



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2267

Introduced 2/14/2023, by Rep. Katie Stuart

SYNOPSIS AS INTRODUCED:

225 ILCS 25/4	from Ch. 111, par. 2304
225 ILCS 25/17	from Ch. 111, par. 2317
225 ILCS 25/18	from Ch. 111, par. 2318
225 ILCS 25/18.1	

Amends the Illinois Dental Practice Act. Changes the definition of "public health supervision". Provides that without the supervision of a dentist, a dental hygienist may perform dental health education functions, including instruction in proper oral health care and dental hygiene in, for example, a school setting, a long-term care facility, and a health fair (rather than just either a school setting and a long-term care facility). Provides that a dental hygienist may record case (rather than care) histories and oral conditions. Provides that a dentist may enter into an agreement for public health supervision with 4 (rather than 2) public health dental hygienists. Provides that the Department of Public Health Oral Health Section shall compile and publicize public health dental hygienist service data annually. Makes other changes.

LRB103 30203 AMQ 56631 b

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, 17, 18, and 18.1 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7 (Section scheduled to be repealed on January 1, 2026)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, oral and maxillofacial

1 radiology, and dental anesthesiology.

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; a certified
23 school-based health center or school-based oral health
24 program; a prison; or a 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 or ~~and~~ whose
7 household income is not greater than 300% ~~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. 101-64, eff. 7-12-19; 101-162, eff. 7-26-19;
15 102-93, eff. 1-1-22; 102-588, eff. 8-20-21; 102-936, eff.
16 1-1-23.)

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

18 (Section scheduled to be repealed on January 1, 2026)

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

21 (1) Who represents himself or herself as being able to
22 diagnose or diagnoses, treats, prescribes, or operates for
23 any disease, pain, deformity, deficiency, injury, or
24 physical condition of the human tooth, teeth, alveolar
25 process, gums or jaw; or

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

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

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

7 (5) Who extracts a human tooth or teeth, or corrects
8 or attempts to correct malpositions of the human teeth or
9 jaws; or

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

13 (7) Who uses or administers local or general
14 anesthetics in the treatment of dental or oral diseases or
15 in any preparation incident to a dental operation of any
16 kind or character; or

17 (8) Who takes material or digital scans for final
18 impressions of the human tooth, teeth, or jaws or performs
19 any phase of any operation incident to the replacement of
20 a part of a tooth, a tooth, teeth or associated tissues by
21 means of a filling, crown, a bridge, a denture or other
22 appliance; or

23 (9) Who offers to furnish, supply, construct,
24 reproduce or repair, or who furnishes, supplies,
25 constructs, reproduces or repairs, prosthetic dentures,
26 bridges or other substitutes for natural teeth, to the

1 user or prospective user thereof; or

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

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

20 The fact that any person engages in or performs, or offers
21 to engage in or perform, any of the practices, acts, or
22 operations set forth in this Section, shall be prima facie
23 evidence that such person is engaged in the practice of
24 dentistry.

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

1 (a) The rendering of dental relief in emergency cases
2 in the practice of his or her profession by a physician or
3 surgeon, licensed as such under the laws of this State,
4 unless he or she undertakes to reproduce or reproduces
5 lost parts of the human teeth in the mouth or to restore or
6 replace lost or missing teeth in the mouth; or

7 (b) The practice of dentistry in the discharge of
8 their official duties by dentists in any branch of the
9 Armed Services of the United States, the United States
10 Public Health Service, or the United States Veterans
11 Administration; or

12 (c) The practice of dentistry by students in their
13 course of study in dental schools or colleges approved by
14 the Department, when acting under the direction and
15 supervision of dentists acting as instructors; or

16 (d) The practice of dentistry by clinical instructors
17 in the course of their teaching duties in dental schools
18 or colleges approved by the Department:

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

23 (ii) when holding the rank of full professor at
24 such approved dental school or college and possessing
25 a current valid license or authorization to practice
26 dentistry in another country; or

1 (e) The practice of dentistry by licensed dentists of
2 other states or countries at meetings of the Illinois
3 State Dental Society or component parts thereof, alumni
4 meetings of dental colleges, or any other like dental
5 organizations, while appearing as clinicians; or

6 (f) The use of X-Ray machines for exposing X-Ray films
7 of dental or oral tissues by dental hygienists or dental
8 assistants; or

9 (g) The performance of any dental service by a dental
10 assistant, if such service is performed under the
11 supervision and full responsibility of a dentist. In
12 addition, after being authorized by a dentist, a dental
13 assistant may, for the purpose of eliminating pain or
14 discomfort, remove loose, broken, or irritating
15 orthodontic appliances on a patient of record.

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

20 (1) Any and all diagnosis of or prescription for
21 treatment of disease, pain, deformity, deficiency,
22 injury or physical condition of the human teeth or
23 jaws, or adjacent structures.

24 (2) Removal of, or restoration of, or addition to
25 the hard or soft tissues of the oral cavity, except for
26 the placing, carving, and finishing of amalgam

1 restorations and placing, packing, and finishing
2 composite restorations by dental assistants who have
3 had additional formal education and certification.

4 A dental assistant may place, carve, and finish
5 amalgam restorations, place, pack, and finish
6 composite restorations, and place interim restorations
7 if he or she (A) has successfully completed a
8 structured training program as described in item (2)
9 of subsection (g) provided by an educational
10 institution accredited by the Commission on Dental
11 Accreditation, such as a dental school or dental
12 hygiene or dental assistant program, or (B) has at
13 least 4,000 hours of direct clinical patient care
14 experience and has successfully completed a structured
15 training program as described in item (2) of
16 subsection (g) provided by a statewide dental
17 association, approved by the Department to provide
18 continuing education, that has developed and conducted
19 training programs for expanded functions for dental
20 assistants or hygienists. The training program must:
21 (i) include a minimum of 16 hours of didactic study and
22 14 hours of clinical manikin instruction; all training
23 programs shall include areas of study in nomenclature,
24 caries classifications, oral anatomy, periodontium,
25 basic occlusion, instrumentations, pulp protection
26 liners and bases, dental materials, matrix and wedge

1 techniques, amalgam placement and carving, rubber dam
2 clamp placement, and rubber dam placement and removal;
3 (ii) include an outcome assessment examination that
4 demonstrates competency; (iii) require the supervising
5 dentist to observe and approve the completion of 8
6 amalgam or composite restorations; and (iv) issue a
7 certificate of completion of the training program,
8 which must be kept on file at the dental office and be
9 made available to the Department upon request. A
10 dental assistant must have successfully completed an
11 approved coronal polishing and dental sealant course
12 prior to taking the amalgam and composite restoration
13 course.

14 A dentist utilizing dental assistants shall not
15 supervise more than 4 dental assistants at any one
16 time for placing, carving, and finishing of amalgam
17 restorations or for placing, packing, and finishing
18 composite restorations.

19 (3) Any and all correction of malformation of
20 teeth or of the jaws.

21 (4) Administration of anesthetics, except for
22 monitoring of nitrous oxide, conscious sedation, deep
23 sedation, and general anesthetic as provided in
24 Section 8.1 of this Act, that may be performed only
25 after successful completion of a training program
26 approved by the Department. A dentist utilizing dental

1 assistants shall not supervise more than 4 dental
2 assistants at any one time for the monitoring of
3 nitrous oxide.

4 (5) Removal of calculus from human teeth.

5 (6) Taking of material or digital scans for final
6 impressions for the fabrication of prosthetic
7 appliances, crowns, bridges, inlays, onlays, or other
8 restorative or replacement dentistry.

9 (7) The operative procedure of dental hygiene
10 consisting of oral prophylactic procedures, except for
11 coronal polishing and pit and fissure sealants, which
12 may be performed by a dental assistant who has
13 successfully completed a training program approved by
14 the Department. Dental assistants may perform coronal
15 polishing under the following circumstances: (i) the
16 coronal polishing shall be limited to polishing the
17 clinical crown of the tooth and existing restorations,
18 supragingivally; (ii) the dental assistant performing
19 the coronal polishing shall be limited to the use of
20 rotary instruments using a rubber cup or brush
21 polishing method (air polishing is not permitted); and
22 (iii) the supervising dentist shall not supervise more
23 than 4 dental assistants at any one time for the task
24 of coronal polishing or pit and fissure sealants.

25 In addition to coronal polishing and pit and
26 fissure sealants as described in this item (7), a

1 dental assistant who has at least 2,000 hours of
2 direct clinical patient care experience and who has
3 successfully completed a structured training program
4 provided by (1) an educational institution including,
5 but not limited to, a dental school or dental hygiene
6 or dental assistant program, ~~or~~ (2) a continuing
7 education provider approved by the Department, or (3)
8 a statewide dental or dental hygienist association,
9 approved by the Department ~~on or before January 1,~~
10 ~~2017 (the effective date of Public Act 99-680),~~ that
11 has developed and conducted a training program for
12 expanded functions for dental assistants or hygienists
13 may perform: (A) coronal scaling above the gum line,
14 supragingivally, on the clinical crown of the tooth
15 only on patients 17 years of age or younger who have an
16 absence of periodontal disease and who are not
17 medically compromised or individuals with special
18 needs and (B) intracoronal temporization of a tooth.
19 The training program must: (I) include a minimum of 32
20 hours of instruction in both didactic and clinical
21 manikin or human subject instruction; all training
22 programs shall include areas of study in dental
23 anatomy, public health dentistry, medical history,
24 dental emergencies, and managing the pediatric
25 patient; (II) include an outcome assessment
26 examination that demonstrates competency; (III)

1 require the supervising dentist to observe and approve
2 the completion of 6 full mouth supragingival scaling
3 procedures unless the training was received as part of
4 a Commission on Dental Accreditation approved dental
5 assistant program; and (IV) issue a certificate of
6 completion of the training program, which must be kept
7 on file at the dental office and be made available to
8 the Department upon request. A dental assistant must
9 have successfully completed an approved coronal
10 polishing course prior to taking the coronal scaling
11 course. A dental assistant performing these functions
12 shall be limited to the use of hand instruments only.
13 In addition, coronal scaling as described in this
14 paragraph shall only be utilized on patients who are
15 eligible for Medicaid, who are uninsured, or whose
16 household income is not greater than 300% of the
17 federal poverty level. A dentist may not supervise
18 more than 2 dental assistants at any one time for the
19 task of coronal scaling. This paragraph is inoperative
20 on and after January 1, 2026.

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

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

2 (i) has applied in writing to the Department, in
3 form and substance satisfactory to the Department, for
4 a general dental license and has complied with all
5 provisions of Section 9 of this Act, except for the
6 passage of the examination specified in subsection (e)
7 of Section 9 of this Act; or

8 (ii) has applied in writing to the Department, in
9 form and substance satisfactory to the Department, for
10 a temporary dental license and has complied with all
11 provisions of subsection (c) of Section 11 of this
12 Act; and

13 (iii) has been accepted or appointed for specialty
14 or residency training by a hospital situated in this
15 State; or

16 (iv) has been accepted or appointed for specialty
17 training in an approved dental program situated in
18 this State; or

19 (v) has been accepted or appointed for specialty
20 training in a dental public health agency situated in
21 this State.

22 The applicant shall be permitted to practice dentistry
23 for a period of 3 months from the starting date of the
24 program, unless authorized in writing by the Department to
25 continue such practice for a period specified in writing
26 by the Department.

1 The applicant shall only be entitled to perform such
2 acts as may be prescribed by and incidental to his or her
3 program of residency or specialty training and shall not
4 otherwise engage in the practice of dentistry in this
5 State.

6 The authority to practice shall terminate immediately
7 upon:

8 (1) the decision of the Department that the
9 applicant has failed the examination; or

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

11 (3) withdrawal of the application.

12 (Source: P.A. 101-162, eff. 7-26-19; 102-558, eff. 8-20-21;
13 102-936, eff. 1-1-23.)

14 (225 ILCS 25/18) (from Ch. 111, par. 2318)

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

16 Sec. 18. Acts constituting the practice of dental hygiene;
17 limitations.

18 (a) A person practices dental hygiene within the meaning
19 of this Act when he or she performs the following acts under
20 the supervision of a dentist:

21 (i) the operative procedure of dental hygiene,
22 consisting of oral prophylactic procedures;

23 (ii) the exposure and processing of X-Ray films of the
24 teeth and surrounding structures;

25 (iii) the application to the surfaces of the teeth or

1 gums of chemical compounds designed to be desensitizing
2 agents or effective agents in the prevention of dental
3 caries or periodontal disease;

4 (iv) all services which may be performed by a dental
5 assistant as specified by rule pursuant to Section 17, and
6 a dental hygienist may engage in the placing, carving, and
7 finishing of amalgam restorations only after obtaining
8 formal education and certification as determined by the
9 Department;

10 (v) administration and monitoring of nitrous oxide
11 upon successful completion of a training program approved
12 by the Department;

13 (vi) administration of local anesthetics upon
14 successful completion of a training program approved by
15 the Department; and

16 (vii) such other procedures and acts as shall be
17 prescribed by rule or regulation of the Department.

18 (b) A dental hygienist may be employed or engaged only:

19 (1) by a dentist;

20 (2) by a federal, State, county, or municipal agency
21 or institution;

22 (3) by a public or private school; or

23 (4) by a public clinic operating under the direction
24 of a hospital or federal, State, county, municipal, or
25 other public agency or institution.

26 (c) When employed or engaged in the office of a dentist, a

1 dental hygienist may perform, under general supervision, those
2 procedures found in items (i) through (iv) of subsection (a)
3 of this Section, provided the patient has been examined by the
4 dentist within one year of the provision of dental hygiene
5 services, the dentist has approved the dental hygiene services
6 by a notation in the patient's record and the patient has been
7 notified that the dentist may be out of the office during the
8 provision of dental hygiene services.

9 (d) If a patient of record is unable to travel to a dental
10 office because of illness, infirmity, or imprisonment, a
11 dental hygienist may perform, under the general supervision of
12 a dentist, those procedures found in items (i) through (iv) of
13 subsection (a) of this Section, provided the patient is
14 located in a long-term care facility licensed by the State of
15 Illinois, a mental health or developmental disability
16 facility, or a State or federal prison. The dentist shall
17 either personally examine and diagnose the patient or utilize
18 approved teledentistry communication methods and determine
19 which services are necessary to be performed, which shall be
20 contained in an order to the hygienist and a notation in the
21 patient's record. Such order must be implemented within 45
22 days of its issuance, and an updated medical history and
23 observation of oral conditions must be performed by the
24 hygienist immediately prior to beginning the procedures to
25 ensure that the patient's health has not changed in any manner
26 to warrant a reexamination by the dentist.

1 (e) School-based oral health care, consisting of and
2 limited to oral prophylactic procedures, sealants, and
3 fluoride treatments, may be provided by a dental hygienist
4 under the general supervision of a dentist. A dental hygienist
5 may not provide other dental hygiene treatment in a
6 school-based setting, including but not limited to
7 administration or monitoring of nitrous oxide or
8 administration of local anesthetics. The school-based
9 procedures may be performed provided the patient is located at
10 a public or private school and the program is being conducted
11 by a State, county or local public health department
12 initiative or in conjunction with a dental school or dental
13 hygiene program. The dentist shall personally examine and
14 diagnose the patient and determine which services are
15 necessary to be performed, which shall be contained in an
16 order to the hygienist and a notation in the patient's record.
17 Any such order for sealants must be implemented within 120
18 days after its issuance. Any such order for oral prophylactic
19 procedures or fluoride treatments must be implemented within
20 180 days after its issuance. An updated medical history and
21 observation of oral conditions must be performed by the
22 hygienist immediately prior to beginning the procedures to
23 ensure that the patient's health has not changed in any manner
24 to warrant a reexamination by the dentist.

25 (f) Without the supervision of a dentist, a dental
26 hygienist may perform dental health education functions,

1 including instruction in proper oral health care and dental
2 hygiene in, for example, either a school setting, a ~~or~~
3 long-term care facility, and a health fair. In addition, a
4 dental hygienist may record case ~~care~~ histories and oral
5 conditions observed at any time prior to a clinical exam by a
6 dentist.

7 (g) The number of dental hygienists practicing in a dental
8 office shall not exceed, at any one time, 4 times the number of
9 dentists practicing in the office at the time.

10 (h) A dental hygienist who is certified as a public health
11 dental hygienist may provide services to patients: (1) who are
12 eligible for Medicaid or (2) who are uninsured and whose
13 household income is not greater than 300% of the federal
14 poverty level. A public health dental hygienist may perform
15 oral assessments, perform screenings, and provide educational
16 and preventative services as provided in subsection (b) of
17 Section 18.1 of this Act. The public health dental hygienist
18 may not administer local anesthesia or nitrous oxide, or
19 place, carve, or finish amalgam restorations or provide
20 periodontal therapy under this exception. Each patient must
21 sign a consent form that acknowledges that the care received
22 does not take the place of a regular dental examination. The
23 public health dental hygienist must provide the patient or
24 guardian a written referral to a dentist for assessment of the
25 need for further dental care at the time of treatment. Any
26 indication or observation of a condition that could warrant

1 the need for urgent attention must be reported immediately to
2 the supervising dentist for appropriate assessment and
3 treatment.

4 This subsection (h) is inoperative on and after January 1,
5 2026.

6 (i) A dental hygienist performing procedures listed in
7 paragraphs (1) through (4) of subsection (a) of Section 17.1
8 must be under the supervision of a dentist, requiring the
9 dentist authorizes the procedure, remains in the dental
10 facility while the procedure is performed, and approves the
11 work performed by the dental hygienist before dismissal of the
12 patient, but the dentist is not required to be present at all
13 times in the treatment room.

14 (j) A dental hygienist may perform actions described in
15 paragraph (5) of subsection (a) of Section 17.1 under the
16 general supervision of a dentist as described in this Section.
17 (Source: P.A. 101-162, eff. 7-26-19; 102-936, eff. 1-1-23.)

18 (225 ILCS 25/18.1)

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

20 Sec. 18.1. Public health dental supervision
21 responsibilities.

22 (a) When working together in a public health supervision
23 relationship, dentists and public health dental hygienists
24 shall enter into a public health supervision agreement. The
25 dentist providing public health supervision must:

1 (1) be available to provide an appropriate level of
2 contact, communication, collaboration, and consultation
3 with the public health dental hygienist and must meet
4 in-person with the public health dental hygienist at least
5 quarterly for review and consultation;

6 (2) have specific standing orders or policy guidelines
7 for procedures that are to be carried out for each
8 location or program, although the dentist need not be
9 present when the procedures are being performed;

10 (3) provide for the patient's additional necessary
11 care in consultation with the public health dental
12 hygienist;

13 (4) file agreements and notifications as required; and

14 (5) include procedures for creating and maintaining
15 dental records, including protocols for transmission of
16 all records between the public health dental hygienist and
17 the dentist following each treatment, which shall include
18 a notation regarding procedures authorized by the dentist
19 and performed by the public health dental hygienist and
20 the location where those records are to be kept.

21 Each dentist and hygienist who enters into a public health
22 supervision agreement must document and maintain a copy of any
23 change or termination of that agreement.

24 Dental records shall be owned and maintained by the
25 supervising dentist for all patients treated under public
26 health supervision, unless the supervising dentist is an

1 employee of a public health clinic or federally qualified
2 health center, in which case the public health clinic or
3 federally qualified health center shall maintain the records.

4 If a dentist ceases to be employed or contracted by the
5 facility, the dentist shall notify the facility administrator
6 that the public health supervision agreement is no longer in
7 effect. A new public health supervision agreement is required
8 for the public health dental hygienist to continue treating
9 patients under public health supervision.

10 A dentist entering into an agreement under this Section
11 may supervise and enter into agreements for public health
12 supervision with 4 ~~2~~ public health dental hygienists. This
13 shall be in addition to the limit of 4 dental hygienists per
14 dentist set forth in subsection (g) of Section 18 of this Act.

15 (b) A public health dental hygienist providing services
16 under public health supervision may perform only those duties
17 within the accepted scope of practice of dental hygiene, as
18 follows:

19 (1) the operative procedures of dental hygiene,
20 consisting of oral prophylactic procedures, including
21 prophylactic cleanings, application of fluoride, and
22 placement of sealants;

23 (2) the exposure and processing of x-ray films of the
24 teeth and surrounding structures; and

25 (3) such other procedures and acts as shall be
26 prescribed by rule of the Department.

1 Any patient treated under this subsection (b) must be
2 examined by a dentist before additional services can be
3 provided by a public health dental hygienist. However, if the
4 supervising dentist, after consultation with the public health
5 hygienist, determines that time is needed to complete an
6 approved treatment plan on a patient eligible under this
7 Section, then the dentist may instruct the hygienist to
8 complete the remaining services prior to an oral examination
9 by the dentist. Such instruction by the dentist to the
10 hygienist shall be noted in the patient's records. Any
11 services performed under this exception must be scheduled in a
12 timely manner and shall not occur more than 30 days after the
13 first appointment date.

14 (c) A public health dental hygienist providing services
15 under public health supervision must:

16 (1) provide to the patient, parent, or guardian a
17 written plan for referral or an agreement for follow-up
18 that records all conditions observed that should be called
19 to the attention of a dentist for proper diagnosis;

20 (2) have each patient sign a permission slip or
21 consent form that informs them that the service to be
22 received does not take the place of regular dental
23 checkups at a dental office and is meant for people who
24 otherwise would not have access to the service;

25 (3) inform each patient who may require further dental
26 services of that need;

1 (4) maintain an appropriate level of contact and
2 communication with the dentist providing public health
3 supervision; and

4 (5) complete an additional 4 hours of continuing
5 education in areas specific to public health dentistry
6 yearly.

7 (d) Each public health dental hygienist who has rendered
8 services under subsections (c), (d), and (e) of this Section
9 must complete a summary report at the completion of a program
10 or, in the case of an ongoing program, at least annually. The
11 report must be completed in the manner specified by ~~the~~
12 ~~Division of Oral Health in~~ the Department of Public Health
13 Oral Health Section including information about each location
14 where the public health dental hygienist has rendered these
15 services. The public health dental hygienist must submit the
16 form to the dentist providing supervision for his or her
17 signature before sending it to the Division. The Department of
18 Public Health Oral Health Section shall compile and publicize
19 public health dental hygienist service data annually.

20 (e) Public health dental hygienists providing services
21 under public health supervision may be compensated for their
22 work by salary, honoraria, and other mechanisms by the
23 employing or sponsoring entity. Nothing in this Act shall
24 preclude the entity that employs or sponsors a public health
25 dental hygienist from seeking payment, reimbursement, or other
26 source of funding for the services provided.

1 (f) This Section is repealed on January 1, 2026.

2 (Source: P.A. 101-162, eff. 7-26-19.)