

HB0690



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0690

Introduced 2/8/2021, by Rep. Lakesia Collins

SYNOPSIS AS INTRODUCED:

225 ILCS 25/45

from Ch. 111, par. 2345

Amends the Illinois Dental Practice Act. Makes a technical change in a Section concerning advertising.

LRB102 11795 SPS 17130 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 Section 45 as follows:

6 (225 ILCS 25/45) (from Ch. 111, par. 2345)

7 (Section scheduled to be repealed on January 1, 2026)

8 Sec. 45. Advertising. The ~~The~~ purpose of this Section is
9 to authorize and regulate the advertisement by dentists of
10 information which is intended to provide the public with a
11 sufficient basis upon which to make an informed selection of
12 dentists while protecting the public from false or misleading
13 advertisements which would detract from the fair and rational
14 selection process.

15 Any dentist may advertise the availability of dental
16 services in the public media or on the premises where such
17 dental services are rendered. Such advertising shall be
18 limited to the following information:

19 (a) The dental services available;

20 (b) Publication of the dentist's name, title, office
21 hours, address and telephone;

22 (c) Information pertaining to his or her area of
23 specialization, including appropriate board certification

1 or limitation of professional practice;

2 (d) Information on usual and customary fees for
3 routine dental services offered, which information shall
4 include notification that fees may be adjusted due to
5 complications or unforeseen circumstances;

6 (e) Announcement of the opening of, change of, absence
7 from, or return to business;

8 (f) Announcement of additions to or deletions from
9 professional dental staff;

10 (g) The issuance of business or appointment cards;

11 (h) Other information about the dentist, dentist's
12 practice or the types of dental services which the dentist
13 offers to perform which a reasonable person might regard
14 as relevant in determining whether to seek the dentist's
15 services. However, any advertisement which announces the
16 availability of endodontics, pediatric dentistry,
17 periodontics, prosthodontics, orthodontics and
18 dentofacial orthopedics, oral and maxillofacial surgery,
19 or oral and maxillofacial radiology by a general dentist
20 or by a licensed specialist who is not licensed in that
21 specialty shall include a disclaimer stating that the
22 dentist does not hold a license in that specialty.

23 Any dental practice with more than one location that
24 enrolls its dentist as a participating provider in a managed
25 care plan's network must verify electronically or in writing
26 to the managed care plan whether the provider is accepting new

1 patients at each of the specific locations listing the
2 provider. The health plan shall remove the provider from the
3 directory in accordance with standard practices within 10
4 business days after being notified of the changes by the
5 provider. Nothing in this paragraph shall void any contractual
6 relationship between the provider and the plan.

7 It is unlawful for any dentist licensed under this Act to
8 do any of the following:

9 (1) Use claims of superior quality of care to entice
10 the public.

11 (2) Advertise in any way to practice dentistry without
12 causing pain.

13 (3) Pay a fee to any dental referral service or other
14 third party who advertises a dental referral service,
15 unless all advertising of the dental referral service
16 makes it clear that dentists are paying a fee for that
17 referral service.

18 (4) Advertise or offer gifts as an inducement to
19 secure dental patronage. Dentists may advertise or offer
20 free examinations or free dental services; it shall be
21 unlawful, however, for any dentist to charge a fee to any
22 new patient for any dental service provided at the time
23 that such free examination or free dental services are
24 provided.

25 (5) Use the term "sedation dentistry" or similar terms
26 in advertising unless the advertising dentist holds a

1 valid and current permit issued by the Department to
2 administer either general anesthesia, deep sedation, or
3 conscious sedation as required under Section 8.1 of this
4 Act.

5 This Act does not authorize the advertising of dental
6 services when the offeror of such services is not a dentist.
7 Nor shall the dentist use statements which contain false,
8 fraudulent, deceptive or misleading material or guarantees of
9 success, statements which play upon the vanity or fears of the
10 public, or statements which promote or produce unfair
11 competition.

12 A dentist shall be required to keep a copy of all
13 advertisements for a period of 3 years. All advertisements in
14 the dentist's possession shall indicate the accurate date and
15 place of publication.

16 The Department shall adopt rules to carry out the intent
17 of this Section.

18 (Source: P.A. 99-329, eff. 1-1-16.)