

SB2561



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2561

Introduced 2/26/2021, by Sen. Melinda Bush

SYNOPSIS AS INTRODUCED:

225 ILCS 25/4

from Ch. 111, par. 2304

Amends the Illinois Dental Practice Act. Provides that the definition of "public health setting" includes a nursing home or long-term care facility.

LRB102 15452 SPS 20815 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 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7 (Section scheduled to be repealed on January 1, 2026)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
22 license pursuant to paragraph (a) of Section 11 of this Act and
23 who may perform any intraoral and extraoral procedure required

1 in the 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
4 under this Act to perform dental services as authorized by
5 Section 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
20 provide 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
26 is 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
7 Section 18 prior to treatment by the dental hygienist, and
8 that the dentist authorize the procedures which are being
9 carried out by a notation in the patient's record, but not
10 requiring that a dentist be present when the authorized
11 procedures are being performed. The issuance of a prescription
12 to a dental laboratory by a dentist does not constitute
13 general supervision.

14 "Public member" means a person who is not a health
15 professional. For purposes of board membership, any person
16 with 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.

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
5 is 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
16 drugs or alcohol, or a psychiatric disorder, of sufficient
17 degree to diminish the person's ability to deliver competent
18 patient 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;
21 Head Start; a special supplemental nutrition program for
22 Women, Infants, and Children (WIC) facility; ~~or~~ a certified
23 school-based health center or school-based oral health
24 program; or a nursing home or long-term care facility.

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
6 are 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 patient care and
11 education delivery using synchronous and asynchronous
12 communications under a dentist's authority as provided under
13 this Act.

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