



Rep. Lakesia Collins

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10200HB0690ham003

LRB102 11795 SPS 26401 a

1 AMENDMENT TO HOUSE BILL 690

2 AMENDMENT NO. _____. Amend House Bill 690 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Dental Practice Act is amended by
5 changing Section 19.2 as follows:

6 (225 ILCS 25/19.2)

7 (Section scheduled to be repealed on January 1, 2026)

8 Sec. 19.2. Temporary permit for free dental care.

9 (a) Upon Board recommendation, the ~~The~~ Department may
10 issue a temporary permit authorizing the practice in this
11 State, without compensation, of dentistry ~~or dental hygiene~~ to
12 an applicant who is licensed to practice dentistry ~~or dental~~
13 ~~hygiene~~ in another state, if all of the following apply:

14 (1) the ~~The~~ Department determines that the applicant's
15 services will improve the welfare of Illinois residents
16 who are eligible for Medicaid or who are uninsured and

1 whose household income is not greater than 200% of the
2 federal poverty level;-

3 (2) the applicant has graduated from a dental program
4 approved by the American Dental Association's Commission
5 on Dental Accreditation and maintains an equivalent
6 authorization to practice dentistry in good standing in
7 his or her native licensing jurisdiction during the period
8 of the temporary visiting dentist permit and can furnish
9 the Department a certified letter upon request from that
10 jurisdiction attesting to the fact that the applicant has
11 no pending action or violations against his or her
12 license; ~~The Department determines that the applicant is~~
13 ~~qualified and satisfies the criteria specified under~~
14 ~~Sections 9 and 13 of this Act, except for the examination~~
15 ~~requirement.~~

16 (3) the applicant has received an invitation to
17 perform dental care by a charitable organization or has
18 received an invitation to study or receive training on
19 specific dental or clinical subjects or techniques by a
20 licensed continuing education sponsor who is approved by
21 the Department to provide clinical training in the State
22 of Illinois on patients for the welfare of Illinois
23 residents pursuant to subsection (a-5) and is in
24 compliance with the provisions of this Act;

25 (4) the applicant will be working pursuant to a
26 collaborative agreement with and under the direct

1 supervision of an Illinois licensed dentist, who is in
2 good standing, during the duration of the program. The
3 supervising dentist must be physically present during all
4 clinical training courses; and

5 (5) payment of a fee established by rule.

6 The Department may adopt rules to implement this
7 subsection.

8 (a-5) Upon Board recommendation, after the filing of an
9 application, the Department may allow approved continuing
10 education sponsors to be licensed to provide live patient
11 continuing education clinical training courses if the
12 following requirements are met:

13 (1) the continuing education course provides services,
14 without compensation, that will improve the welfare of
15 Illinois residents as described in paragraph (1) of
16 subsection (a). The application to the Board must include
17 the following information for review and approval by the
18 Department:

19 (i) a plan of follow-up care and training models;

20 (ii) any and all documentation to be signed by the
21 patients, including, but not limited to, waivers,
22 consent forms, and releases;

23 (iii) information related to the facilities being
24 utilized, staffing plans, and emergency plans;

25 (iv) the process by which patients will be
26 contacted before, during, and after treatment;

1 (v) the intended population that will be receiving
2 treatment; and

3 (vi) proof of valid malpractice insurance for the
4 approved continuing education sponsor that extends
5 coverage to clinical staff, trainees, and out-of-state
6 permit holders that meet the requirements of
7 subsection (a);

8 (2) a valid written collaborative agreement must exist
9 between the temporary visiting dentist and the Illinois
10 licensed dentist co-treating patients under this Section.
11 The collaborative agreement must include a description of
12 the care to be provided and procedures to be performed by
13 the temporary visiting dentist. There shall be no more
14 than 5 trainees per supervising dentist. A copy of this
15 agreement shall become part of the patient's dental record
16 and shall be made available upon request to the
17 Department; and

18 (3) payment of a fee established by rule.

19 A continuing education sponsor license issued under this
20 Section shall be valid for a period of time as provided by
21 rule.

22 The Department shall adopt rules to implement this
23 subsection.

24 (b) (Blank). ~~The Department may not require the applicant~~
25 ~~to pass an examination as provided in subsection (c) of~~
26 ~~Section 9 of this Act in order to receive a temporary permit~~

1 ~~under this Section.~~

2 (c) A temporary permit shall be valid for no longer than 5
3 consecutive clinical days within 6 months from the date of
4 issuance. The temporary permit may be issued once per year to a
5 visiting dentist. Temporary permits under subsection (a) may
6 be restored no more than one time within 5 years of the initial
7 permits issuance. A temporary permit under this Section shall
8 authorize the practice of dentistry or dental hygiene in a
9 specified area of the State for a period of time not to exceed
10 10 consecutive days in a year and may be renewed by the
11 Department. The Department may require an applicant to pay a
12 fee for the issuance or restoration ~~renewal~~ of a permit under
13 this Section.

14 (d) (Blank). ~~The Secretary may summarily terminate any~~
15 ~~permit issued pursuant to this Section, without a hearing, if~~
16 ~~the Secretary finds that evidence in his or her possession~~
17 ~~indicates that an individual permit holder's continuation in~~
18 ~~practice would constitute an imminent danger to the public. In~~
19 ~~the event that the Secretary summarily suspends a permit~~
20 ~~issued pursuant to this Section, the permit holder may~~
21 ~~petition the Department for a hearing in accordance with the~~
22 ~~provisions of this Act to reinstate his or her permit.~~

23 ~~In addition to terminating any permit issued pursuant to~~
24 ~~this Section, the Department may issue a monetary penalty not~~
25 ~~to exceed \$1,000 upon the permit holder and may notify any~~
26 ~~state in which the permit holder has been issued a license that~~

1 ~~his or her Illinois permit has been terminated and the reasons~~
2 ~~for the termination. The monetary penalty shall be paid within~~
3 ~~60 days after the effective date of the order imposing the~~
4 ~~penalty. The order shall constitute a judgment and may be~~
5 ~~filed and execution had thereon in the same manner as any~~
6 ~~judgment from any court of record. It is the intent of the~~
7 ~~General Assembly that a permit issued pursuant to this Section~~
8 ~~shall be considered a privilege and not a property right.~~

9 (e) The temporary permit shall only permit the holder to
10 practice dentistry within the scope of the dental studies and
11 in conjunction with one of the following:

12 (1) the charitable organization; or

13 (2) a continuing education program provided by a
14 continuing education sponsor approved by the Department
15 pursuant to this Section that the permit holder is
16 attending.

17 (f) The temporary visiting dentist may not administer
18 conscious sedation, deep sedation, or general anesthesia.

19 (g) A patient who seeks treatment from a temporary
20 visiting dentist must sign a consent form acknowledging that
21 the care the patient will receive will be provided by a dentist
22 not licensed in the State of Illinois and that the Illinois
23 licensed dentist who has the collaborative agreement with the
24 temporary visiting dentist will be responsible for all the
25 follow-up care associated with the treatment rendered to the
26 patient.

1 (h) An application for the temporary permit shall be made
2 to the Department in writing on forms prescribed by the
3 Department and shall be accompanied by a nonrefundable fee
4 established by rule.

5 (i) An applicant for a temporary permit may be requested
6 to appear before the Board to respond to questions concerning
7 the applicant's qualifications to receive the permit. An
8 applicant's refusal to appear before the Board may be grounds
9 for denial of the application by the Department.

10 (j) The Secretary may summarily cancel any permit or
11 license issued pursuant to this Section without a hearing if
12 the Secretary finds that evidence in his or her possession
13 indicates that a continuing education sponsor licensed under
14 this Section or a temporary permit holder's continuation in
15 practice would constitute an imminent danger to the public or
16 violate any provision of this Act or its rules. If the
17 Secretary summarily cancels a permit or license issued
18 pursuant to this Section, the permit holder or licensee may
19 petition the Department for a hearing in accordance with the
20 provisions of subsection (b) of Section 26 of this Act to
21 reinstate his or her permit or license.

22 (k) In addition to terminating any permit or license
23 issued pursuant to this Section, the Department may impose a
24 monetary penalty not to exceed \$10,000 upon the temporary
25 permit holder or licensee and may notify any state in which the
26 temporary permit holder or licensee has been issued a license

1 that his or her Illinois permit or license has been terminated
2 and the reasons for the termination. The monetary penalty
3 shall be paid within 60 days after the effective date of the
4 order imposing the penalty. The order shall constitute a
5 judgment and may be filed and execution had thereon in the same
6 manner as any judgment from any court of record. It is the
7 intent of the General Assembly that a permit or license issued
8 pursuant to this Section shall be considered a privilege and
9 not a property right.

10 (Source: P.A. 96-1222, eff. 7-23-10.)

11 Section 10. The Good Samaritan Act is amended by changing
12 Section 20 as follows:

13 (745 ILCS 49/20)

14 Sec. 20. Free dental clinic; exemption from civil
15 liability for services performed without compensation.

16 (a) Any person licensed under the Illinois Dental Practice
17 Act to practice dentistry or to practice as a dental hygienist
18 who, in good faith, provides dental treatment, dental
19 services, diagnoses, or advice as part of the services of an
20 established free dental clinic providing care to medically
21 indigent patients which is limited to care which does not
22 require the services of a licensed hospital or ambulatory
23 surgical treatment center, and who receives no fee or
24 compensation from that source shall not, as a result of any

1 acts or omissions, except for willful or wanton misconduct on
2 the part of the licensee, in providing dental treatment,
3 dental services, diagnoses or advice, be liable for civil
4 damages. For purposes of this Section, a "free dental clinic"
5 is an organized program providing, without charge, dental care
6 to individuals unable to pay for their care. For purposes of
7 this Section, an "organized program" is a program sponsored by
8 a community, public health, charitable, voluntary, or
9 organized dental organization. Free dental services provided
10 under this Section may be provided at a clinic or private
11 dental office. A free dental clinic may receive reimbursement
12 from the Department of Healthcare and Family Services or may
13 receive partial reimbursement from a patient based upon
14 ability to pay, provided any such reimbursements shall be used
15 only to pay overhead expenses of operating the free dental
16 clinic and may not be used, in whole or in part, to provide a
17 fee, reimbursement, or other compensation to any person
18 licensed under the Illinois Dental Practice Act who is
19 receiving an exemption under this Section or to any entity
20 that the person owns or controls or in which the person has an
21 ownership interest or from which the person receives a fee,
22 reimbursement, or compensation of any kind. Dental care shall
23 not include the use of general anesthesia or require an
24 overnight stay in a health care facility.

25 (b) A dentist who administers vaccinations as provided in
26 Section 54.3 of the Illinois Dental Practice Act at a public

1 health clinic operated pursuant to the Public Health District
2 Act, without charge to the patient or the receipt of a fee or
3 compensation from that clinic or for that service in any way,
4 shall not be liable for civil damages as a result of his or her
5 acts or omissions in providing vaccinations, except for
6 willful or wanton misconduct.

7 (c) The provisions of this Section shall not apply in any
8 case unless the free dental clinic or public health clinic has
9 posted in a conspicuous place on its premises an explanation
10 of the immunity from civil liability provided in this Section.

11 (c-5) This Section does not apply to a dentist issued a
12 temporary visiting dentist permit pursuant to Section 19.2 of
13 the Illinois Dental Practice Act.

14 (d) The changes to this Section made by this amendatory
15 Act of the 99th General Assembly apply only to causes of action
16 accruing on or after the effective date of this amendatory Act
17 of the 99th General Assembly.

18 (Source: P.A. 99-92, eff. 1-1-16.)".