



Rep. Margaret Croke

Filed: 4/16/2024

10300HB4891ham001

LRB103 36635 RTM 72198 a

1 AMENDMENT TO HOUSE BILL 4891

2 AMENDMENT NO. _____. Amend House Bill 4891 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Dental Practice Act is amended by
5 adding Section 45.5 as follows:

6 (225 ILCS 25/45.5 new)

7 Sec. 45.5. Third-party financing for dental services.

8 (a) As used in this Section:

9 "Arrange for, broker, or establish" means submitting an
10 application to a third-party creditor, lender, or creditor's
11 intermediary for approval or rejection on behalf of a patient.
12 Submitting an application to a third-party creditor, lender,
13 or creditor's intermediary for approval or rejection includes
14 patient or a patient's guardian's use of a third-party
15 creditor's, lender's, or a creditor's intermediary's
16 patient-facing software, weblink, URL, or QR code that is

1 customized for with the branding of the dental practice.
2 "Arrange for, broker, or establish" does not mean the use of
3 third-party marketing or advertising materials that are not
4 customized for the dental practice.

5 "Financing extended by a third party" includes, but is not
6 limited to, an open end credit plan as defined under the
7 federal Truth-in-Lending Act (15 U.S.C. 1602), a line of
8 credit, or a loan offered or extended by a third party.

9 (b) A dentist, employee of a dentist, or agent of a dentist
10 may not arrange for, broker, or establish financing extended
11 by a third party for a patient.

12 (c) A dentist, employee of a dentist, or agent of a dentist
13 may not complete for a patient or patient's guardian any
14 portion of an application for financing extended by a third
15 party. A dentist, employee of a dentist, or agent of a dentist
16 may not provide the patient or patient's guardian with an
17 electronic device to apply for financing extended by a third
18 party.

19 (d) A dentist, employee of a dentist, or agent of a dentist
20 may not promote, advertise, or provide marketing or
21 application materials for financing extended by a third party
22 to a patient who:

23 (1) has been administered or is under the influence of
24 general anesthesia, conscious sedation, moderate sedation,
25 nitrous oxide;

26 (2) is being administered treatment; or

1 (3) is in a treatment area, including, but not limited
2 to, an exam room, surgical room, or other area when
3 medical treatment is administered, unless an area
4 separated from the treatment area does not exist.

5 (e) A dentist, employee of a dentist, or agent of a dentist
6 must provide the following written notice to a patient or
7 patient's guardian in at least 14-point font when discussing
8 (except to state accepted forms of payment) or providing
9 applications for financing extended by a third party:

10 "DENTAL SERVICES THIRD-PARTY FINANCING DISCLOSURE

11 This is an application for a CREDIT CARD, LINE OF CREDIT,
12 OR LOAN to help you finance or pay for your dental treatment.
13 This credit card, line of credit, or loan IS NOT A PAYMENT PLAN
14 WITH THE DENTIST'S OFFICE. It is a credit card, line of credit,
15 or loan from a third-party financing company. Your dentist
16 does not work for this company. Your dentist may not complete
17 or submit an application for third-party financing on your
18 behalf.

19 You do not have to apply for a credit card, line of credit,
20 or loan. You may pay your dentist for treatment in another
21 manner. Your dentist's office may offer its own payment plan.
22 You are encouraged to explore any public or private insurance
23 options that may cover your dental treatment.

24 The lender or creditor may offer a "promotional period" to
25 pay back the credit or loan without interest. After any
26 promotional period ends, you may be charged interest on

1 portions of the balance that have already been paid. If you
2 miss a payment or do not pay on time, you may have to pay a
3 penalty and a higher interest rate. If you do not pay the money
4 that you owe the creditor or lender, then your missed payments
5 can appear on your credit report and could hurt your credit
6 score. You could also be sued by the creditor or lender.

7 If your dentist's office has completed or submitted an
8 application for third-party financing on your behalf, you may
9 file a complaint by contacting the Illinois Department of
10 Financial and Professional Regulation at [Department website]
11 or by calling [telephone number for Department]."

12 The Department shall make the disclosure required under
13 this subsection available on the Department's website in
14 English and any other languages deemed necessary by the
15 Department.

16 (f) The Department may adopt rules to implement this
17 Section.

18 (g) A violation of this Section is punishable by a fine of
19 up to \$500 for the first violation and a fine of up to \$1,000
20 for each subsequent violation. However, the Department may
21 take other disciplinary action if the licensee's conduct also
22 violates Section 23.

23 Section 99. Effective date. This Act takes effect January
24 1, 2025."