**Section 1220.405 Reporting of Adverse Occurrences**

a) "Adverse occurrence" shall be defined for the purposes of this Section as:

1) The death of a patient within 24 hours after the administration of a dental procedure; or

2) The permanent organic brain dysfunction of a patient that first occurs within 24 hours after the administration of a dental procedure; or

3) The in-patient hospitalization of a patient for physical injury within 24 hours after the administration of a dental procedure.

b) A dentist shall report to the Division within 72 hours each adverse occurrence that involves the death of a patient.

c) A dentist shall report to the Division within 30 days each adverse occurrence that involves the permanent organic brain dysfunction or hospitalization of a patient.

d) The adverse occurrence report shall be in writing and shall include:

1) The dentist's name and license number;

2) The date and time of the occurrence;

3) The facility where the occurrence took place;

4) The name of the patient;

5) The dental procedure involved;

6) The type and dosage of sedation or anesthesia utilized in the procedure; and

7) The circumstances involved in such occurrence.

e) Upon receipt of any such report, the Division shall investigate pursuant to Section 25 of the Act and 68 Ill. Adm. Code 1110.

f) The adverse occurrence report is required by the Division to assist in its mission of protecting the public. The filing of such report by a dentist shall not constitute an admission by the dentist of any wrongdoing, malpractice, error or omission in treatment or even an admission that the death, organic brain dysfunction or hospitalization is related to the dental procedure or its administration. A dentist shall be responsible for filing an adverse occurrence report only for those adverse occurrences of which he/she has knowledge or should reasonably have been expected to have knowledge. In the event that a dentist does not have knowledge or cannot reasonably be expected to have knowledge, but subsequently obtains actual knowledge of an adverse occurrence, then such dentist shall file an adverse occurrence report within 72 hours after obtaining knowledge of the death of a patient or within 30 days after obtaining knowledge of the permanent organic brain dysfunction or hospitalization of a patient.

g) Failure to provide such a report to the Division shall be grounds for discipline. (See 225 ILCS 25/23.)

(Source: Amended at 30 Ill. Reg. 19656, effective December 18, 2006)