

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Dental Practice Act is amended by
5 changing Sections 4, 9, and 17 and by adding Section 17.1 as
6 follows:

7 (225 ILCS 25/4) (from Ch. 111, par. 2304)

8 (Section scheduled to be repealed on January 1, 2026)

9 Sec. 4. Definitions. As used in this Act:

10 "Address of record" means the designated address recorded
11 by the Department in the applicant's or licensee's application
12 file or license file as maintained by the Department's
13 licensure maintenance unit. It is the duty of the applicant or
14 licensee to inform the Department of any change of address and
15 those changes must be made either through the Department's
16 website or by contacting the Department.

17 "Department" means the Department of Financial and
18 Professional Regulation.

19 "Secretary" means the Secretary of Financial and
20 Professional Regulation.

21 "Board" means the Board of Dentistry.

22 "Dentist" means a person who has received a general license
23 pursuant to paragraph (a) of Section 11 of this Act and who may

1 perform any intraoral and extraoral procedure required in the
2 practice of dentistry and to whom is reserved the
3 responsibilities specified in Section 17.

4 "Dental hygienist" means a person who holds a license under
5 this Act to perform dental services as authorized by Section
6 18.

7 "Dental assistant" means an appropriately trained person
8 who, under the supervision of a dentist, provides dental
9 services as authorized by Section 17.

10 "Expanded function dental assistant" means a dental
11 assistant who has completed the training required by Section
12 17.1 of this Act.

13 "Dental laboratory" means a person, firm or corporation
14 which:

15 (i) engages in making, providing, repairing or
16 altering dental prosthetic appliances and other artificial
17 materials and devices which are returned to a dentist for
18 insertion into the human oral cavity or which come in
19 contact with its adjacent structures and tissues; and

20 (ii) utilizes or employs a dental technician to provide
21 such services; and

22 (iii) performs such functions only for a dentist or
23 dentists.

24 "Supervision" means supervision of a dental hygienist or a
25 dental assistant requiring that a dentist authorize the
26 procedure, remain in the dental facility while the procedure is

1 performed, and approve the work performed by the dental
2 hygienist or dental assistant before dismissal of the patient,
3 but does not mean that the dentist must be present at all times
4 in the treatment room.

5 "General supervision" means supervision of a dental
6 hygienist requiring that the patient be a patient of record,
7 that the dentist examine the patient in accordance with Section
8 18 prior to treatment by the dental hygienist, and that the
9 dentist authorize the procedures which are being carried out by
10 a notation in the patient's record, but not requiring that a
11 dentist be present when the authorized procedures are being
12 performed. The issuance of a prescription to a dental
13 laboratory by a dentist does not constitute general
14 supervision.

15 "Public member" means a person who is not a health
16 professional. For purposes of board membership, any person with
17 a significant financial interest in a health service or
18 profession is not a public member.

19 "Dentistry" means the healing art which is concerned with
20 the examination, diagnosis, treatment planning and care of
21 conditions within the human oral cavity and its adjacent
22 tissues and structures, as further specified in Section 17.

23 "Branches of dentistry" means the various specialties of
24 dentistry which, for purposes of this Act, shall be limited to
25 the following: endodontics, oral and maxillofacial surgery,
26 orthodontics and dentofacial orthopedics, pediatric dentistry,

1 periodontics, prosthodontics, and oral and maxillofacial
2 radiology.

3 "Specialist" means a dentist who has received a specialty
4 license pursuant to Section 11(b).

5 "Dental technician" means a person who owns, operates or is
6 employed by a dental laboratory and engages in making,
7 providing, repairing or altering dental prosthetic appliances
8 and other artificial materials and devices which are returned
9 to a dentist for insertion into the human oral cavity or which
10 come in contact with its adjacent structures and tissues.

11 "Impaired dentist" or "impaired dental hygienist" means a
12 dentist or dental hygienist who is unable to practice with
13 reasonable skill and safety because of a physical or mental
14 disability as evidenced by a written determination or written
15 consent based on clinical evidence, including deterioration
16 through the aging process, loss of motor skills, abuse of drugs
17 or alcohol, or a psychiatric disorder, of sufficient degree to
18 diminish the person's ability to deliver competent patient
19 care.

20 "Nurse" means a registered professional nurse, a certified
21 registered nurse anesthetist licensed as an advanced practice
22 nurse, or a licensed practical nurse licensed under the Nurse
23 Practice Act.

24 "Patient of record" means a patient for whom the patient's
25 most recent dentist has obtained a relevant medical and dental
26 history and on whom the dentist has performed an examination

1 and evaluated the condition to be treated.

2 "Dental responder" means a dentist or dental hygienist who
3 is appropriately certified in disaster preparedness,
4 immunizations, and dental humanitarian medical response
5 consistent with the Society of Disaster Medicine and Public
6 Health and training certified by the National Incident
7 Management System or the National Disaster Life Support
8 Foundation.

9 "Mobile dental van or portable dental unit" means any
10 self-contained or portable dental unit in which dentistry is
11 practiced that can be moved, towed, or transported from one
12 location to another in order to establish a location where
13 dental services can be provided.

14 "Public health dental hygienist" means a hygienist who
15 holds a valid license to practice in the State, has 2 years of
16 full-time clinical experience or an equivalent of 4,000 hours
17 of clinical experience and has completed at least 42 clock
18 hours of additional structured courses in dental education
19 approved by rule by the Department in advanced areas specific
20 to public health dentistry, including, but not limited to,
21 emergency procedures for medically compromised patients,
22 pharmacology, medical recordkeeping procedures, geriatric
23 dentistry, pediatric dentistry, pathology, and other areas of
24 study as determined by the Department, and works in a public
25 health setting pursuant to a written public health supervision
26 agreement as defined by rule by the Department with a dentist

1 working in or contracted with a local or State government
2 agency or institution or who is providing services as part of a
3 certified school-based program or school-based oral health
4 program.

5 "Public health setting" means a federally qualified health
6 center; a federal, State, or local public health facility; Head
7 Start; a special supplemental nutrition program for Women,
8 Infants, and Children (WIC) facility; or a certified
9 school-based health center or school-based oral health
10 program.

11 "Public health supervision" means the supervision of a
12 public health dental hygienist by a licensed dentist who has a
13 written public health supervision agreement with that public
14 health dental hygienist while working in an approved facility
15 or program that allows the public health dental hygienist to
16 treat patients, without a dentist first examining the patient
17 and being present in the facility during treatment, (1) who are
18 eligible for Medicaid or (2) who are uninsured and whose
19 household income is not greater than 200% of the federal
20 poverty level.

21 (Source: P.A. 99-25, eff. 1-1-16; 99-492, eff. 12-31-15;
22 99-680, eff. 1-1-17.)

23 (225 ILCS 25/9) (from Ch. 111, par. 2309)

24 (Section scheduled to be repealed on January 1, 2026)

25 Sec. 9. Qualifications of applicants for dental licenses.

1 The Department shall require that each applicant for a license
2 to practice dentistry shall:

3 (a) (Blank).

4 (b) Be at least 21 years of age and of good moral
5 character.

6 (c) (1) Present satisfactory evidence of completion of
7 dental education by graduation from a dental college or
8 school in the United States or Canada approved by the
9 Department. The Department shall not approve any dental
10 college or school which does not require at least (A) 60
11 semester hours of collegiate credit or the equivalent in
12 acceptable subjects from a college or university before
13 admission, and (B) completion of at least 4 academic years
14 of instruction or the equivalent in an approved dental
15 college or school that is accredited by the Commission on
16 Dental Accreditation of the American Dental Association;
17 or

18 (2) Present satisfactory evidence of completion of
19 dental education by graduation from a dental college or
20 school outside the United States or Canada and provide
21 satisfactory evidence that the applicant has: (A)
22 completed a minimum of 2 academic years of general dental
23 clinical training and obtained a doctorate of dental
24 surgery (DDS) or doctorate of dental medicine (DMD) at a
25 dental college or school in the United States or Canada
26 approved by the Department; or (B) met the program

1 requirements approved by rule by the Department.

2 Nothing in this Act shall be construed to prevent
3 either the Department or any dental college or school from
4 establishing higher standards than specified in this Act.

5 (d) (Blank).

6 (e) Present satisfactory evidence that the applicant
7 has passed both parts of the National Board Dental
8 Examination administered by the Joint Commission on
9 National Dental Examinations and has successfully
10 completed an examination conducted by one of the following
11 regional testing services: the Central Regional Dental
12 Testing Service, Inc. (CRDTS), the Southern Regional
13 Testing Agency, Inc. (SRTA), the Western Regional
14 Examining Board (WREB), the North East Regional Board
15 (NERB), or the Council of Interstate Testing Agencies
16 (CITA). For purposes of this Section, successful
17 completion shall mean that the applicant has achieved a
18 minimum passing score as determined by the applicable
19 regional testing service. The Secretary may suspend a
20 regional testing service under this subsection (e) if,
21 after proper notice and hearing, it is established that (i)
22 the integrity of the examination has been breached so as to
23 make future test results unreliable or (ii) the test is
24 fundamentally deficient in testing clinical competency.

25 In determining professional capacity under this Section,
26 any individual who has not been actively engaged in the

1 practice of dentistry, has not been a dental student, or has
2 not been engaged in a formal program of dental education during
3 the 5 years immediately preceding the filing of an application
4 may be required to complete such additional testing, training,
5 or remedial education as the Board may deem necessary in order
6 to establish the applicant's present capacity to practice
7 dentistry with reasonable judgment, skill, and safety.

8 (Source: P.A. 99-366, eff. 1-1-16.)

9 (225 ILCS 25/17) (from Ch. 111, par. 2317)

10 (Section scheduled to be repealed on January 1, 2026)

11 Sec. 17. Acts constituting the practice of dentistry. A
12 person practices dentistry, within the meaning of this Act:

13 (1) Who represents himself or herself as being able to
14 diagnose or diagnoses, treats, prescribes, or operates for
15 any disease, pain, deformity, deficiency, injury, or
16 physical condition of the human tooth, teeth, alveolar
17 process, gums or jaw; or

18 (2) Who is a manager, proprietor, operator or conductor
19 of a business where dental operations are performed; or

20 (3) Who performs dental operations of any kind; or

21 (4) Who uses an X-Ray machine or X-Ray films for dental
22 diagnostic purposes; or

23 (5) Who extracts a human tooth or teeth, or corrects or
24 attempts to correct malpositions of the human teeth or
25 jaws; or

1 (6) Who offers or undertakes, by any means or method,
2 to diagnose, treat or remove stains, calculus, and bonding
3 materials from human teeth or jaws; or

4 (7) Who uses or administers local or general
5 anesthetics in the treatment of dental or oral diseases or
6 in any preparation incident to a dental operation of any
7 kind or character; or

8 (8) Who takes impressions of the human tooth, teeth, or
9 jaws or performs any phase of any operation incident to the
10 replacement of a part of a tooth, a tooth, teeth or
11 associated tissues by means of a filling, crown, a bridge,
12 a denture or other appliance; or

13 (9) Who offers to furnish, supply, construct,
14 reproduce or repair, or who furnishes, supplies,
15 constructs, reproduces or repairs, prosthetic dentures,
16 bridges or other substitutes for natural teeth, to the user
17 or prospective user thereof; or

18 (10) Who instructs students on clinical matters or
19 performs any clinical operation included in the curricula
20 of recognized dental schools and colleges; or

21 (11) Who takes impressions of human teeth or places his
22 or her hands in the mouth of any person for the purpose of
23 applying teeth whitening materials, or who takes
24 impressions of human teeth or places his or her hands in
25 the mouth of any person for the purpose of assisting in the
26 application of teeth whitening materials. A person does not

1 practice dentistry when he or she discloses to the consumer
2 that he or she is not licensed as a dentist under this Act
3 and (i) discusses the use of teeth whitening materials with
4 a consumer purchasing these materials; (ii) provides
5 instruction on the use of teeth whitening materials with a
6 consumer purchasing these materials; or (iii) provides
7 appropriate equipment on-site to the consumer for the
8 consumer to self-apply teeth whitening materials.

9 The fact that any person engages in or performs, or offers
10 to engage in or perform, any of the practices, acts, or
11 operations set forth in this Section, shall be prima facie
12 evidence that such person is engaged in the practice of
13 dentistry.

14 The following practices, acts, and operations, however,
15 are exempt from the operation of this Act:

16 (a) The rendering of dental relief in emergency cases
17 in the practice of his or her profession by a physician or
18 surgeon, licensed as such under the laws of this State,
19 unless he or she undertakes to reproduce or reproduces lost
20 parts of the human teeth in the mouth or to restore or
21 replace lost or missing teeth in the mouth; or

22 (b) The practice of dentistry in the discharge of their
23 official duties by dentists in any branch of the Armed
24 Services of the United States, the United States Public
25 Health Service, or the United States Veterans
26 Administration; or

1 (c) The practice of dentistry by students in their
2 course of study in dental schools or colleges approved by
3 the Department, when acting under the direction and
4 supervision of dentists acting as instructors; or

5 (d) The practice of dentistry by clinical instructors
6 in the course of their teaching duties in dental schools or
7 colleges approved by the Department:

8 (i) when acting under the direction and
9 supervision of dentists, provided that such clinical
10 instructors have instructed continuously in this State
11 since January 1, 1986; or

12 (ii) when holding the rank of full professor at
13 such approved dental school or college and possessing a
14 current valid license or authorization to practice
15 dentistry in another country; or

16 (e) The practice of dentistry by licensed dentists of
17 other states or countries at meetings of the Illinois State
18 Dental Society or component parts thereof, alumni meetings
19 of dental colleges, or any other like dental organizations,
20 while appearing as clinicians; or

21 (f) The use of X-Ray machines for exposing X-Ray films
22 of dental or oral tissues by dental hygienists or dental
23 assistants; or

24 (g) The performance of any dental service by a dental
25 assistant, if such service is performed under the
26 supervision and full responsibility of a dentist. In

1 addition, after being authorized by a dentist, a dental
2 assistant may, for the purpose of eliminating pain or
3 discomfort, remove loose, broken, or irritating
4 orthodontic appliances on a patient of record.

5 For purposes of this paragraph (g), "dental service" is
6 defined to mean any intraoral procedure or act which shall
7 be prescribed by rule or regulation of the Department.
8 Dental service, however, shall not include:

9 (1) Any and all diagnosis of or prescription for
10 treatment of disease, pain, deformity, deficiency,
11 injury or physical condition of the human teeth or
12 jaws, or adjacent structures.

13 (2) Removal of, or restoration of, or addition to
14 the hard or soft tissues of the oral cavity, except for
15 the placing, carving, and finishing of amalgam
16 restorations and placing, packing, and finishing
17 composite restorations by dental assistants who have
18 had additional formal education and certification as
19 determined by the Department. A dentist utilizing
20 dental assistants shall not supervise more than 4
21 dental assistants at any one time for placing, carving,
22 and finishing of amalgam restorations.

23 (3) Any and all correction of malformation of teeth
24 or of the jaws.

25 (4) Administration of anesthetics, except for
26 monitoring of nitrous oxide, conscious sedation, deep

1 sedation, and general anesthetic as provided in
2 Section 8.1 of this Act, that may be performed only
3 after successful completion of a training program
4 approved by the Department. A dentist utilizing dental
5 assistants shall not supervise more than 4 dental
6 assistants at any one time for the monitoring of
7 nitrous oxide.

8 (5) Removal of calculus from human teeth.

9 (6) Taking of impressions for the fabrication of
10 prosthetic appliances, crowns, bridges, inlays,
11 onlays, or other restorative or replacement dentistry.

12 (7) The operative procedure of dental hygiene
13 consisting of oral prophylactic procedures, except for
14 coronal polishing and pit and fissure sealants, which
15 may be performed by a dental assistant who has
16 successfully completed a training program approved by
17 the Department. Dental assistants may perform coronal
18 polishing under the following circumstances: (i) the
19 coronal polishing shall be limited to polishing the
20 clinical crown of the tooth and existing restorations,
21 supragingivally; (ii) the dental assistant performing
22 the coronal polishing shall be limited to the use of
23 rotary instruments using a rubber cup or brush
24 polishing method (air polishing is not permitted); and
25 (iii) the supervising dentist shall not supervise more
26 than 4 dental assistants at any one time for the task

1 of coronal polishing or pit and fissure sealants.

2 In addition to coronal polishing and pit and
3 fissure sealants as described in this item (7), a
4 dental assistant who has at least 2,000 hours of direct
5 clinical patient care experience and who has
6 successfully completed a structured training program
7 provided by (1) an educational institution such as a
8 dental school or dental hygiene or dental assistant
9 program, or (2) by a statewide dental or dental
10 hygienist association, approved by the Department on
11 or before the effective date of this amendatory Act of
12 the 99th General Assembly, that has developed and
13 conducted a training program for expanded functions
14 for dental assistants or hygienists may perform: (A)
15 coronal scaling above the gum line, supragingivally,
16 on the clinical crown of the tooth only on patients 12
17 years of age or younger who have an absence of
18 periodontal disease and who are not medically
19 compromised or individuals with special needs and (B)
20 intracoronal temporization of a tooth. The training
21 program must: (I) include a minimum of 16 hours of
22 instruction in both didactic and clinical manikin or
23 human subject instruction; all training programs shall
24 include areas of study in dental anatomy, public health
25 dentistry, medical history, dental emergencies, and
26 managing the pediatric patient; (II) include an

1 outcome assessment examination that demonstrates
2 competency; (III) require the supervising dentist to
3 observe and approve the completion of 6 full mouth
4 supragingival scaling procedures; and (IV) issue a
5 certificate of completion of the training program,
6 which must be kept on file at the dental office and be
7 made available to the Department upon request. A dental
8 assistant must have successfully completed an approved
9 coronal polishing course prior to taking the coronal
10 scaling course. A dental assistant performing these
11 functions shall be limited to the use of hand
12 instruments only. In addition, coronal scaling as
13 described in this paragraph shall only be utilized on
14 patients who are eligible for Medicaid or who are
15 uninsured and whose household income is not greater
16 than 200% of the federal poverty level. A dentist may
17 not supervise more than 2 dental assistants at any one
18 time for the task of coronal scaling. This paragraph is
19 inoperative on and after January 1, 2021.

20 The limitations on the number of dental assistants a
21 dentist may supervise contained in items (2), (4), and (7)
22 of this paragraph (g) mean a limit of 4 total dental
23 assistants or dental hygienists doing expanded functions
24 covered by these Sections being supervised by one dentist.

25 (h) The practice of dentistry by an individual who:

26 (i) has applied in writing to the Department, in

1 form and substance satisfactory to the Department, for
2 a general dental license and has complied with all
3 provisions of Section 9 of this Act, except for the
4 passage of the examination specified in subsection (e)
5 of Section 9 of this Act; or

6 (ii) has applied in writing to the Department, in
7 form and substance satisfactory to the Department, for
8 a temporary dental license and has complied with all
9 provisions of subsection (c) of Section 11 of this Act;
10 and

11 (iii) has been accepted or appointed for specialty
12 or residency training by a hospital situated in this
13 State; or

14 (iv) has been accepted or appointed for specialty
15 training in an approved dental program situated in this
16 State; or

17 (v) has been accepted or appointed for specialty
18 training in a dental public health agency situated in
19 this State.

20 The applicant shall be permitted to practice dentistry
21 for a period of 3 months from the starting date of the
22 program, unless authorized in writing by the Department to
23 continue such practice for a period specified in writing by
24 the Department.

25 The applicant shall only be entitled to perform such
26 acts as may be prescribed by and incidental to his or her

1 program of residency or specialty training and shall not
2 otherwise engage in the practice of dentistry in this
3 State.

4 The authority to practice shall terminate immediately
5 upon:

6 (1) the decision of the Department that the
7 applicant has failed the examination; or

8 (2) denial of licensure by the Department; or

9 (3) withdrawal of the application.

10 (Source: P.A. 98-147, eff. 1-1-14; 98-463, eff. 8-16-13;
11 98-756, eff. 7-16-14; 99-492, eff. 12-31-15; 99-680, eff.
12 1-1-17.)

13 (225 ILCS 25/17.1 new)

14 Sec. 17.1. Expanded function dental assistants.

15 (a) A dental assistant who has completed training as
16 provided in subsection (b) of this Section in all of the
17 following areas may hold himself or herself out as an expanded
18 function dental assistant:

19 (1) Taking material or digital final impressions.

20 (2) Performing pulp vitality test.

21 (3) Placing, carving, and finishing of amalgam
22 restorations and placing, packing, and finishing composite
23 restorations.

24 (4) Starting the flow of oxygen and monitoring of
25 nitrous oxide-oxygen analgesia.

1 (5) Coronal polishing and pit and fissure sealants, as
2 currently allowed by law.

3 After the completion of training as provided in subsection
4 (b) of this Section, an expanded function dental assistant may
5 perform any of the services listed in this subsection (a)
6 pursuant to the limitations of this Act.

7 (b) Certification as an expanded function dental assistant
8 must be obtained from one of the following sources: (i) an
9 approved continuing education sponsor; (ii) a dental assistant
10 training program approved by the Commission on Dental
11 Accreditation of the American Dental Association; or (iii) a
12 training program approved by the Department.

13 Training required under this subsection (b) must also
14 include Basic Life Support certification, as described in
15 Section 16 of this Act. Proof of current certification shall be
16 kept on file with the supervising dentist.

17 (c) Any procedures listed in subsection (a) that are
18 performed by an expanded function dental assistant must be
19 approved by the supervising dentist and examined prior to
20 dismissal of the patient. The supervising dentist shall be
21 responsible for all dental services or procedures performed by
22 the dental assistant.

23 (d) Nothing in this Section shall be construed to alter the
24 number of dental assistants that a dentist may supervise under
25 paragraph (g) of Section 17 of this Act.

26 (e) Nothing in this Act shall: (1) require a dental

1 assistant to be certified as an expanded function dental
2 assistant or (2) prevent a dentist from training dental
3 assistants in accordance with the provisions of Section 17 of
4 this Act or rules pertaining to dental assistant duties.