



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1296

Introduced 2/3/2023, by Sen. Steve McClure

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Dental Practice Act. Defines "public health supervision" as the supervision of a public health dental hygienist by a licensed dentist who has a written public health supervision agreement with that public health dental hygienist while working in an approved facility or program that allows the public health dental hygienist to treat patients without a dentist first examining the patient and being present in the facility during treatment who are uninsured and whose household income is not greater than 300% (rather than 200%) of the federal poverty level. Provides that the holder of a faculty limited license may advertise a specialty degree as part of the licensee's ability to practice in a faculty practice. Provides that a licensed dentist or dental hygienist who is a military service member or the spouse of a military service member may receive, without examination, in the discretion of the Department of Financial and Professional Regulation, a limited military license. Provides that a limited military license issued shall be valid for a period of 2 years and may be extended or renewed based on the military service member's or spouse's duty status. Provides that any person may be granted a license to practice dentistry, a dental specialty, or dental hygiene in the State as a member of the military service which has and maintains a standard for the practice of dentistry at least equal to that now maintained in the State and who has been lawfully engaged in the practice of dentistry or dental hygiene for at least 2 years (rather than 3 of the 5 years) immediately preceding the filing of his or her application, along with other specified requirements. Provides that dental records are the property of the office in which dentistry is practiced. Provides that a dental office that is closing and will not continue to offer dentistry services must provide notice to the public at least 30 days prior to the closure. Provides that the notice to the public shall include an explanation of how copies of the patient's records may be accessed or obtained by the patient. Makes other changes.

LRB103 05330 AMQ 50349 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Dental Practice Act is amended by
5 changing Sections 4, 11, 17, 19, and 50 and by adding Sections
6 11.5 and 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.

17 "Department" means the Department of Financial and
18 Professional Regulation.

19 "Secretary" means the Secretary of Financial and
20 Professional Regulation.

21 "Board" means the Board of Dentistry.

22 "Dentist" means a person who has received a general
23 license pursuant to paragraph (a) of Section 11 of this Act and

1 who may perform any intraoral and extraoral procedure required
2 in the practice of dentistry and to whom is reserved the
3 responsibilities specified in Section 17.

4 "Dental hygienist" means a person who holds a license
5 under this Act to perform dental services as authorized by
6 Section 18.

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

10 "Expanded function dental assistant" means a dental
11 assistant who has completed the training required by Section
12 17.1 of this Act.

13 "Dental laboratory" means a person, firm, l or corporation
14 which:

15 (i) engages in making, providing, repairing, l or
16 altering dental prosthetic appliances and other artificial
17 materials and devices which are returned to a dentist for
18 insertion into the human oral cavity or which come in
19 contact with its adjacent structures and tissues; and

20 (ii) utilizes or employs a dental technician to
21 provide such services; and

22 (iii) performs such functions only for a dentist or
23 dentists.

24 "Supervision" means supervision of a dental hygienist or a
25 dental assistant requiring that a dentist authorize the
26 procedure, remain in the dental facility while the procedure

1 is performed, and approve the work performed by the dental
2 hygienist or dental assistant before dismissal of the patient,
3 but does not mean that the dentist must be present at all times
4 in the treatment room.

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

15 "Public member" means a person who is not a health
16 professional. For purposes of board membership, any person
17 with a significant financial interest in a health service or
18 profession is not a public member.

19 "Dentistry" means the healing art which is concerned with
20 the examination, diagnosis, treatment planning, and care of
21 conditions within the human oral cavity and its adjacent
22 tissues and structures, as further specified in Section 17.

23 "Branches of dentistry" means the various specialties of
24 dentistry which, for purposes of this Act, shall be limited to
25 the following: endodontics, oral and maxillofacial surgery,
26 orthodontics and dentofacial orthopedics, pediatric dentistry,

1 periodontics, prosthodontics, oral and maxillofacial
2 radiology, and dental anesthesiology.

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

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

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

20 "Nurse" means a registered professional nurse, a certified
21 registered nurse anesthetist licensed as an advanced practice
22 registered nurse, or a licensed practical nurse licensed under
23 the Nurse Practice Act.

24 "Patient of record" means a patient for whom the patient's
25 most recent dentist has obtained a relevant medical and dental
26 history and on whom the dentist has performed an examination

1 and evaluated the condition to be treated.

2 "Dental responder" means a dentist or dental hygienist who
3 is appropriately certified in disaster preparedness,
4 immunizations, and dental humanitarian medical response
5 consistent with the Society of Disaster Medicine and Public
6 Health and training certified by the National Incident
7 Management System or the National Disaster Life Support
8 Foundation.

9 "Mobile dental van or portable dental unit" means any
10 self-contained or portable dental unit in which dentistry is
11 practiced that can be moved, towed, or transported from one
12 location to another in order to establish a location where
13 dental services can be provided.

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

20 "Public health setting" means a federally qualified health
21 center; a federal, State, or local public health facility;
22 Head Start; a special supplemental nutrition program for
23 Women, Infants, and Children (WIC) facility; a certified
24 school-based health center or school-based oral health
25 program; a prison; or a long-term care facility.

26 "Public health supervision" means the supervision of a

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

10 "Teledentistry" means the use of telehealth systems and
11 methodologies in dentistry and includes patient care and
12 education delivery using synchronous and asynchronous
13 communications under a dentist's authority as provided under
14 this Act.

15 (Source: P.A. 101-64, eff. 7-12-19; 101-162, eff. 7-26-19;
16 102-93, eff. 1-1-22; 102-588, eff. 8-20-21; 102-936, eff.
17 1-1-23.)

18 (225 ILCS 25/11) (from Ch. 111, par. 2311)

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

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

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

25 (b) Specialty licenses. The Department shall issue a

1 license authorizing practice as a specialist in any particular
2 branch of dentistry to any dentist who has complied with the
3 requirements established for that particular branch of
4 dentistry at the time of making application. The Department
5 shall establish additional requirements of any dentist who
6 announces or holds himself or herself out to the public as a
7 specialist or as being specially qualified in any particular
8 branch of dentistry.

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

13 The fact that any dentist shall announce by card,
14 letterhead, or any other form of communication using terms as
15 "Specialist" "Practice Limited To" or "Limited to
16 Specialty of" with the name of the branch of dentistry
17 practiced as a specialty, or shall use equivalent words or
18 phrases to announce the same, shall be prima facie evidence
19 that the dentist is holding himself or herself out to the
20 public as a specialist.

21 (c) Temporary training licenses. Persons who wish to
22 pursue specialty or other advanced clinical educational
23 programs in an approved dental school or a hospital situated
24 in this State, or persons who wish to pursue programs of
25 specialty training in dental public health in public agencies
26 in this State, may receive without examination, in the

1 discretion of the Department, a temporary training license. In
2 order to receive a temporary training license under this
3 subsection, an applicant shall furnish satisfactory proof to
4 the Department that:

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

10 (2) The applicant has been accepted or appointed for
11 specialty or residency training by an approved hospital
12 situated in this State, by an approved dental school
13 situated in this State, or by a public health agency in
14 this State the training programs of which are recognized
15 and approved by the Department. The applicant shall
16 indicate the beginning and ending dates of the period for
17 which he or she has been accepted or appointed;

18 (3) The applicant is a graduate of a dental school or
19 college approved and in good standing in the judgment of
20 the Department. The Department may consider diplomas or
21 certifications of education, or both, accompanied by
22 transcripts of course work and credits awarded to
23 determine if an applicant has graduated from a dental
24 school or college approved and in good standing. The
25 Department may also consider diplomas or certifications of
26 education, or both, accompanied by transcripts of course

1 work and credits awarded in determining whether a dental
2 school or college is approved and in good standing.

3 Temporary training licenses issued under this Section
4 shall be valid only for the duration of the period of residency
5 or specialty training and may be extended or renewed as
6 prescribed by rule. The holder of a valid temporary training
7 license shall be entitled thereby to perform acts as may be
8 prescribed by and incidental to his or her program of
9 residency or specialty training; but he or she shall not be
10 entitled to engage in the practice of dentistry in this State.

11 A temporary training license may be revoked by the
12 Department upon proof that the holder has engaged in the
13 practice of dentistry in this State outside of his or her
14 program of residency or specialty training, or if the holder
15 shall fail to supply the Department, within 10 days of its
16 request, with information as to his or her current status and
17 activities in his or her specialty training program.

18 (d) Faculty limited licenses. Persons who have received
19 full-time appointments to teach dentistry at an approved
20 dental school or hospital situated in this State may receive
21 without examination, in the discretion of the Department, a
22 faculty limited license. In order to receive a faculty limited
23 license an applicant shall furnish satisfactory proof to the
24 Department that:

25 (1) The applicant is at least 21 years of age, is of
26 good moral character, and is licensed to practice

1 dentistry in another state or country; and

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

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

19 The Department may revoke a faculty limited license for a
20 violation of this Act or its rules, or if the holder fails to
21 supply the Department, within 10 days of its request, with
22 information as to his or her current status and activities in
23 his or her teaching program.

24 (e) Inactive status. Any person who holds one of the
25 licenses under subsection (a) or (b) of Section 11 or under
26 Section 12 of this Act may elect, upon payment of the required

1 fee, to place his or her license on an inactive status and
2 shall, subject to the rules of the Department, be excused from
3 the payment of renewal fees until he or she notifies the
4 Department in writing of his or her desire to resume active
5 status.

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

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

12 (f) Certificates of Identification. In addition to the
13 licenses authorized by this Section, the Department shall
14 deliver to each dentist a certificate of identification in a
15 form specified by the Department.

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

17 (225 ILCS 25/11.5 new)

18 Sec. 11.5. Limited military license. A licensed dentist or
19 dental hygienist who is a military service member or the
20 spouse of a military service member may receive, without
21 examination, in the discretion of the Department, a limited
22 military license. In order to receive a limited military
23 license, an applicant shall furnish satisfactory proof to the
24 Department that the applicant currently holds a valid license
25 in a state other than this State and that the applicant is in

1 good standing with the originating jurisdiction. The
2 Department may use the following to determine proof of a
3 military status:

4 (1) proof of assignment to a duty station in the State
5 or proof that the applicant has or will, within 6 months,
6 establish legal residence in the State; or

7 (2) proof of the applicant's or the applicant's
8 spouse's active military status, including a DD2154, a
9 letter of service signed by the unit commanding officer,
10 or proof of service document from the service member's
11 electronic personnel portal. Proof for a spouse includes a
12 military permanent change of station order with the spouse
13 identified by name, an official notification of change of
14 assignment with a marriage license, a certified DD1172
15 verifying marital status, or a letter signed by the
16 commanding officer verifying change of assignment and the
17 name of the military spouse.

18 A limited military license issued under this Section shall
19 be valid for a period of 2 years and may be extended or renewed
20 based on the military service member's or spouse's duty
21 status.

22 (225 ILCS 25/17) (from Ch. 111, par. 2317)

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

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

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

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

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

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

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

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

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

22 (8) Who takes material or digital scans for final
23 impressions of the human tooth, teeth, or jaws or performs
24 any phase of any operation incident to the replacement of
25 a part of a tooth, a tooth, teeth, or associated tissues by
26 means of a filling, crown, a bridge, a denture, or other

1 appliance; or

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

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

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

25 The fact that any person engages in or performs, or offers
26 to engage in or perform, any of the practices, acts, or

1 operations set forth in this Section, shall be prima facie
2 evidence that such person is engaged in the practice of
3 dentistry.

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

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

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

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

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

24 (i) when acting under the direction and
25 supervision of dentists, provided that such clinical
26 instructors have instructed continuously in this State

1 since January 1, 1986; or

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

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

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

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

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

25 (1) Any and all diagnosis of or prescription for
26 treatment of disease, pain, deformity, deficiency,

1 injury, or physical condition of the human teeth or
2 jaws, or adjacent structures.

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

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

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

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

24 (3) Any and all correction of malformation of
25 teeth or of the jaws.

26 (4) Administration of anesthetics, except for

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

9 (5) Removal of calculus from human teeth.

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

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

1 (iii) the supervising dentist shall not supervise more
2 than 4 dental assistants at any one time for the task
3 of coronal polishing or pit and fissure sealants.

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

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

26 The limitations on the number of dental assistants a

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

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

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

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

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

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

24 (v) has been accepted or appointed for specialty
25 training in a dental public health agency situated in
26 this State.

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

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

11 The authority to practice shall terminate immediately
12 upon:

13 (1) the decision of the Department that the
14 applicant has failed the examination; or

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

16 (3) withdrawal of the application.

17 (Source: P.A. 101-162, eff. 7-26-19; 102-558, eff. 8-20-21;
18 102-936, eff. 1-1-23.)

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

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

21 Sec. 19. Licensing applicants from other states. Any
22 person who has been lawfully licensed to practice dentistry,
23 including the practice of a licensed dental specialty, or
24 dental hygiene in another state or territory or as a member of
25 the military service which has and maintains a standard for

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

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

1 ~~service and who practiced dentistry while in the military~~
2 ~~service may count as a part of such period the time spent by~~
3 ~~him or her in such service.~~

4 Applicants have 2 ~~3~~ years from the date of application to
5 complete the application process. If the process has not been
6 completed in 2 ~~3~~ years, the application shall be denied, the
7 fee forfeited and the applicant must reapply and meet the
8 requirements in effect at the time of reapplication.

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

10 (225 ILCS 25/50) (from Ch. 111, par. 2350)

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

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

17 Dental records required by this Section shall be
18 maintained for 10 years. Dental records required to be
19 maintained under this Section, or copies of those dental
20 records, shall be made available upon request to the patient
21 or the patient's guardian. A dentist shall be entitled to
22 reasonable reimbursement for the cost of reproducing these
23 records, which shall not exceed the cost allowed under Section
24 8-2001 of the Code of Civil Procedure. A dentist providing
25 services through a mobile dental van or portable dental unit

1 shall provide to the patient or the patient's parent or
2 guardian, in writing, the dentist's name, license number,
3 address, and information on how the patient or the patient's
4 parent or guardian may obtain the patient's dental records, as
5 provided by law.

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

7 (225 ILCS 25/50.1 new)

8 Sec. 50.1. Closing a dental office. A dental office that
9 is closing and will not continue to offer dentistry services
10 must provide notice to the public at least 30 days prior to the
11 closure. The notice to the public shall include an explanation
12 of how copies of the patient's records may be accessed or
13 obtained by the patient. The notice may be given by a
14 publication in a newspaper of general circulation in the area
15 in which the dental office is located.

1 INDEX

2 Statutes amended in order of appearance

3	225 ILCS 25/4	from Ch. 111, par. 2304
4	225 ILCS 25/11	from Ch. 111, par. 2311
5	225 ILCS 25/11.5 new	
6	225 ILCS 25/17	from Ch. 111, par. 2317
7	225 ILCS 25/19	from Ch. 111, par. 2319
8	225 ILCS 25/50	from Ch. 111, par. 2350
9	225 ILCS 25/50.1 new	