



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB0748

Introduced 2/3/2015, by Sen. Jason A. Barickman

#### SYNOPSIS AS INTRODUCED:

225 ILCS 25/4  
225 ILCS 25/54.2

from Ch. 111, par. 2304

Amends the Illinois Dental Practice Act. Changes the term "dental emergency responder" to "dental responder". Changes the definition of the term to mean a dentist or dental hygienist who is appropriately certified in disaster preparedness, immunizations, and dental humanitarian medical response consistent with the Society of Disaster Medicine and Public Health and training certified by the National Incident Management System or the National Disaster Life Support Foundation (rather than a dentist or dental hygienist who is appropriately certified in emergency medical response, as defined by the Department of Public Health). Makes corresponding changes in the provisions concerning dental emergency responders.

LRB099 02674 AMC 22681 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 and 54.2 as follows:

6 (225 ILCS 25/4) (from Ch. 111, par. 2304)

7 (Section scheduled to be repealed on January 1, 2016)

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 license  
22 pursuant to paragraph (a) of Section 11 of this Act and who may  
23 perform any intraoral and extraoral procedure required in the

1 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 under  
4 this Act to perform dental services as authorized by Section  
5 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 "Dental laboratory" means a person, firm or corporation  
10 which:

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

16 (ii) utilizes or employs a dental technician to provide  
17 such services; and

18 (iii) performs such functions only for a dentist or  
19 dentists.

20 "Supervision" means supervision of a dental hygienist or a  
21 dental assistant requiring that a dentist authorize the  
22 procedure, remain in the dental facility while the procedure is  
23 performed, and approve the work performed by the dental  
24 hygienist or dental assistant before dismissal of the patient,  
25 but does not mean that the dentist must be present at all times  
26 in the treatment room.

1 "General supervision" means supervision of a dental  
2 hygienist requiring that the patient be a patient of record,  
3 that the dentist examine the patient in accordance with Section  
4 18 prior to treatment by the dental hygienist, and that the  
5 dentist authorize the procedures which are being carried out by  
6 a notation in the patient's record, but not requiring that a  
7 dentist be present when the authorized procedures are being  
8 performed. The issuance of a prescription to a dental  
9 laboratory by a dentist does not constitute general  
10 supervision.

11 "Public member" means a person who is not a health  
12 professional. For purposes of board membership, any person with  
13 a significant financial interest in a health service or  
14 profession is not a public member.

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

19 "Branches of dentistry" means the various specialties of  
20 dentistry which, for purposes of this Act, shall be limited to  
21 the following: endodontics, oral and maxillofacial surgery,  
22 orthodontics and dentofacial orthopedics, pediatric dentistry,  
23 periodontics, prosthodontics, and oral and maxillofacial  
24 radiology.

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

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

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

16 "Nurse" means a registered professional nurse, a certified  
17 registered nurse anesthetist licensed as an advanced practice  
18 nurse, or a licensed practical nurse licensed under the Nurse  
19 Practice Act.

20 "Patient of record" means a patient for whom the patient's  
21 most recent dentist has obtained a relevant medical and dental  
22 history and on whom the dentist has performed an examination  
23 and evaluated the condition to be treated.

24 "Dental ~~emergency~~ responder" means a dentist or dental  
25 hygienist who is appropriately certified in disaster  
26 preparedness, immunizations, and dental humanitarian emergency

1 medical response consistent with the Society of Disaster  
2 Medicine and Public Health and training certified by the  
3 National Incident Management System or the National Disaster  
4 Life Support Foundation, ~~as defined by the Department of Public~~  
5 ~~Health.~~

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

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

12 (225 ILCS 25/54.2)

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

14 Sec. 54.2. Dental ~~emergency~~ responders. A dentist or dental  
15 hygienist who is a dental ~~emergency~~ responder is deemed to be  
16 acting within the bounds of his or her license when providing  
17 disaster, immunizations, mobile, and humanitarian care during  
18 a declared local, State, or national emergency.

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