**Section 1220.425 Referral Services**

a) The practice of dentistry in the State of Illinois affects the public health, safety and welfare, and consequently regulation and control of the various aspects of dental practice is in the public interest. The offering to refer dental patients and the operation of a dental referral service is considered to be a matter of public interest.

b) If a dental referral service receives compensation or anything of value from dentists in exchange for making referrals, it must disclose in its advertisements and communications to the public that it is compensated. Failure to disclose in accordance with this Section shall be considered fee-splitting in violation of Section 23 of the Dental Practice Act.

c) If a person requesting a referral is expected to pay the referral service, there must be full disclosure of such fees at the time of the initial inquiry to the person using the service.

d) A referral service may only make referrals to licensed dentists or dental specialists who have consented in writing to accept referrals from that referral service.

e) A referral service shall not represent that it is able to practice dentistry as defined in Section 17 of the Dental Practice Act or practice dentistry, furnish dental advice or services, diagnose or treat conditions of the teeth, gums, or jaw, remove stains or calculus from teeth, or furnish, construct or repair dentures, bridges or other appliances or substitutes for natural teeth unless the referral service is operated by a licensed dentist. Any referral service operated by a licensed dentist that refers services to that dentist's own dental practice or a dental practice that he is in any way affiliated with shall disclose these facts at the time of such referral. Failure to comply with this provision shall be considered a violation of Section 8 of the Dental Practice Act.

f) This Section shall not apply to dentists who refer a patient for treatment or consultation to another dentist or dental specialist in the course of their dental practice.

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