



Sen. Steve McClure

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10300HB2077sam002

LRB103 05331 SPS 60432 a

1 AMENDMENT TO HOUSE BILL 2077

2 AMENDMENT NO. _____. Amend House Bill 2077 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Dental Practice Act is amended by
5 changing Sections 4, 11, 17, 19, 23, and 50 and by adding
6 Section 50.1 as follows:

7 (225 ILCS 25/4) (from Ch. 111, par. 2304)

8 (Section scheduled to be repealed on January 1, 2026)

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

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

1 "Department" means the Department of Financial and
2 Professional Regulation.

3 "Secretary" means the Secretary of Financial and
4 Professional Regulation.

5 "Board" means the Board of Dentistry.

6 "Dentist" means a person who has received a general
7 license pursuant to paragraph (a) of Section 11 of this Act and
8 who may perform any intraoral and extraoral procedure required
9 in the practice of dentistry and to whom is reserved the
10 responsibilities specified in Section 17.

11 "Dental hygienist" means a person who holds a license
12 under this Act to perform dental services as authorized by
13 Section 18.

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

17 "Expanded function dental assistant" means a dental
18 assistant who has completed the training required by Section
19 17.1 of this Act.

20 "Dental laboratory" means a person, firm, or corporation
21 which:

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

1 (ii) utilizes or employs a dental technician to
2 provide such services; and

3 (iii) performs such functions only for a dentist or
4 dentists.

5 "Supervision" means supervision of a dental hygienist or a
6 dental assistant requiring that a dentist authorize the
7 procedure, remain in the dental facility while the procedure
8 is performed, and approve the work performed by the dental
9 hygienist or dental assistant before dismissal of the patient,
10 but does not mean that the dentist must be present at all times
11 in the treatment room.

12 "General supervision" means supervision of a dental
13 hygienist requiring that the patient be a patient of record,
14 that the dentist examine the patient in accordance with
15 Section 18 prior to treatment by the dental hygienist, and
16 that the dentist authorize the procedures which are being
17 carried out by a notation in the patient's record, but not
18 requiring that a dentist be present when the authorized
19 procedures are being performed. The issuance of a prescription
20 to a dental laboratory by a dentist does not constitute
21 general supervision.

22 "Public member" means a person who is not a health
23 professional. For purposes of board membership, any person
24 with a significant financial interest in a health service or
25 profession is not a public member.

26 "Dentistry" means the healing art which is concerned with

1 the examination, diagnosis, treatment planning, and care of
2 conditions within the human oral cavity and its adjacent
3 tissues and structures, as further specified in Section 17.

4 "Branches of dentistry" means the various specialties of
5 dentistry which, for purposes of this Act, shall be limited to
6 the following: endodontics, oral and maxillofacial surgery,
7 orthodontics and dentofacial orthopedics, pediatric dentistry,
8 periodontics, prosthodontics, oral and maxillofacial
9 radiology, and dental anesthesiology.

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

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

18 "Impaired dentist" or "impaired dental hygienist" means a
19 dentist or dental hygienist who is unable to practice with
20 reasonable skill and safety because of a physical or mental
21 disability as evidenced by a written determination or written
22 consent based on clinical evidence, including deterioration
23 through the aging process, loss of motor skills, abuse of
24 drugs or alcohol, or a psychiatric disorder, of sufficient
25 degree to diminish the person's ability to deliver competent
26 patient care.

1 "Nurse" means a registered professional nurse, a certified
2 registered nurse anesthetist licensed as an advanced practice
3 registered nurse, or a licensed practical nurse licensed under
4 the Nurse Practice Act.

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

9 "Dental responder" means a dentist or dental hygienist who
10 is appropriately certified in disaster preparedness,
11 immunizations, and dental humanitarian medical response
12 consistent with the Society of Disaster Medicine and Public
13 Health and training certified by the National Incident
14 Management System or the National Disaster Life Support
15 Foundation.

16 "Mobile dental van or portable dental unit" means any
17 self-contained or portable dental unit in which dentistry is
18 practiced that can be moved, towed, or transported from one
19 location to another in order to establish a location where
20 dental services can be provided.

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

1 "Public health setting" means a federally qualified health
2 center; a federal, State, or local public health facility;
3 Head Start; a special supplemental nutrition program for
4 Women, Infants, and Children (WIC) facility; a certified
5 school-based health center or school-based oral health
6 program; a prison; or a long-term care facility.

7 "Public health supervision" means the supervision of a
8 public health dental hygienist by a licensed dentist who has a
9 written public health supervision agreement with that public
10 health dental hygienist while working in an approved facility
11 or program that allows the public health dental hygienist to
12 treat patients, without a dentist first examining the patient
13 and being present in the facility during treatment, (1) who
14 are eligible for Medicaid or (2) who are uninsured and whose
15 household income is not greater than 300% ~~200%~~ of the federal
16 poverty level.

17 "Teledentistry" means the use of telehealth systems and
18 methodologies in dentistry and includes patient care and
19 education delivery using synchronous and asynchronous
20 communications under a dentist's authority as provided under
21 this Act.

22 (Source: P.A. 101-64, eff. 7-12-19; 101-162, eff. 7-26-19;
23 102-93, eff. 1-1-22; 102-588, eff. 8-20-21; 102-936, eff.
24 1-1-23.)

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

2 Sec. 11. Types of dental licenses. The Department shall
3 have the authority to issue the following types of licenses:

4 (a) General licenses. The Department shall issue a license
5 authorizing practice as a dentist to any person who qualifies
6 for a license under this Act.

7 (b) Specialty licenses. The Department shall issue a
8 license authorizing practice as a specialist in any particular
9 branch of dentistry to any dentist who has complied with the
10 requirements established for that particular branch of
11 dentistry at the time of making application. The Department
12 shall establish additional requirements of any dentist who
13 announces or holds himself or herself out to the public as a
14 specialist or as being specially qualified in any particular
15 branch of dentistry.

16 No dentist shall announce or hold himself or herself out
17 to the public as a specialist or as being specially qualified
18 in any particular branch of dentistry unless he or she is
19 licensed to practice in that specialty of dentistry.

20 The fact that any dentist shall announce by card,
21 letterhead, or any other form of communication using terms as
22 "Specialist" "Practice Limited To" or "Limited to
23 Specialty of" with the name of the branch of dentistry
24 practiced as a specialty, or shall use equivalent words or
25 phrases to announce the same, shall be prima facie evidence
26 that the dentist is holding himself or herself out to the

1 public as a specialist.

2 (c) Temporary training licenses. Persons who wish to
3 pursue specialty or other advanced clinical educational
4 programs in an approved dental school or a hospital situated
5 in this State, or persons who wish to pursue programs of
6 specialty training in dental public health in public agencies
7 in this State, may receive without examination, in the
8 discretion of the Department, a temporary training license. In
9 order to receive a temporary training license under this
10 subsection, an applicant shall furnish satisfactory proof to
11 the Department that:

12 (1) The applicant is at least 21 years of age and is of
13 good moral character. In determining moral character under
14 this Section, the Department may take into consideration
15 any felony conviction of the applicant, but such a
16 conviction shall not operate as bar to licensure;

17 (2) The applicant has been accepted or appointed for
18 specialty or residency training by an approved hospital
19 situated in this State, by an approved dental school
20 situated in this State, or by a public health agency in
21 this State the training programs of which are recognized
22 and approved by the Department. The applicant shall
23 indicate the beginning and ending dates of the period for
24 which he or she has been accepted or appointed;

25 (3) The applicant is a graduate of a dental school or
26 college approved and in good standing in the judgment of

1 the Department. The Department may consider diplomas or
2 certifications of education, or both, accompanied by
3 transcripts of course work and credits awarded to
4 determine if an applicant has graduated from a dental
5 school or college approved and in good standing. The
6 Department may also consider diplomas or certifications of
7 education, or both, accompanied by transcripts of course
8 work and credits awarded in determining whether a dental
9 school or college is approved and in good standing.

10 Temporary training licenses issued under this Section
11 shall be valid only for the duration of the period of residency
12 or specialty training and may be extended or renewed as
13 prescribed by rule. The holder of a valid temporary training
14 license shall be entitled thereby to perform acts as may be
15 prescribed by and incidental to his or her program of
16 residency or specialty training; but he or she shall not be
17 entitled to engage in the practice of dentistry in this State.

18 A temporary training license may be revoked by the
19 Department upon proof that the holder has engaged in the
20 practice of dentistry in this State outside of his or her
21 program of residency or specialty training, or if the holder
22 shall fail to supply the Department, within 10 days of its
23 request, with information as to his or her current status and
24 activities in his or her specialty training program.

25 (d) Faculty limited licenses. Persons who have received
26 full-time appointments to teach dentistry at an approved

1 dental school or hospital situated in this State may receive
2 without examination, in the discretion of the Department, a
3 faculty limited license. In order to receive a faculty limited
4 license an applicant shall furnish satisfactory proof to the
5 Department that:

6 (1) The applicant is at least 21 years of age, is of
7 good moral character, and is licensed to practice
8 dentistry in another state or country; and

9 (2) The applicant has a full-time appointment to teach
10 dentistry at an approved dental school or hospital
11 situated in this State.

12 Faculty limited licenses issued under this Section shall
13 be valid for a period of 3 years and may be extended or
14 renewed. The holder of a valid faculty limited license may
15 perform acts as may be required by his or her teaching of
16 dentistry. The ~~In addition, the~~ holder of a faculty limited
17 license may practice general dentistry or in his or her area of
18 specialty, but only in a clinic or office affiliated with the
19 dental school. The holder of a faculty limited license may
20 advertise a specialty degree as part of the licensee's ability
21 to practice in a faculty practice. Any faculty limited license
22 issued to a faculty member under this Section shall terminate
23 immediately and automatically, without any further action by
24 the Department, if the holder ceases to be a faculty member at
25 an approved dental school or hospital in this State.

26 The Department may revoke a faculty limited license for a

1 violation of this Act or its rules, or if the holder fails to
2 supply the Department, within 10 days of its request, with
3 information as to his or her current status and activities in
4 his or her teaching program.

5 (e) Inactive status. Any person who holds one of the
6 licenses under subsection (a) or (b) of Section 11 or under
7 Section 12 of this Act may elect, upon payment of the required
8 fee, to place his or her license on an inactive status and
9 shall, subject to the rules of the Department, be excused from
10 the payment of renewal fees until he or she notifies the
11 Department in writing of his or her desire to resume active
12 status.

13 Any licensee requesting restoration from inactive status
14 shall be required to pay the current renewal fee and upon
15 payment the Department shall be required to restore his or her
16 license, as provided in Section 16 of this Act.

17 Any licensee whose license is in an inactive status shall
18 not practice in the State of Illinois.

19 (f) Certificates of Identification. In addition to the
20 licenses authorized by this Section, the Department shall
21 deliver to each dentist a certificate of identification in a
22 form specified by the Department.

23 (Source: P.A. 100-976, eff. 1-1-19.)

24 (225 ILCS 25/17) (from Ch. 111, par. 2317)

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

1 Sec. 17. Acts constituting the practice of dentistry. A
2 person practices dentistry, within the meaning of this Act:

3 (1) Who represents himself or herself as being able to
4 diagnose or diagnoses, treats, prescribes, or operates for
5 any disease, pain, deformity, deficiency, injury, or
6 physical condition of the human tooth, teeth, alveolar
7 process, gums, or jaw; or

8 (2) Who is a manager, proprietor, operator, or
9 conductor of a business where dental operations are
10 performed; or

11 (3) Who performs dental operations of any kind; or

12 (4) Who uses an X-Ray machine or X-Ray films for
13 dental diagnostic purposes; or

14 (5) Who extracts a human tooth or teeth, or corrects
15 or attempts to correct malpositions of the human teeth or
16 jaws; or

17 (6) Who offers or undertakes, by any means or method,
18 to diagnose, treat, or remove stains, calculus, and
19 bonding materials from human teeth or jaws; or

20 (7) Who uses or administers local or general
21 anesthetics in the treatment of dental or oral diseases or
22 in any preparation incident to a dental operation of any
23 kind or character; or

24 (8) Who takes material or digital scans for final
25 impressions of the human tooth, teeth, or jaws or performs
26 any phase of any operation incident to the replacement of

1 a part of a tooth, a tooth, teeth, or associated tissues by
2 means of a filling, crown, a bridge, a denture, or other
3 appliance; or

4 (9) Who offers to furnish, supply, construct,
5 reproduce, or repair, or who furnishes, supplies,
6 constructs, reproduces, or repairs, prosthetic dentures,
7 bridges, or other substitutes for natural teeth, to the
8 user or prospective user thereof; or

9 (10) Who instructs students on clinical matters or
10 performs any clinical operation included in the curricula
11 of recognized dental schools and colleges; or

12 (11) Who takes material or digital scans for final
13 impressions of human teeth or places his or her hands in
14 the mouth of any person for the purpose of applying teeth
15 whitening materials, or who takes impressions of human
16 teeth or places his or her hands in the mouth of any person
17 for the purpose of assisting in the application of teeth
18 whitening materials. A person does not practice dentistry
19 when he or she discloses to the consumer that he or she is
20 not licensed as a dentist under this Act and (i) discusses
21 the use of teeth whitening materials with a consumer
22 purchasing these materials; (ii) provides instruction on
23 the use of teeth whitening materials with a consumer
24 purchasing these materials; or (iii) provides appropriate
25 equipment on-site to the consumer for the consumer to
26 self-apply teeth whitening materials.

1 The fact that any person engages in or performs, or offers
2 to engage in or perform, any of the practices, acts, or
3 operations set forth in this Section, shall be prima facie
4 evidence that such person is engaged in the practice of
5 dentistry.

6 The following practices, acts, and operations, however,
7 are exempt from the operation of this Act:

8 (a) The rendering of dental relief in emergency cases
9 in the practice of his or her profession by a physician or
10 surgeon, licensed as such under the laws of this State,
11 unless he or she undertakes to reproduce or reproduces
12 lost parts of the human teeth in the mouth or to restore or
13 replace lost or missing teeth in the mouth; or

14 (b) The practice of dentistry in the discharge of
15 their official duties by dentists in any branch of the
16 Armed Services of the United States, the United States
17 Public Health Service, or the United States Veterans
18 Administration; or

19 (c) The practice of dentistry by students in their
20 course of study in dental schools or colleges approved by
21 the Department, when acting under the direction and
22 supervision of dentists acting as instructors; or

23 (d) The practice of dentistry by clinical instructors
24 in the course of their teaching duties in dental schools
25 or colleges approved by the Department:

26 (i) when acting under the direction and

1 supervision of dentists, provided that such clinical
2 instructors have instructed continuously in this State
3 since January 1, 1986; or

4 (ii) when holding the rank of full professor at
5 such approved dental school or college and possessing
6 a current valid license or authorization to practice
7 dentistry in another country; or

8 (e) The practice of dentistry by licensed dentists of
9 other states or countries at meetings of the Illinois
10 State Dental Society or component parts thereof, alumni
11 meetings of dental colleges, or any other like dental
12 organizations, while appearing as clinicians; or

13 (f) The use of X-Ray machines for exposing X-Ray films
14 of dental or oral tissues by dental hygienists or dental
15 assistants; or

16 (g) The performance of any dental service by a dental
17 assistant, if such service is performed under the
18 supervision and full responsibility of a dentist. In
19 addition, after being authorized by a dentist, a dental
20 assistant may, for the purpose of eliminating pain or
21 discomfort, remove loose, broken, or irritating
22 orthodontic appliances on a patient of record.

23 For purposes of this paragraph (g), "dental service"
24 is defined to mean any intraoral procedure or act which
25 shall be prescribed by rule or regulation of the
26 Department. "Dental service", however, shall not include:

1 (1) Any and all diagnosis of or prescription for
2 treatment of disease, pain, deformity, deficiency,
3 injury, or physical condition of the human teeth or
4 jaws, or adjacent structures.

5 (2) Removal of, ~~or~~ restoration of, or addition to
6 the hard or soft tissues of the oral cavity, except for
7 the placing, carving, and finishing of amalgam
8 restorations and placing, packing, and finishing
9 composite restorations by dental assistants who have
10 had additional formal education and certification.

11 A dental assistant may place, carve, and finish
12 amalgam restorations, place, pack, and finish
13 composite restorations, and place interim restorations
14 if he or she (A) has successfully completed a
15 structured training program as described in item (2)
16 of subsection (g) provided by an educational
17 institution accredited by the Commission on Dental
18 Accreditation, such as a dental school or dental
19 hygiene or dental assistant program, or (B) has at
20 least 4,000 hours of direct clinical patient care
21 experience and has successfully completed a structured
22 training program as described in item (2) of
23 subsection (g) provided by a statewide dental
24 association, approved by the Department to provide
25 continuing education, that has developed and conducted
26 training programs for expanded functions for dental

1 assistants or hygienists. The training program must:
2 (i) include a minimum of 16 hours of didactic study and
3 14 hours of clinical manikin instruction; all training
4 programs shall include areas of study in nomenclature,
5 caries classifications, oral anatomy, periodontium,
6 basic occlusion, instrumentations, pulp protection
7 liners and bases, dental materials, matrix and wedge
8 techniques, amalgam placement and carving, rubber dam
9 clamp placement, and rubber dam placement and removal;
10 (ii) include an outcome assessment examination that
11 demonstrates competency; (iii) require the supervising
12 dentist to observe and approve the completion of 8
13 amalgam or composite restorations; and (iv) issue a
14 certificate of completion of the training program,
15 which must be kept on file at the dental office and be
16 made available to the Department upon request. A
17 dental assistant must have successfully completed an
18 approved coronal polishing and dental sealant course
19 prior to taking the amalgam and composite restoration
20 course.

21 A dentist utilizing dental assistants shall not
22 supervise more than 4 dental assistants at any one
23 time for placing, carving, and finishing of amalgam
24 restorations or for placing, packing, and finishing
25 composite restorations.

26 (3) Any and all correction of malformation of

1 teeth or of the jaws.

2 (4) Administration of anesthetics, except for
3 monitoring of nitrous oxide, conscious sedation, deep
4 sedation, and general anesthetic as provided in
5 Section 8.1 of this Act, that may be performed only
6 after successful completion of a training program
7 approved by the Department. A dentist utilizing dental
8 assistants shall not supervise more than 4 dental
9 assistants at any one time for the monitoring of
10 nitrous oxide.

11 (5) Removal of calculus from human teeth.

12 (6) Taking of material or digital scans for final
13 impressions for the fabrication of prosthetic
14 appliances, crowns, bridges, inlays, onlays, or other
15 restorative or replacement dentistry.

16 (7) The operative procedure of dental hygiene
17 consisting of oral prophylactic procedures, except for
18 coronal polishing and pit and fissure sealants, which
19 may be performed by a dental assistant who has
20 successfully completed a training program approved by
21 the Department. Dental assistants may perform coronal
22 polishing under the following circumstances: (i) the
23 coronal polishing shall be limited to polishing the
24 clinical crown of the tooth and existing restorations,
25 supragingivally; (ii) the dental assistant performing
26 the coronal polishing shall be limited to the use of

1 rotary instruments using a rubber cup or brush
2 polishing method (air polishing is not permitted); and
3 (iii) the supervising dentist shall not supervise more
4 than 4 dental assistants at any one time for the task
5 of coronal polishing or pit and fissure sealants.

6 In addition to coronal polishing and pit and
7 fissure sealants as described in this item (7), a
8 dental assistant who has at least 2,000 hours of
9 direct clinical patient care experience and who has
10 successfully completed a structured training program
11 provided by (1) an educational institution including,
12 but not limited to, a dental school or dental hygiene
13 or dental assistant program, or (2) a continuing
14 education provider approved by the Department, or (3)
15 a statewide dental or dental hygienist association,
16 ~~approved by the Department on or before January 1,~~
17 ~~2017 (the effective date of Public Act 99-680),~~ that
18 has developed and conducted a training program for
19 expanded functions for dental assistants or hygienists
20 may perform: (A) coronal scaling above the gum line,
21 supragingivally, on the clinical crown of the tooth
22 only on patients 17 years of age or younger who have an
23 absence of periodontal disease and who are not
24 medically compromised or individuals with special
25 needs and (B) intracoronal temporization of a tooth.
26 The training program must: (I) include a minimum of 32

1 hours of instruction in both didactic and clinical
2 manikin or human subject instruction; all training
3 programs shall include areas of study in dental
4 anatomy, public health dentistry, medical history,
5 dental emergencies, and managing the pediatric
6 patient; (II) include an outcome assessment
7 examination that demonstrates competency; (III)
8 require the supervising dentist to observe and approve
9 the completion of 6 full mouth supragingival scaling
10 procedures unless the training was received as part of
11 a Commission on Dental Accreditation approved dental
12 assistant program; and (IV) issue a certificate of
13 completion of the training program, which must be kept
14 on file at the dental office and be made available to
15 the Department upon request. A dental assistant must
16 have successfully completed an approved coronal
17 polishing course prior to taking the coronal scaling
18 course. A dental assistant performing these functions
19 shall be limited to the use of hand instruments only.
20 In addition, coronal scaling as described in this
21 paragraph shall only be utilized on patients who are
22 eligible for Medicaid, who are uninsured, or whose
23 household income is not greater than 300% of the
24 federal poverty level. A dentist may not supervise
25 more than 2 dental assistants at any one time for the
26 task of coronal scaling. This paragraph is inoperative

1 on and after January 1, 2026.

2 The limitations on the number of dental assistants a
3 dentist may supervise contained in items (2), (4), and (7)
4 of this paragraph (g) mean a limit of 4 total dental
5 assistants or dental hygienists doing expanded functions
6 covered by these Sections being supervised by one dentist;
7 or

8 (h) The practice of dentistry by an individual who:

9 (i) has applied in writing to the Department, in
10 form and substance satisfactory to the Department, for
11 a general dental license and has complied with all
12 provisions of Section 9 of this Act, except for the
13 passage of the examination specified in subsection (e)
14 of Section 9 of this Act; or

15 (ii) has applied in writing to the Department, in
16 form and substance satisfactory to the Department, for
17 a temporary dental license and has complied with all
18 provisions of subsection (c) of Section 11 of this
19 Act; and

20 (iii) has been accepted or appointed for specialty
21 or residency training by a hospital situated in this
22 State; or

23 (iv) has been accepted or appointed for specialty
24 training in an approved dental program situated in
25 this State; or

26 (v) has been accepted or appointed for specialty

1 training in a dental public health agency situated in
2 this State.

3 The applicant shall be permitted to practice dentistry
4 for a period of 3 months from the starting date of the
5 program, unless authorized in writing by the Department to
6 continue such practice for a period specified in writing
7 by the Department.

8 The applicant shall only be entitled to perform such
9 acts as may be prescribed by and incidental to his or her
10 program of residency or specialty training and shall not
11 otherwise engage in the practice of dentistry in this
12 State.

13 The authority to practice shall terminate immediately
14 upon:

15 (1) the decision of the Department that the
16 applicant has failed the examination; or

17 (2) denial of licensure by the Department; or

18 (3) withdrawal of the application.

19 (Source: P.A. 101-162, eff. 7-26-19; 102-558, eff. 8-20-21;
20 102-936, eff. 1-1-23.)

21 (225 ILCS 25/19) (from Ch. 111, par. 2319)

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

23 Sec. 19. Licensing applicants from other states. Any
24 person who has been lawfully licensed to practice dentistry,
25 including the practice of a licensed dental specialty, or

1 dental hygiene in another state or territory or as a member of
2 the military service which has and maintains a standard for
3 the practice of dentistry, a dental specialty, or dental
4 hygiene at least equal to that now maintained in this State, or
5 if the requirements for licensure in such state or territory
6 in which the applicant was licensed were, at the date of his or
7 her licensure, substantially equivalent to the requirements
8 then in force in this State, and who has been lawfully engaged
9 in the practice of dentistry or dental hygiene for at least 2 ~~3~~
10 ~~of the 5~~ years immediately preceding the filing of his or her
11 application to practice in this State and who shall deposit
12 with the Department a duly attested certificate from the Board
13 of the state or territory in which he or she is licensed,
14 certifying to the fact of his or her licensing and of his or
15 her being a person of good moral character may, upon payment of
16 the required fee, be granted a license to practice dentistry,
17 a dental specialty, or dental hygiene in this State, as the
18 case may be.

19 For the purposes of this Section, "substantially
20 equivalent" means that the applicant has presented evidence of
21 completion and graduation from an American Dental Association
22 accredited dental college or school in the United States or
23 Canada, presented evidence that the applicant has passed both
24 parts of the National Board Dental Examination, and
25 successfully completed an examination conducted by a regional
26 testing service. ~~In computing 3 of the immediately preceding 5~~

1 ~~years of practice in another state or territory, any person~~
2 ~~who left the practice of dentistry to enter the military~~
3 ~~service and who practiced dentistry while in the military~~
4 ~~service may count as a part of such period the time spent by~~
5 ~~him or her in such service.~~

6 Applicants have 3 years from the date of application to
7 complete the application process. If the process has not been
8 completed in 3 years, the application shall be denied, the fee
9 forfeited and the applicant must reapply and meet the
10 requirements in effect at the time of reapplication.

11 (Source: P.A. 97-526, eff. 1-1-12; 97-1013, eff. 8-17-12.)

12 (225 ILCS 25/23) (from Ch. 111, par. 2323)

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

14 Sec. 23. Refusal, revocation or suspension of dental
15 licenses. The Department may refuse to issue or renew, or may
16 revoke, suspend, place on probation, reprimand or take other
17 disciplinary or non-disciplinary action as the Department may
18 deem proper, including imposing fines not to exceed \$10,000
19 per violation, with regard to any license for any one or any
20 combination of the following causes:

21 1. Fraud or misrepresentation in applying for or
22 procuring a license under this Act, or in connection with
23 applying for renewal of a license under this Act.

24 2. Inability to practice with reasonable judgment,
25 skill, or safety as a result of habitual or excessive use

1 or addiction to alcohol, narcotics, stimulants, or any
2 other chemical agent or drug.

3 3. Willful or repeated violations of the rules of the
4 Department of Public Health or Department of Nuclear
5 Safety.

6 4. Acceptance of a fee for service as a witness,
7 without the knowledge of the court, in addition to the fee
8 allowed by the court.

9 5. Division of fees or agreeing to split or divide the
10 fees received for dental services with any person for
11 bringing or referring a patient, except in regard to
12 referral services as provided for under Section 45, or
13 assisting in the care or treatment of a patient, without
14 the knowledge of the patient or his or her legal
15 representative. Nothing in this item 5 affects any bona
16 fide independent contractor or employment arrangements
17 among health care professionals, health facilities, health
18 care providers, or other entities, except as otherwise
19 prohibited by law. Any employment arrangements may include
20 provisions for compensation, health insurance, pension, or
21 other employment benefits for the provision of services
22 within the scope of the licensee's practice under this
23 Act. Nothing in this item 5 shall be construed to require
24 an employment arrangement to receive professional fees for
25 services rendered.

26 6. Employing, procuring, inducing, aiding or abetting

1 a person not licensed or registered as a dentist or dental
2 hygienist to engage in the practice of dentistry or dental
3 hygiene. The person practiced upon is not an accomplice,
4 employer, procurer, inducer, aider, or abetter within the
5 meaning of this Act.

6 7. Making any misrepresentations or false promises,
7 directly or indirectly, to influence, persuade or induce
8 dental patronage.

9 8. Professional connection or association with or
10 lending his or her name to another for the illegal
11 practice of dentistry by another, or professional
12 connection or association with any person, firm or
13 corporation holding himself, herself, themselves, or
14 itself out in any manner contrary to this Act.

15 9. Obtaining or seeking to obtain practice, money, or
16 any other things of value by false or fraudulent
17 representations, but not limited to, engaging in such
18 fraudulent practice to defraud the medical assistance
19 program of the Department of Healthcare and Family
20 Services (formerly Department of Public Aid) under the
21 Illinois Public Aid Code.

22 10. Practicing under a false or, except as provided by
23 law, an assumed name.

24 11. Engaging in dishonorable, unethical, or
25 unprofessional conduct of a character likely to deceive,
26 defraud, or harm the public.

1 12. Conviction by plea of guilty or nolo contendere,
2 finding of guilt, jury verdict, or entry of judgment or by
3 sentencing for any crime, including, but not limited to,
4 convictions, preceding sentences of supervision,
5 conditional discharge, or first offender probation, under
6 the laws of any jurisdiction of the United States that (i)
7 is a felony under the laws of this State or (ii) is a
8 misdemeanor, an essential element of which is dishonesty,
9 or that is directly related to the practice of dentistry.

10 13. Permitting a dental hygienist, dental assistant or
11 other person under his or her supervision to perform any
12 operation not authorized by this Act.

13 14. Permitting more than 4 dental hygienists to be
14 employed under his or her supervision at any one time.

15 15. A violation of any provision of this Act or any
16 rules promulgated under this Act.

17 16. Taking impressions for or using the services of
18 any person, firm or corporation violating this Act.

19 17. Violating any provision of Section 45 relating to
20 advertising.

21 18. Discipline by another U.S. jurisdiction or foreign
22 nation, if at least one of the grounds for the discipline
23 is the same or substantially equivalent to those set forth
24 within this Act.

25 19. Willfully failing to report an instance of
26 suspected child abuse or neglect as required by the Abused

1 and Neglected Child Reporting Act.

2 20. Gross negligence in practice under this Act.

3 21. The use or prescription for use of narcotics or
4 controlled substances or designated products as listed in
5 the Illinois Controlled Substances Act, in any way other
6 than for therapeutic purposes.

7 22. Willfully making or filing false records or
8 reports in his or her practice as a dentist, including,
9 but not limited to, false records to support claims
10 against the dental assistance program of the Department of
11 Healthcare and Family Services (formerly Illinois
12 Department of Public Aid).

13 23. Professional incompetence as manifested by poor
14 standards of care.

15 24. Physical or mental illness, including, but not
16 limited to, deterioration through the aging process, or
17 loss of motor skills which results in a dentist's
18 inability to practice dentistry with reasonable judgment,
19 skill or safety. In enforcing this paragraph, the
20 Department may compel a person licensed to practice under
21 this Act to submit to a mental or physical examination
22 pursuant to the terms and conditions of Section 23b.

23 25. Gross or repeated irregularities in billing for
24 services rendered to a patient. For purposes of this
25 paragraph 25, "irregularities in billing" shall include:

26 (a) Reporting excessive charges for the purpose of

1 obtaining a total payment in excess of that usually
2 received by the dentist for the services rendered.

3 (b) Reporting charges for services not rendered.

4 (c) Incorrectly reporting services rendered for
5 the purpose of obtaining payment not earned.

6 26. Continuing the active practice of dentistry while
7 knowingly having any infectious, communicable, or
8 contagious disease proscribed by rule or regulation of the
9 Department.

10 27. Being named as a perpetrator in an indicated
11 report by the Department of Children and Family Services
12 pursuant to the Abused and Neglected Child Reporting Act,
13 and upon proof by clear and convincing evidence that the
14 licensee has caused a child to be an abused child or
15 neglected child as defined in the Abused and Neglected
16 Child Reporting Act.

17 28. Violating the Health Care Worker Self-Referral
18 Act.

19 29. Abandonment of a patient.

20 30. Mental incompetency as declared by a court of
21 competent jurisdiction.

22 31. A finding by the Department that the licensee,
23 after having his or her license placed on probationary
24 status, has violated the terms of probation.

25 32. Material misstatement in furnishing information to
26 the Department.

1 33. Failing, within 60 days, to provide information in
2 response to a written request by the Department in the
3 course of an investigation.

4 34. Immoral conduct in the commission of any act,
5 including, but not limited to, commission of an act of
6 sexual misconduct related to the licensee's practice.

7 35. Cheating on or attempting to subvert the licensing
8 examination administered under this Act.

9 36. A pattern of practice or other behavior that
10 demonstrates incapacity or incompetence to practice under
11 this Act.

12 37. Failure to establish and maintain records of
13 patient care and treatment as required under this Act.

14 38. Failure to provide copies of dental records as
15 required by law.

16 39. Failure of a licensed dentist who owns or is
17 employed at a dental office to give notice of an office
18 closure to his or her patients at least 30 days prior to
19 the office closure pursuant to Section 50.1.

20 All proceedings to suspend, revoke, place on probationary
21 status, or take any other disciplinary action as the
22 Department may deem proper, with regard to a license on any of
23 the foregoing grounds, must be commenced within 5 years after
24 receipt by the Department of a complaint alleging the
25 commission of or notice of the conviction order for any of the
26 acts described herein. Except for fraud in procuring a

1 license, no action shall be commenced more than 7 years after
2 the date of the incident or act alleged to have violated this
3 Section. The time during which the holder of the license was
4 outside the State of Illinois shall not be included within any
5 period of time limiting the commencement of disciplinary
6 action by the Department.

7 All fines imposed under this Section shall be paid within
8 60 days after the effective date of the order imposing the fine
9 or in accordance with the terms set forth in the order imposing
10 the fine.

11 The Department may refuse to issue or may suspend the
12 license of any person who fails to file a return, or to pay the
13 tax, penalty or interest shown in a filed return, or to pay any
14 final assessment of tax, penalty or interest, as required by
15 any tax Act administered by the Illinois Department of
16 Revenue, until such time as the requirements of any such tax
17 Act are satisfied.

18 Any dentist who has had his or her license suspended or
19 revoked for more than 5 years must comply with the
20 requirements for restoration set forth in Section 16 prior to
21 being eligible for reinstatement from the suspension or
22 revocation.

23 (Source: P.A. 99-492, eff. 12-31-15.)

24 (225 ILCS 25/50) (from Ch. 111, par. 2350)

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

1 Sec. 50. Patient records. Every dentist shall make a
2 record of all dental work performed for each patient. The
3 record shall be made in a manner and in sufficient detail that
4 it may be used for identification purposes. Dental records are
5 the property of the office in which dentistry is practiced.

6 Dental records required by this Section shall be
7 maintained for 10 years. Dental records required to be
8 maintained under this Section, or copies of those dental
9 records, shall be made available upon request to the patient
10 or the patient's guardian. A dentist shall be entitled to
11 reasonable reimbursement for the cost of reproducing these
12 records, which shall not exceed the cost allowed under Section
13 8-2001 of the Code of Civil Procedure. A dentist providing
14 services through a mobile dental van or portable dental unit
15 shall provide to the patient or the patient's parent or
16 guardian, in writing, the dentist's name, license number,
17 address, and information on how the patient or the patient's
18 parent or guardian may obtain the patient's dental records, as
19 provided by law.

20 (Source: P.A. 99-492, eff. 12-31-15.)

21 (225 ILCS 25/50.1 new)

22 Sec. 50.1. Closing a dental office. A dental office that
23 is closing and will not continue to offer dentistry services
24 must provide notice to its patients at least 30 days prior to
25 the closure. The notice to patients shall include an

1 explanation of how copies of the patient's records may be
2 accessed or obtained by the patient. The notice may be given by
3 publication in a newspaper of general circulation in the area
4 in which the dental office is located or in an electronic
5 format accessible by patients.

6 Section 10. The Illinois Controlled Substances Act is
7 amended by changing Section 311.6 as follows:

8 (720 ILCS 570/311.6)

9 (This Section may contain text from a Public Act with a
10 delayed effective date)

11 Sec. 311.6. Electronic Opioid prescriptions; exemptions.

12 (a) Electronic prescriptions. Notwithstanding any other
13 provision of law, a prescription for a substance classified in
14 Schedule II, III, or IV, excluding Acetaminophen with codeine,
15 ~~or V~~ must be sent electronically, in accordance with Section
16 316. Prescriptions sent in accordance with this subsection (a)
17 must be accepted by the dispenser in electronic format.

18 (b) Electronic prescriptions not required. Notwithstanding
19 any other provision of this Section or any other provision of
20 law, a prescriber shall not be required to issue prescriptions
21 electronically if he or she certifies to the Department of
22 Financial and Professional Regulation that he or she will not
23 issue more than 100 ~~25~~ prescriptions during a 12-month period.
24 Prescriptions in both oral and written form for controlled

1 substances shall be included in determining whether the
2 prescriber will reach the limit of 100 ~~25~~ prescriptions.

3 (b-5) Exemptions. The Department shall exempt the
4 following from the requirements of subsection (a):

5 (1) prescribers who do not have electronic health
6 records in their practice;

7 (2) prescribers who may have financial difficulties in
8 buying or managing an electronic prescription option,
9 whether it is an electronic health record or some other
10 e-Rx product; and

11 (3) temporary technological or electrical failure that
12 prevents an electronic prescription from being issued.

13 (b-6) Considerations. The Department, when developing
14 additional exemptions by rule, shall consider the following:

15 (1) prescriptions that the practitioner reasonably
16 determines would be impractical for the patient to obtain
17 medications prescribed by an electronic data transmission
18 prescription in a timely manner and the delay would
19 adversely impact the patient's medical condition;

20 (2) the patient or the patient's representative does
21 not know which pharmacy the patient prefers or is
22 available, the patient is out of the patient's home area,
23 or needs to fill a prescription across state lines;

24 (3) the prescription is for an individual who:

25 (A) resides in a nursing or assisted living
26 facility;

1 (B) is receiving hospice or palliative care;

2 (C) is receiving care at an outpatient renal
3 dialysis facility and the prescription is related to
4 the care provided;

5 (D) is receiving care through the United States
6 Department of Veterans Affairs;

7 (E) is incarcerated in a state, detained, or
8 confined in a correctional facility;

9 (4) prescriptions that include elements that are not
10 supported by the most recent version of the National
11 Council for Prescription Drug Programs prescriber or
12 pharmacist interface SCRIPT standard;

13 (5) prescriptions issued for compounded preparations
14 containing 2 or more components;

15 (6) the prescription prescribes a drug under a
16 research protocol;

17 (7) non-patient specific prescriptions dispensed under
18 a standing order, approved protocol for drug therapy,
19 collaborative drug management, or comprehensive medication
20 management, or in response to a public health emergency or
21 other circumstances in which the practitioner may issue a
22 non-patient specific prescription; and

23 (8) prescriptions issued when the prescriber and
24 dispenser are the same entity.

25 (c) Rules. The Department of Financial and Professional
26 Regulation shall adopt rules for the administration of this

1 Section that include language to require pharmacies to
2 accommodate paper prescriptions issued based on the
3 considerations provided in subsection (b-6). ~~These rules shall~~
4 ~~provide for the implementation of any such exemption to the~~
5 ~~requirements under this Section that the Department of~~
6 ~~Financial and Professional Regulation may deem appropriate,~~
7 ~~including the exemption provided for in subsection (b).~~

8 (d) Disciplinary action. Any prescriber who makes a good
9 faith effort to prescribe electronically, but for reasons not
10 within the prescriber's control is unable to prescribe
11 electronically, is exempt from any disciplinary action.

12 (Source: P.A. 102-490, eff. 1-1-24 (See Section 55 of P.A.
13 102-1109 for effective date of P.A. 102-490).)".