Center. Jill Allen and Chris Teeters will be the speakers.

Other: n/a

Do You Need the MSO Board of Directors to act on any Component-related business at this time? Yes/No (if yes, state below and it will be addressed at the next Board meeting): Yes (not actually action, but I would like to provide an update on the specialist advertising.