



Rep. Anna Moeller

**Filed: 2/27/2023**

10300HB2215ham001

LRB103 26931 AWJ 57586 a

1 AMENDMENT TO HOUSE BILL 2215

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2215 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, 17, and 26 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7 (Section scheduled to be repealed on January 1, 2026)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

1 Professional Regulation.

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

4 "Board" means the Board of Dentistry.

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

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

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

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

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

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

26 (ii) utilizes or employs a dental technician to

1 provide such services; and

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

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

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

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

25 "Dentistry" means the healing art which is concerned with  
26 the examination, diagnosis, treatment planning and care of

1 conditions within the human oral cavity and its adjacent  
2 tissues and structures, as further specified in Section 17.

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

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

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

17 "Informed consent" means the treating dentist has provided  
18 the patient with an opportunity to directly communicate with  
19 the treating dentist, whether in person, by telephone, or  
20 through synchronous technology, about the treatment to be  
21 provided.

22 "Impaired dentist" or "impaired dental hygienist" means a  
23 dentist or dental hygienist who is unable to practice with  
24 reasonable skill and safety because of a physical or mental  
25 disability as evidenced by a written determination or written  
26 consent based on clinical evidence, including deterioration

1 through the aging process, loss of motor skills, abuse of  
2 drugs or alcohol, or a psychiatric disorder, of sufficient  
3 degree to diminish the person's ability to deliver competent  
4 patient care.

5 "Nurse" means a registered professional nurse, a certified  
6 registered nurse anesthetist licensed as an advanced practice  
7 registered nurse, or a licensed practical nurse licensed under  
8 the Nurse Practice Act.

9 "Patient of record" means a patient for whom the patient's  
10 most recent dentist has obtained a relevant medical and dental  
11 history and on whom the dentist has performed an a physical  
12 examination within the last year and evaluated the condition  
13 to be treated, including a review of the patient's most recent  
14 x-rays.

15 "Dental responder" means a dentist or dental hygienist who  
16 is appropriately certified in disaster preparedness,  
17 immunizations, and dental humanitarian medical response  
18 consistent with the Society of Disaster Medicine and Public  
19 Health and training certified by the National Incident  
20 Management System or the National Disaster Life Support  
21 Foundation.

22 "Mobile dental van or portable dental unit" means any  
23 self-contained or portable dental unit in which dentistry is  
24 practiced that can be moved, towed, or transported from one  
25 location to another in order to establish a location where  
26 dental services can be provided.

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

7 "Public health setting" means a federally qualified health  
8 center; a federal, State, or local public health facility;  
9 Head Start; a special supplemental nutrition program for  
10 Women, Infants, and Children (WIC) facility; a certified  
11 school-based health center or school-based oral health  
12 program; a prison; or a long-term care facility.

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

23 "Teledentistry" means the use of telehealth systems and  
24 methodologies in dentistry and includes patient diagnosis,  
25 treatment planning, care, and education delivery for a patient  
26 of record using synchronous and asynchronous communications

1 under an Illinois licensed a dentist's authority as provided  
2 under this Act.

3 (Source: P.A. 101-64, eff. 7-12-19; 101-162, eff. 7-26-19;  
4 102-93, eff. 1-1-22; 102-588, eff. 8-20-21; 102-936, eff.  
5 1-1-23.)

6 (225 ILCS 25/17) (from Ch. 111, par. 2317)

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

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

10 (1) Who represents himself or herself as being able to  
11 diagnose or diagnoses, treats, prescribes, or operates for  
12 any disease, pain, deformity, deficiency, injury, or  
13 physical condition of the human tooth, teeth, alveolar  
14 process, gums, or jaw; or

15 (2) Who is a manager, proprietor, operator, or  
16 conductor of a business where dental operations are  
17 performed; or

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

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

21 (5) Who extracts a human tooth or teeth, or corrects  
22 or attempts to correct malpositions of the human teeth or  
23 jaws; or

24 (6) Who offers or undertakes, by any means or method,  
25 to diagnose, treat, or remove stains, calculus, and

1 bonding materials from human teeth or jaws; or

2 (7) Who uses or administers local or general  
3 anesthetics in the treatment of dental or oral diseases or  
4 in any preparation incident to a dental operation of any  
5 kind or character; or

6 (8) Who takes material or digital scans for final  
7 impressions of the human tooth, teeth, or jaws or performs  
8 any phase of any operation incident to the replacement of  
9 a part of a tooth, a tooth, teeth, or associated tissues by  
10 means of a filling, crown, a bridge, a denture, or other  
11 appliance; or

12 (9) Who offers to furnish, supply, construct,  
13 reproduce, or repair, or who furnishes, supplies,  
14 constructs, reproduces, or repairs, prosthetic dentures,  
15 bridges, or other substitutes for natural teeth, to the  
16 user or prospective user thereof; or

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

20 (11) Who takes material or digital scans for final  
21 impressions of human teeth or places his or her hands in  
22 the mouth of any person for the purpose of applying teeth  
23 whitening materials, or who takes impressions of human  
24 teeth or places his or her hands in the mouth of any person  
25 for the purpose of assisting in the application of teeth  
26 whitening materials. A person does not practice dentistry



1 when he or she discloses to the consumer that he or she is  
2 not licensed as a dentist under this Act and (i) discusses  
3 the use of teeth whitening materials with a consumer  
4 purchasing these materials; (ii) provides instruction on  
5 the use of teeth whitening materials with a consumer  
6 purchasing these materials; or (iii) provides appropriate  
7 equipment on-site to the consumer for the consumer to  
8 self-apply teeth whitening materials; ~~or-~~

9 (12) Who uses teledentistry, a dentist may utilize and  
10 delegate dental services using telehealth only under the  
11 supervision requirements as specified in this Act for  
12 in-person care. A dentist may only practice or utilize  
13 teledentistry on a patient of record. A dentist practicing  
14 dentistry through teledentistry is subject to the same  
15 standard of care as if those services were being delivered  
16 in a clinic or office setting. A patient receiving dental  
17 services through teledentistry shall be provided with the  
18 name, direct telephone number, and physical practice  
19 address of the treating dentist who will be involved in  
20 the teledentistry services. The information shall be  
21 provided to the patient prior to the provision of  
22 services. Prior to providing teledentistry services to a  
23 patient, a dentist must obtain informed consent from the  
24 patient, as defined in Section 4 of this Act, as to the  
25 treatment proposed to be offered through teledentistry by  
26 the dentist. The Department may adopt rules to implement

1       this paragraph.

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

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

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

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

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

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

1 (i) when acting under the direction and  
2 supervision of dentists, provided that such clinical  
3 instructors have instructed continuously in this State  
4 since January 1, 1986; or

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

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

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

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

24 For purposes of this paragraph (g), "dental service"  
25 is defined to mean any intraoral procedure or act which  
26 shall be prescribed by rule or regulation of the

1 Department. Dental service, however, shall not include:

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

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

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

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

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

1           (3) Any and all correction of malformation of  
2           teeth or of the jaws.

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

12          (5) Removal of calculus from human teeth.

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

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

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

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

1           The training program must: (I) include a minimum of 32  
2           hours of instruction in both didactic and clinical  
3           manikin or human subject instruction; all training  
4           programs shall include areas of study in dental  
5           anatomy, public health dentistry, medical history,  
6           dental emergencies, and managing the pediatric  
7           patient; (II) include an outcome assessment  
8           examination that demonstrates competency; (III)  
9           require the supervising dentist to observe and approve  
10          the completion of 6 full mouth supragingival scaling  
11          procedures unless the training was received as part of  
12          a Commission on Dental Accreditation approved dental  
13          assistant program; and (IV) issue a certificate of  
14          completion of the training program, which must be kept  
15          on file at the dental office and be made available to  
16          the Department upon request. A dental assistant must  
17          have successfully completed an approved coronal  
18          polishing course prior to taking the coronal scaling  
19          course. A dental assistant performing these functions  
20          shall be limited to the use of hand instruments only.  
21          In addition, coronal scaling as described in this  
22          paragraph shall only be utilized on patients who are  
23          eligible for Medicaid, who are uninsured, or whose  
24          household income is not greater than 300% of the  
25          federal poverty level. A dentist may not supervise  
26          more than 2 dental assistants at any one time for the



1 task of coronal scaling. This paragraph is inoperative  
2 on and after January 1, 2026.

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

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

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

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

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

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

1 (v) has been accepted or appointed for specialty  
2 training in a dental public health agency situated in  
3 this State.

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

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

14 The authority to practice shall terminate immediately  
15 upon:

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

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

19 (3) withdrawal of the application.

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

22 (225 ILCS 25/26) (from Ch. 111, par. 2326)

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

24 Sec. 26. Disciplinary actions.

25 (a) In case the respondent, after receiving notice, fails

1 to file an answer, his or her license may, in the discretion of  
2 the Secretary, having first received the recommendation of the  
3 Board, be suspended, revoked, placed on probationary status,  
4 or the Secretary may take whatever disciplinary or  
5 non-disciplinary action he or she may deem proper, including  
6 limiting the scope, nature, or extent of the person's practice  
7 or the imposition of a fine, without a hearing, if the act or  
8 acts charged constitute sufficient grounds for such action  
9 under this Act.

10 (b) The Secretary may temporarily suspend the license of a  
11 dentist or dental hygienist without a hearing, simultaneous to  
12 the institution of proceedings for a hearing under this Act,  
13 if the Secretary finds that evidence in his or her possession  
14 indicates that a dentist's or dental hygienist's continuation  
15 in practice would constitute an immediate danger to the  
16 public. In the event that the Secretary temporarily suspends  
17 the license of a dentist or a dental hygienist without a  
18 hearing, a hearing by the Board must be held within 15 days  
19 after such suspension has occurred.

20 (c) The entry of a judgment by any circuit court  
21 establishing that any person holding a license under this Act  
22 is a person subject to involuntary admission under the Mental  
23 Health and Developmental Disabilities Code shall operate as a  
24 suspension of that license. That person may resume his or her  
25 practice only upon a finding by the Board that he or she has  
26 been determined to be no longer subject to involuntary

1 admission by the court and upon the Board's recommendation to  
2 the Secretary that he or she be permitted to resume his or her  
3 practice.

4 (d) It shall be a violation of this Act for a provider of  
5 dental services utilizing care through teledentistry to  
6 require a patient to sign an agreement that limits in any way  
7 the patient's ability to write a review of services received  
8 or file a complaint with the Department or other regulatory  
9 agency.

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