

# SB2965



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB2965

Introduced 2/4/2020, by Sen. Rachelle Crowe

#### SYNOPSIS AS INTRODUCED:

225 ILCS 25/4  
225 ILCS 25/54.3

from Ch. 111, par. 2304

Amends the Illinois Dental Practice Act. Makes changes to the definitions of "branches of dentistry" and "teledentistry". Provides that a dentist may administer vaccinations to patients 18 years of age and older if it is a general policy or recommendation published by the Centers for Disease Control or the Director of Public Health. Effective immediately.

LRB101 19598 SPS 69074 b

A BILL FOR

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 and 54.3 as follows:

6 (225 ILCS 25/4) (from Ch. 111, par. 2304)

7 (Section scheduled to be repealed on January 1, 2026)

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

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

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

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

20 "Board" means the Board of Dentistry.

21 "Dentist" means a person who has received a general license  
22 pursuant to paragraph (a) of Section 11 of this Act and who may  
23 perform any intraoral and extraoral procedure required in the

1 practice of dentistry and to whom is reserved the  
2 responsibilities specified in Section 17.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 radiology, and dental anesthesiology.

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

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

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

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

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

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

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

13 "Public health dental hygienist" means a hygienist who  
14 holds a valid license to practice in the State, has 2 years of  
15 full-time clinical experience or an equivalent of 4,000 hours  
16 of clinical experience and has completed at least 42 clock  
17 hours of additional structured courses in dental education in  
18 advanced areas specific to public health dentistry.

19 "Public health setting" means a federally qualified health  
20 center; a federal, State, or local public health facility; Head  
21 Start; a special supplemental nutrition program for Women,  
22 Infants, and Children (WIC) facility; or a certified  
23 school-based health center or school-based oral health  
24 program.

25 "Public health supervision" means the supervision of a  
26 public health dental hygienist by a licensed dentist who has a

1 written public health supervision agreement with that public  
2 health dental hygienist while working in an approved facility  
3 or program that allows the public health dental hygienist to  
4 treat patients, without a dentist first examining the patient  
5 and being present in the facility during treatment, (1) who are  
6 eligible for Medicaid or (2) who are uninsured and whose  
7 household income is not greater than 200% of the federal  
8 poverty level.

9 "Teledentistry" means the use of telehealth systems and  
10 methodologies in dentistry and includes limited patient  
11 diagnosis, treatment planning, ~~care~~ and education delivery  
12 using synchronous and asynchronous communications under an  
13 Illinois licensed a dentist's authority as provided under this  
14 Act.

15 (Source: P.A. 100-215, eff. 1-1-18; 100-513, eff. 1-1-18;  
16 100-863, eff. 8-14-18; 101-64, eff. 7-12-19; 101-162, eff.  
17 7-26-19; revised 9-27-19.)

18 (225 ILCS 25/54.3)

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

20 Sec. 54.3. Vaccinations.

21 (a) Notwithstanding Section 54.2 of this Act, a dentist may  
22 administer vaccinations upon completion of appropriate  
23 training set forth by rule and approved by the Department on  
24 appropriate vaccine storage, proper administration, and  
25 addressing contraindications and adverse reactions.

1 Vaccinations shall be limited to patients 18 years of age and  
2 older pursuant to a valid prescription or standing order by a  
3 physician licensed to practice medicine in all its branches  
4 who, in the course of professional practice, administers  
5 vaccines to patients or if it is a general policy or  
6 recommendation published by the Centers for Disease Control or  
7 the Director of Public Health. Methods of communication shall  
8 be established for consultation with the physician in person or  
9 by telecommunications.

10 (b) Vaccinations administered by a dentist shall be limited  
11 to influenza (inactivated influenza vaccine and live  
12 attenuated influenza intranasal vaccine). Vaccines shall only  
13 be administered by the dentist and shall not be delegated to an  
14 assistant or any other person. Vaccination of a patient by a  
15 dentist shall be documented in the patient's dental record and  
16 the record shall be retained in accordance with current dental  
17 recordkeeping standards. The dentist shall notify the  
18 patient's primary care physician of each dose of vaccine  
19 administered to the patient and shall enter all patient level  
20 data or update the patient's current record. The dentist may  
21 provide this notice to the patient's physician electronically.  
22 In addition, the dentist shall enter all patient level data on  
23 vaccines administered in the immunization data registry  
24 maintained by the Department of Public Health.

25 (c) A dentist shall only provide vaccinations under this  
26 Section if contracted with and credentialed by the patient's



1 health insurance, health maintenance organization, or other  
2 health plan to specifically provide the vaccinations allowed  
3 under this Section. Persons enrolled in Medicare or Medicaid  
4 may only receive the vaccinations allowed for under this  
5 Section from dentists who are authorized to do so by the  
6 federal Centers for Medicare and Medicaid Services or the  
7 Department of Healthcare and Family Services.

8 (d) The Department shall adopt any rules necessary to  
9 implement this Section.

10 (e) This Section is repealed on January 1, 2026.

11 (Source: P.A. 101-162, eff. 7-26-19.)

12 Section 99. Effective date. This Act takes effect upon  
13 becoming law.