

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, 9, 16, 16.1, 17, 18, 19, and 50 as
6 follows:

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

8 (Section scheduled to be repealed on January 1, 2016)

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

10 (a) "Department" means the Illinois Department of
11 Professional Regulation.

12 (b) "Director" means the Director of Professional
13 Regulation.

14 (c) "Board" means the Board of Dentistry established by
15 Section 6 of this Act.

16 (d) "Dentist" means a person who has received a general
17 license pursuant to paragraph (a) of Section 11 of this Act and
18 who may perform any intraoral and extraoral procedure required
19 in the practice of dentistry and to whom is reserved the
20 responsibilities specified in Section 17.

21 (e) "Dental hygienist" means a person who holds a license
22 under this Act to perform dental services as authorized by
23 Section 18.

1 (f) "Dental assistant" means an appropriately trained
2 person who, under the supervision of a dentist, provides dental
3 services as authorized by Section 17.

4 (g) "Dental laboratory" means a person, firm or corporation
5 which:

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

11 (ii) utilizes or employs a dental technician to provide
12 such services; and

13 (iii) performs such functions only for a dentist or
14 dentists.

15 (h) "Supervision" means supervision of a dental hygienist
16 or a dental assistant requiring that a dentist authorize the
17 procedure, remain in the dental facility while the procedure is
18 performed, and approve the work performed by the dental
19 hygienist or dental assistant before dismissal of the patient,
20 but does not mean that the dentist must be present at all times
21 in the treatment room.

22 (i) "General supervision" means supervision of a dental
23 hygienist requiring that the patient be a patient of record,
24 that the dentist examine the patient in accordance with Section
25 18 prior to treatment by the dental hygienist, and that the
26 dentist authorize the procedures which are being carried out by

1 a notation in the patient's record, but not requiring that a
2 dentist be present when the authorized procedures are being
3 performed. The issuance of a prescription to a dental
4 laboratory by a dentist does not constitute general
5 supervision.

6 (j) "Public member" means a person who is not a health
7 professional. For purposes of board membership, any person with
8 a significant financial interest in a health service or
9 profession is not a public member.

10 (k) "Dentistry" means the healing art which is concerned
11 with the examination, diagnosis, treatment planning and care of
12 conditions within the human oral cavity and its adjacent
13 tissues and structures, as further specified in Section 17.

14 (l) "Branches of dentistry" means the various specialties
15 of dentistry which, for purposes of this Act, shall be limited
16 to the following: endodontics, oral and maxillofacial surgery,
17 orthodontics and dentofacial orthopedics, pediatric dentistry,
18 periodontics, prosthodontics, and oral and maxillofacial
19 radiology.

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

22 (n) "Dental technician" means a person who owns, operates
23 or is employed by a dental laboratory and engages in making,
24 providing, repairing or altering dental prosthetic appliances
25 and other artificial materials and devices which are returned
26 to a dentist for insertion into the human oral cavity or which

1 come in contact with its adjacent structures and tissues.

2 (o) "Impaired dentist" or "impaired dental hygienist"
3 means a dentist or dental hygienist who is unable to practice
4 with reasonable skill and safety because of a physical or
5 mental disability as evidenced by a written determination or
6 written consent based on clinical evidence, including
7 deterioration through the aging process, loss of motor skills,
8 abuse of drugs or alcohol, or a psychiatric disorder, of
9 sufficient degree to diminish the person's ability to deliver
10 competent patient care.

11 (p) "Nurse" means a registered professional nurse, a
12 certified registered nurse anesthetist licensed as an advanced
13 practice nurse, or a licensed practical nurse licensed under
14 the Nurse Practice Act.

15 (q) "Patient of record" means a patient for whom the
16 patient's most recent dentist has obtained a relevant medical
17 and dental history and on whom the dentist has performed an
18 examination and evaluated the condition to be treated.

19 (r) "Dental emergency responder" means a dentist or dental
20 hygienist who is appropriately certified in emergency medical
21 response, as defined by the Department of Public Health.

22 (s) "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 (Source: P.A. 94-409, eff. 12-31-05; 95-639, eff. 10-5-07.)

2 (225 ILCS 25/9) (from Ch. 111, par. 2309)

3 (Section scheduled to be repealed on January 1, 2016)

4 Sec. 9. Qualifications of Applicants for Dental Licenses.
5 The Department shall require that each applicant for a license
6 to practice dentistry shall:

7 (a) (Blank).

8 (b) Be at least 21 years of age and of good moral
9 character.

10 (c) (1) Present satisfactory evidence of completion of
11 dental education by graduation from a dental college or
12 school in the United States or Canada approved by the
13 Department. The Department shall not approve any dental
14 college or school which does not require at least (A) 60
15 semester hours of collegiate credit or the equivalent in
16 acceptable subjects from a college or university before
17 admission, and (B) completion of at least 4 academic years
18 of instruction or the equivalent in an approved dental
19 college or school that is accredited by the Commission on
20 Dental Accreditation of the American Dental Association;
21 or

22 (2) Present satisfactory evidence of completion of
23 dental education by graduation from a dental college or
24 school outside the United States or Canada and provide
25 satisfactory evidence that:

1 (A) (blank);

2 (B) the applicant has completed a minimum of 2
3 academic years of general dental clinical training at a
4 dental college or school in the United States or Canada
5 approved by the Department, however, an accredited
6 advanced dental education program approved by the
7 Department of no less than 2 years may be substituted
8 for the 2 academic years of general dental clinical
9 training and an applicant who was enrolled for not less
10 than one year in an approved clinical program prior to
11 January 1, 1993 at an Illinois dental college or school
12 shall be required to complete only that program; and

13 (C) the applicant has received certification from
14 the dean of an approved dental college or school in the
15 United States or Canada or the program director of an
16 approved advanced dental education program stating
17 that the applicant has achieved the same level of
18 scientific knowledge and clinical competence as
19 required of all graduates of the college, school, or
20 advanced dental education program.

21 Nothing in this Act shall be construed to prevent
22 either the Department or any dental college or school from
23 establishing higher standards than specified in this Act.

24 (d) (Blank).

25 (e) Present satisfactory evidence that the applicant
26 has passed both parts of the National Board Dental

1 Examination administered by the Joint Commission on
2 National Dental Examinations and has successfully
3 completed an examination conducted by one of the following
4 regional testing services: the Central Regional Dental
5 Testing Service, Inc. (CRDTS), the Southern Regional
6 Testing Agency, Inc. (SRTA), the Western Regional
7 Examining Board (WREB), ~~or~~ the North East Regional Board
8 (NERB), or the Council of Interstate Testing Agencies
9 (CITA). For purposes of this Section, successful
10 completion shall mean that the applicant has achieved a
11 minimum passing score as determined by the applicable
12 regional testing service. The Secretary of the Department
13 may suspend a regional testing service under this
14 subsection (e) if, after proper notice and hearing, it is
15 established that (i) the integrity of the examination has
16 been breached so as to make future test results unreliable
17 or (ii) the test is fundamentally deficient in testing
18 clinical competency.

19 In determining professional capacity under this Section,
20 any individual who has not been actively engaged in the
21 practice of dentistry, has not been a dental student, or has
22 not been engaged in a formal program of dental education during
23 the 5 years immediately preceding the filing of an application
24 may be required to complete such additional testing, training,
25 or remedial education as the Board may deem necessary in order
26 to establish the applicant's present capacity to practice

1 dentistry with reasonable judgment, skill, and safety.

2 (Source: P.A. 96-14, eff. 6-19-09; 96-1000, eff. 7-2-10;
3 96-1222, eff. 7-23-10.)

4 (225 ILCS 25/16) (from Ch. 111, par. 2316)

5 (Section scheduled to be repealed on January 1, 2016)

6 Sec. 16. Expiration, renewal and restoration of licenses.
7 The expiration date and renewal date for each license issued
8 under this Act shall be set by rule. The renewal period for
9 each license issued under this Act shall be 3 years. A dentist
10 or dental hygienist may renew a license during the month
11 preceding its expiration date by paying the required fee. A
12 dentist or dental hygienist shall provide proof of current
13 Basic Life Support (BLS) ~~cardiopulmonary resuscitation~~
14 certification by an organization that has adopted the American
15 Heart Association's guidelines on BLS intended for health care
16 providers at the time of renewal. Basic Life Support
17 ~~Cardiopulmonary resuscitation~~ certification training taken as
18 a requirement of this Section shall be counted for no more than
19 4 hours during each licensure period towards the continuing
20 education hours under Section 16.1 of this Act. The Department
21 shall provide by rule for exemptions from this requirement for
22 a dentist or dental hygienist with a physical disability that
23 would preclude him or her from performing BLS.

24 Any dentist or dental hygienist whose license has expired
25 or whose license is on inactive status may have his license

1 restored at any time within 5 years after the expiration
2 thereof, upon payment of the required fee and a showing of
3 proof of compliance with current continuing education
4 requirements, as provided by rule.

5 Any person whose license has been expired for more than 5
6 years or who has had his license on inactive status for more
7 than 5 years may have his license restored by making
8 application to the Department and filing proof acceptable to
9 the Department of taking continuing education and of his
10 fitness to have the license restored, including sworn evidence
11 certifying to active practice in another jurisdiction, and by
12 paying the required restoration fee. A person practicing on an
13 expired license is deemed to be practicing without a license.
14 However, a holder of a license may renew the license within 90
15 days after its expiration by complying with the requirements
16 for renewal and payment of an additional fee. A license renewal
17 within 90 days after expiration shall be effective
18 retroactively to the expiration date.

19 If a person whose license has expired or who has had his
20 license on inactive status for more than 5 years has not
21 maintained an active practice satisfactory to the department,
22 the Department shall determine, by an evaluation process
23 established by rule, his or her fitness to resume active status
24 and may require the person to complete a period of evaluated
25 clinical experience and may require successful completion of a
26 practical examination.

1 However, any person whose license has expired while he has
2 been engaged (1) in federal or state service active duty, or
3 (2) in training or education under the supervision of the
4 United States preliminary to induction into the military
5 service, may have his license restored without paying any
6 lapsed renewal or restoration fee, if within 2 years after
7 termination of such service, training or education other than
8 by dishonorable discharge, he furnishes the Department with
9 satisfactory proof that he has been so engaged and that his
10 service, training or education has been so terminated.
11 (Source: P.A. 96-617, eff. 8-24-09.)

12 (225 ILCS 25/16.1) (from Ch. 111, par. 2316.1)

13 (Section scheduled to be repealed on January 1, 2016)

14 Sec. 16.1. Continuing education. The Department shall
15 promulgate rules of continuing education for persons licensed
16 under this Act. In establishing rules, the Department shall
17 require a minimum of 48 hours of study in approved courses for
18 dentists during each 3-year licensing period and a minimum of
19 36 hours of study in approved courses for dental hygienists
20 during each 3-year licensing period.

21 The Department shall approve only courses that are relevant
22 to the treatment and care of patients, including, but not
23 limited to, clinical courses in dentistry and dental hygiene
24 and nonclinical courses such as patient management, legal and
25 ethical responsibilities, and stress management. The

1 Department shall allow up to 4 hours of continuing education
2 credit hours per license renewal period for volunteer hours
3 spent providing clinical services at, or sponsored by, a
4 nonprofit community clinic, local or state health department,
5 or a charity event. Courses shall not be approved in such
6 subjects as estate and financial planning, investments, or
7 personal health. Approved courses may include, but shall not be
8 limited to, courses that are offered or sponsored by approved
9 colleges, universities, and hospitals and by recognized
10 national, State, and local dental and dental hygiene
11 organizations.

12 No license shall be renewed unless the renewal application
13 is accompanied by an affidavit indicating that the applicant
14 has completed the required minimum number of hours of
15 continuing education in approved courses as required by this
16 Section. The affidavit shall not require a listing of courses.
17 The affidavit shall be a prima facie evidence that the
18 applicant has obtained the minimum number of required
19 continuing education hours in approved courses. The Department
20 shall not be obligated to conduct random audits or otherwise
21 independently verify that an applicant has met the continuing
22 education requirement. The Department, however, may not
23 conduct random audits of more than 10% of the licensed dentists
24 and dental hygienists in any one licensing cycle to verify
25 compliance with continuing education requirements. If the
26 Department, however, receives a complaint that a licensee has

1 not completed the required continuing education or if the
2 Department is investigating another alleged violation of this
3 Act by a licensee, the Department may demand and shall be
4 entitled to receive evidence from any licensee of completion of
5 required continuing education courses for the most recently
6 completed 3-year licensing period. Evidence of continuing
7 education may include, but is not limited to, canceled checks,
8 official verification forms of attendance, and continuing
9 education recording forms, that demonstrate a reasonable
10 record of attendance. The Illinois State Board of Dentistry
11 shall determine, in accordance with rules adopted by the
12 Department, whether a licensee or applicant has met the
13 continuing education requirements. Any dentist who holds more
14 than one license under this Act shall be required to complete
15 only the minimum number of hours of continuing education
16 required for renewal of a single license. The Department may
17 provide exemptions from continuing education requirements. The
18 exemptions shall include, but shall not be limited to, dentists
19 and dental hygienists who agree not to practice within the
20 State during the licensing period because they are retired from
21 practice.

22 (Source: P.A. 94-409, eff. 12-31-05.)

23 (225 ILCS 25/17) (from Ch. 111, par. 2317)

24 (Section scheduled to be repealed on January 1, 2016)

25 Sec. 17. Acts Constituting the Practice of Dentistry. A

1 person practices dentistry, within the meaning of this Act:

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

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

12 (5) Who extracts a human tooth or teeth, or corrects or
13 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 bonding
17 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 impressions of the human tooth, teeth, or
23 jaws or performs any phase of any operation incident to the
24 replacement of a part of a tooth, a tooth, teeth or
25 associated tissues by means of a filling, crown, a bridge,
26 a denture or other appliance; or

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

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

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

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

1 dentistry.

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

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

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

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

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

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

26 (ii) when holding the rank of full professor at

1 such approved dental school or college and possessing a
2 current valid license or authorization to practice
3 dentistry in another country; or

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

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

12 (g) The performance of any dental service by a dental
13 assistant, if such service is performed under the
14 supervision and full responsibility of a dentist.

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

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

23 (2) Removal of, or restoration of, or addition to
24 the hard or soft tissues of the oral cavity, except for
25 the placing, carving, and finishing of amalgam
26 restorations by dental assistants who have had

1 additional formal education and certification as
2 determined by the Department.

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

5 (4) Administration of anesthetics, except for
6 application of topical anesthetics and monitoring of
7 nitrous oxide. Monitoring of nitrous oxide may be
8 performed after successful completion of a training
9 program approved by the Department.

10 (5) Removal of calculus from human teeth.

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

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

1 shall not supervise more than 4 dental assistants at
2 any one time for the task of coronal polishing.

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

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

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

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

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

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

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

1 continue such practice for a period specified in writing by
2 the Department.

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

8 The authority to practice shall terminate immediately
9 upon:

10 (1) the decision of the Department that the
11 applicant has failed the examination; or

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

13 (3) withdrawal of the application.

14 (Source: P.A. 96-617, eff. 8-24-09.)

15 (225 ILCS 25/18) (from Ch. 111, par. 2318)

16 (Section scheduled to be repealed on January 1, 2016)

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

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

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

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

1 (iii) the application to the surfaces of the teeth
2 or gums of chemical compounds designed to be
3 desensitizing agents or effective agents in the
4 prevention of dental caries or periodontal disease;

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

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

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

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

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

20 (1) by a dentist;

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

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

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

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

10 (d) If a patient of record is unable to travel to a dental
11 office because of illness, infirmity, or imprisonment, a dental
12 hygienist may perform, under the general supervision of a
13 dentist, those procedures found in items (i) through (iv) of
14 subsection (a) of this Section, provided the patient is located
15 in a long-term care facility licensed by the State of Illinois,
16 a mental health or developmental disability facility, or a
17 State or federal prison. The dentist shall personally examine
18 and diagnose the patient and determine which services are
19 necessary to be performed, which shall be contained in an order
20 to the hygienist and a notation in the patient's record. Such
21 order must be implemented within 120 days of its issuance, and
22 an updated medical history and observation of oral conditions
23 must be performed by the hygienist immediately prior to
24 beginning the procedures to ensure that the patient's health
25 has not changed in any manner to warrant a reexamination by the
26 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 initiative
12 or in conjunction with a dental school or dental hygiene
13 program. The dentist shall personally examine and diagnose the
14 patient and determine which services are necessary to be
15 performed, which shall be contained in an order to the
16 hygienist and a notation in the patient's record. Any such
17 order for sealants must be implemented within 120 days after
18 its issuance. Any such order for oral prophylactic procedures
19 or fluoride treatments must be implemented within 180 days
20 after its issuance. An updated medical history and observation
21 of oral conditions must be performed by the hygienist
22 immediately prior to beginning the procedures to ensure that
23 the patient's health has not changed in any manner to warrant a
24 reexamination by the dentist.

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

1 record case histories and oral conditions observed.

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

5 (Source: P.A. 93-113, eff. 1-1-04; 93-821, eff. 7-28-04.)

6 (225 ILCS 25/19) (from Ch. 111, par. 2319)

7 (Section scheduled to be repealed on January 1, 2016)

8 Sec. 19. Licensing Applicants from other States. Any person
9 who has been lawfully licensed to practice dentistry, including
10 the practice of a licensed dental specialty, or dental hygiene
11 in another state or territory which has and maintains a
12 standard for the practice of dentistry, a dental specialty, or
13 dental hygiene at least equal to that now maintained in this
14 State, or if the requirements for licensure in such state or
15 territory in which the applicant was licensed were, at the date
16 of his licensure, substantially equivalent to the requirements
17 then in force in this State, and who has been lawfully engaged
18 in the practice of dentistry or dental hygiene for at least 3
19 of the 5 years immediately preceding the filing of his or her
20 application to practice in this State and who shall deposit
21 with the Department a duly attested certificate from the Board
22 of the state or territory in which he or she is licensed,
23 certifying to the fact of his or her licensing and of his or
24 her being a person of good moral character may, upon payment of
25 the required fee, be granted a license to practice dentistry, a

1 dental specialty, or dental hygiene in this State, as the case
2 may be.

3 For the purposes of this Section, "substantially
4 equivalent" means that the applicant has presented evidence of
5 completion and graduation from an American Dental Association
6 accredited dental college or school in the United States or
7 Canada, presented evidence that the applicant has passed both
8 parts of the National Board Dental Examination, and
9 successfully completed an examination conducted by a regional
10 testing service. In ~~in~~ computing 3 of the immediately preceding
11 5 years of practice in another state or territory, any person
12 who left the practice of dentistry to enter the military
13 service and who practiced dentistry while in the military
14 service may count as a part of such period the time spent by
15 him in such service.

16 Applicants have 3 years from the date of application to
17 complete the application process. If the process has not been
18 completed in 3 years, the application shall be denied, the fee
19 forfeited and the applicant must reapply and meet the
20 requirements in effect at the time of reapplication.

21 (Source: P.A. 94-409, eff. 12-31-05.)

22 (225 ILCS 25/50) (from Ch. 111, par. 2350)

23 (Section scheduled to be repealed on January 1, 2016)

24 Sec. 50. Patient Records. Every dentist shall make a record
25 of all dental work performed for each patient. The record shall

1 be made in a manner and in sufficient detail that it may be
2 used for identification purposes.

3 Dental records required by this Section shall be maintained
4 for 10 years. Dental records required to be maintained under
5 this Section, or copies of those dental records, shall be made
6 available upon request to the patient or the patient's
7 guardian. A dentist shall be entitled to reasonable
8 reimbursement for the cost of reproducing these records, which
9 shall not exceed the cost allowed under Section 8-2003 of the
10 Code of Civil Procedure. A dentist providing services through a
11 mobile dental van or portable dental unit shall provide to the
12 patient or the patient's parent or guardian, in writing, the
13 dentist's name, license number, address, and information on how
14 the patient or the patient's parent or guardian may obtain the
15 patient's dental records, as provided by law.

16 (Source: P.A. 94-409, eff. 12-31-05.)

17 Section 99. Effective date. This Act takes effect January
18 1, 2012.