

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, 16.1, 17, 19, 23, and 50 and by adding
6 Section 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8 (Section scheduled to be repealed on January 1, 2026)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 25/16.1) (from Ch. 111, par. 2316.1)

18 (Section scheduled to be repealed on January 1, 2026)

19 Sec. 16.1. Continuing education. The Department shall
20 promulgate rules of continuing education for persons licensed
21 under this Act. In establishing rules, the Department shall
22 require a minimum of 48 hours of study in approved courses for
23 dentists during each 3-year licensing period and a minimum of
24 36 hours of study in approved courses for dental hygienists
25 during each 3-year licensing period.

1 The Department shall approve only courses that are
2 relevant to the treatment and care of patients, including, but
3 not limited to, clinical courses in dentistry and dental
4 hygiene and nonclinical courses such as patient management,
5 legal and ethical responsibilities, and stress management. The
6 Department shall allow up to 4 hours of continuing education
7 credit hours per license renewal period for volunteer hours
8 spent providing clinical services at, or sponsored by, a
9 nonprofit community clinic, local or state health department,
10 or a charity event. Courses shall not be approved in such
11 subjects as estate and personal financial planning, personal
12 investments, or personal health. Approved courses may include,
13 but shall not be limited to, courses that are offered or
14 sponsored by approved colleges, universities, and hospitals
15 and by recognized national, State, and local dental and dental
16 hygiene organizations. When offering a continuing education
17 course, whether at no cost or for a fee, the course provider
18 shall explicitly disclose that the course is an approved
19 course for continuing education in the State of Illinois, as
20 provided in this Section or by the rules adopted by the
21 Department.

22 No license shall be renewed unless the renewal application
23 is accompanied by an affidavit indicating that the applicant
24 has completed the required minimum number of hours of
25 continuing education in approved courses as required by this
26 Section. The affidavit shall not require a listing of courses.

1 The affidavit shall be a prima facie evidence that the
2 applicant has obtained the minimum number of required
3 continuing education hours in approved courses. The Department
4 shall not be obligated to conduct random audits or otherwise
5 independently verify that an applicant has met the continuing
6 education requirement. The Department, however, may not
7 conduct random audits of more than 10% of the licensed
8 dentists and dental hygienists in any one licensing cycle to
9 verify compliance with continuing education requirements. If
10 the Department, however, receives a complaint that a licensee
11 has not completed the required continuing education or if the
12 Department is investigating another alleged violation of this
13 Act by a licensee, the Department may demand and shall be
14 entitled to receive evidence from any licensee of completion
15 of required continuing education courses for the most recently
16 completed 3-year licensing period. Evidence of continuing
17 education may include, but is not limited to, canceled checks,
18 official verification forms of attendance, and continuing
19 education recording forms, that demonstrate a reasonable
20 record of attendance. The Board shall determine, in accordance
21 with rules adopted by the Department, whether a licensee or
22 applicant has met the continuing education requirements. Any
23 dentist who holds more than one license under this Act shall be
24 required to complete only the minimum number of hours of
25 continuing education required for renewal of a single license.
26 The Department may provide exemptions from continuing

1 education requirements.

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

3 (225 ILCS 25/17) (from Ch. 111, par. 2317)

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

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

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

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

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

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

18 (5) Who extracts a human tooth or teeth, or corrects
19 or attempts to correct malpositions of the human teeth or
20 jaws; or

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

24 (7) Who uses or administers local or general
25 anesthetics in the treatment of dental or oral diseases or

1 in any preparation incident to a dental operation of any
2 kind or character; or

3 (8) Who takes material or digital scans for final
4 impressions of the human tooth, teeth, or jaws or performs
5 any phase of any operation incident to the replacement of
6 a part of a tooth, a tooth, teeth, or associated tissues by
7 means of a filling, crown, a bridge, a denture, or other
8 appliance; or

9 (9) Who offers to furnish, supply, construct,
10 reproduce, or repair, or who furnishes, supplies,
11 constructs, reproduces, or repairs, prosthetic dentures,
12 bridges, or other substitutes for natural teeth, to the
13 user or prospective user thereof; or

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

17 (11) Who takes material or digital scans for final
18 impressions of human teeth or places his or her hands in
19 the mouth of any person for the purpose of applying teeth
20 whitening materials, or who takes impressions of human
21 teeth or places his or her hands in the mouth of any person
22 for the purpose of assisting in the application of teeth
23 whitening materials. A person does not practice dentistry
24 when he or she discloses to the consumer that he or she is
25 not licensed as a dentist under this Act and (i) discusses
26 the use of teeth whitening materials with a consumer

1 purchasing these materials; (ii) provides instruction on
2 the use of teeth whitening materials with a consumer
3 purchasing these materials; or (iii) provides appropriate
4 equipment on-site to the consumer for the consumer to
5 self-apply teeth whitening materials.

6 The fact that any person engages in or performs, or offers
7 to engage in or perform, any of the practices, acts, or
8 operations set forth in this Section, shall be prima facie
9 evidence that such person is engaged in the practice of
10 dentistry.

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

13 (a) The rendering of dental relief in emergency cases
14 in the practice of his or her profession by a physician or
15 surgeon, licensed as such under the laws of this State,
16 unless he or she undertakes to reproduce or reproduces
17 lost parts of the human teeth in the mouth or to restore or
18 replace lost or missing teeth in the mouth; or

19 (b) The practice of dentistry in the discharge of
20 their official duties by dentists in any branch of the
21 Armed Services of the United States, the United States
22 Public Health Service, or the United States Veterans
23 Administration; or

24 (c) The practice of dentistry by students in their
25 course of study in dental schools or colleges approved by
26 the Department, when acting under the direction and

1 supervision of dentists acting as instructors; or

2 (d) The practice of dentistry by clinical instructors
3 in the course of their teaching duties in dental schools
4 or colleges approved by the Department:

5 (i) when acting under the direction and
6 supervision of dentists, provided that such clinical
7 instructors have instructed continuously in this State
8 since January 1, 1986; or

9 (ii) when holding the rank of full professor at
10 such approved dental school or college and possessing
11 a current valid license or authorization to practice
12 dentistry in another country; or

13 (e) The practice of dentistry by licensed dentists of
14 other states or countries at meetings of the Illinois
15 State Dental Society or component parts thereof, alumni
16 meetings of dental colleges, or any other like dental
17 organizations, while appearing as clinicians; or

18 (f) The use of X-Ray machines for exposing X-Ray films
19 of dental or oral tissues by dental hygienists or dental
20 assistants; or

21 (g) The performance of any dental service by a dental
22 assistant, if such service is performed under the
23 supervision and full responsibility of a dentist. In
24 addition, after being authorized by a dentist, a dental
25 assistant may, for the purpose of eliminating pain or
26 discomfort, remove loose, broken, or irritating

1 orthodontic appliances on a patient of record.

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

6 (1) Any and all diagnosis of or prescription for
7 treatment of disease, pain, deformity, deficiency,
8 injury, or physical condition of the human teeth or
9 jaws, or adjacent structures.

10 (2) Removal of, ~~or~~ restoration of, or addition to
11 the hard or soft tissues of the oral cavity, except for
12 the placing, carving, and finishing of amalgam
13 restorations and placing, packing, and finishing
14 composite restorations by dental assistants who have
15 had additional formal education and certification.

16 A dental assistant may place, carve, and finish
17 amalgam restorations, place, pack, and finish
18 composite restorations, and place interim restorations
19 if he or she (A) has successfully completed a
20 structured training program as described in item (2)
21 of subsection (g) provided by an educational
22 institution accredited by the Commission on Dental
23 Accreditation, such as a dental school or dental
24 hygiene or dental assistant program, or (B) has at
25 least 4,000 hours of direct clinical patient care
26 experience and has successfully completed a structured

1 training program as described in item (2) of
2 subsection (g) provided by a statewide dental
3 association, approved by the Department to provide
4 continuing education, that has developed and conducted
5 training programs for expanded functions for dental
6 assistants or hygienists. The training program must:
7 (i) include a minimum of 16 hours of didactic study and
8 14 hours of clinical manikin instruction; all training
9 programs shall include areas of study in nomenclature,
10 caries classifications, oral anatomy, periodontium,
11 basic occlusion, instrumentations, pulp protection
12 liners and bases, dental materials, matrix and wedge
13 techniques, amalgam placement and carving, rubber dam
14 clamp placement, and rubber dam placement and removal;
15 (ii) include an outcome assessment examination that
16 demonstrates competency; (iii) require the supervising
17 dentist to observe and approve the completion of 8
18 amalgam or composite restorations; and (iv) issue a
19 certificate of completion of the training program,
20 which must be kept on file at the dental office and be
21 made available to the Department upon request. A
22 dental assistant must have successfully completed an
23 approved coronal polishing and dental sealant course
24 prior to taking the amalgam and composite restoration
25 course.

26 A dentist utilizing dental assistants shall not

1 supervise more than 4 dental assistants at any one
2 time for placing, carving, and finishing of amalgam
3 restorations or for placing, packing, and finishing
4 composite restorations.

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

7 (4) Administration of anesthetics, except for
8 monitoring of nitrous oxide, conscious sedation, deep
9 sedation, and general anesthetic as provided in
10 Section 8.1 of this Act, that may be performed only
11 after successful completion of a training program
12 approved by the Department. A dentist utilizing dental
13 assistants shall not supervise more than 4 dental
14 assistants at any one time for the monitoring of
15 nitrous oxide.

16 (5) Removal of calculus from human teeth.

17 (6) Taking of material or digital scans for final
18 impressions for the fabrication of prosthetic
19 appliances, crowns, bridges, inlays, onlays, or other
20 restorative or replacement dentistry.

21 (7) The operative procedure of dental hygiene
22 consisting of oral prophylactic procedures, except for
23 coronal polishing and pit and fissure sealants, which
24 may be performed by a dental assistant who has
25 successfully completed a training program approved by
26 the Department. Dental assistants may perform coronal

1 polishing under the following circumstances: (i) the
2 coronal polishing shall be limited to polishing the
3 clinical crown of the tooth and existing restorations,
4 supragingivally; (ii) the dental assistant performing
5 the coronal polishing shall be limited to the use of
6 rotary instruments using a rubber cup or brush
7 polishing method (air polishing is not permitted); and
8 (iii) the supervising dentist shall not supervise more
9 than 4 dental assistants at any one time for the task
10 of coronal polishing or pit and fissure sealants.

11 In addition to coronal polishing and pit and
12 fissure sealants as described in this item (7), a
13 dental assistant who has at least 2,000 hours of
14 direct clinical patient care experience and who has
15 successfully completed a structured training program
16 provided by (1) an educational institution including,
17 but not limited to, a dental school or dental hygiene
18 or dental assistant program, or (2) a continuing
19 education provider approved by the Department, or (3)
20 a statewide dental or dental hygienist association,
21 ~~approved by the Department on or before January 1,~~
22 ~~2017 (the effective date of Public Act 99-680),~~ that
23 has developed and conducted a training program for
24 expanded functions for dental assistants or hygienists
25 may perform: (A) coronal scaling above the gum line,
26 supragingivally, on the clinical crown of the tooth

1 only on patients 17 years of age or younger who have an
2 absence of periodontal disease and who are not
3 medically compromised or individuals with special
4 needs and (B) intracoronal temporization of a tooth.
5 The training program must: (I) include a minimum of 32
6 hours of instruction in both didactic and clinical
7 manikin or human subject instruction; all training
8 programs shall include areas of study in dental
9 anatomy, public health dentistry, medical history,
10 dental emergencies, and managing the pediatric
11 patient; (II) include an outcome assessment
12 examination that demonstrates competency; (III)
13 require the supervising dentist to observe and approve
14 the completion of 6 full mouth supragingival scaling
15 procedures unless the training was received as part of
16 a Commission on Dental Accreditation approved dental
17 assistant program; and (IV) issue a certificate of
18 completion of the training program, which must be kept
19 on file at the dental office and be made available to
20 the Department upon request. A dental assistant must
21 have successfully completed an approved coronal
22 polishing course prior to taking the coronal scaling
23 course. A dental assistant performing these functions
24 shall be limited to the use of hand instruments only.
25 In addition, coronal scaling as described in this
26 paragraph shall only be utilized on patients who are

1 eligible for Medicaid, who are uninsured, or whose
2 household income is not greater than 300% of the
3 federal poverty level. A dentist may not supervise
4 more than 2 dental assistants at any one time for the
5 task of coronal scaling. This paragraph is inoperative
6 on and after January 1, 2026.

7 The limitations on the number of dental assistants a
8 dentist may supervise contained in items (2), (4), and (7)
9 of this paragraph (g) mean a limit of 4 total dental
10 assistants or dental hygienists doing expanded functions
11 covered by these Sections being supervised by one dentist;
12 or

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

14 (i) has applied in writing to the Department, in
15 form and substance satisfactory to the Department, for
16 a general dental license and has complied with all
17 provisions of Section 9 of this Act, except for the
18 passage of the examination specified in subsection (e)
19 of Section 9 of this Act; or

20 (ii) has applied in writing to the Department, in
21 form and substance satisfactory to the Department, for
22 a temporary dental license and has complied with all
23 provisions of subsection (c) of Section 11 of this
24 Act; and

25 (iii) has been accepted or appointed for specialty
26 or residency training by a hospital situated in this

1 State; or

2 (iv) has been accepted or appointed for specialty
3 training in an approved dental program situated in
4 this State; or

5 (v) has been accepted or appointed for specialty
6 training in a dental public health agency situated in
7 this State.

8 The applicant shall be permitted to practice dentistry
9 for a period of 3 months from the starting date of the
10 program, unless authorized in writing by the Department to
11 continue such practice for a period specified in writing
12 by the Department.

13 The applicant shall only be entitled to perform such
14 acts as may be prescribed by and incidental to his or her
15 program of residency or specialty training and shall not
16 otherwise engage in the practice of dentistry in this
17 State.

18 The authority to practice shall terminate immediately
19 upon:

20 (1) the decision of the Department that the
21 applicant has failed the examination; or

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

23 (3) withdrawal of the application.

24 (Source: P.A. 101-162, eff. 7-26-19; 102-558, eff. 8-20-21;
25 102-936, eff. 1-1-23.)

1 (225 ILCS 25/19) (from Ch. 111, par. 2319)

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

3 Sec. 19. Licensing applicants from other states. Any
4 person who has been lawfully licensed to practice dentistry,
5 including the practice of a licensed dental specialty, or
6 dental hygiene in another state or territory or as a member of
7 the military service which has and maintains a standard for
8 the practice of dentistry, a dental specialty, or dental
9 hygiene at least equal to that now maintained in this State, or
10 if the requirements for licensure in such state or territory
11 in which the applicant was licensed were, at the date of his or
12 her licensure, substantially equivalent to the requirements
13 then in force in this State, and who has been lawfully engaged
14 in the practice of dentistry or dental hygiene for at least 2 ~~3~~
15 ~~of the 5~~ years immediately preceding the filing of his or her
16 application to practice in this State and who shall deposit
17 with the Department a duly attested certificate from the Board
18 of the state or territory in which he or she is licensed,
19 certifying to the fact of his or her licensing and of his or
20 her being a person of good moral character may, upon payment of
21 the required fee, be granted a license to practice dentistry,
22 a dental specialty, or dental hygiene in this State, as the
23 case may be.

24 For the purposes of this Section, "substantially
25 equivalent" means that the applicant has presented evidence of
26 completion and graduation from an American Dental Association

1 accredited dental college or school in the United States or
2 Canada, presented evidence that the applicant has passed both
3 parts of the National Board Dental Examination, and
4 successfully completed an examination conducted by a regional
5 testing service. ~~In computing 3 of the immediately preceding 5~~
6 ~~years of practice in another state or territory, any person~~
7 ~~who left the practice of dentistry to enter the military~~
8 ~~service and who practiced dentistry while in the military~~
9 ~~service may count as a part of such period the time spent by~~
10 ~~him or her in such service.~~

11 Applicants have 3 years from the date of application to
12 complete the application process. If the process has not been
13 completed in 3 years, the application shall be denied, the fee
14 forfeited and the applicant must reapply and meet the
15 requirements in effect at the time of reapplication.

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

17 (225 ILCS 25/23) (from Ch. 111, par. 2323)

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

19 Sec. 23. Refusal, revocation or suspension of dental
20 licenses. The Department may refuse to issue or renew, or may
21 revoke, suspend, place on probation, reprimand or take other
22 disciplinary or non-disciplinary action as the Department may
23 deem proper, including imposing fines not to exceed \$10,000
24 per violation, with regard to any license for any one or any
25 combination of the following causes:

1 1. Fraud or misrepresentation in applying for or
2 procuring a license under this Act, or in connection with
3 applying for renewal of a license under this Act.

4 2. Inability to practice with reasonable judgment,
5 skill, or safety as a result of habitual or excessive use
6 or addiction to alcohol, narcotics, stimulants, or any
7 other chemical agent or drug.

8 3. Willful or repeated violations of the rules of the
9 Department of Public Health or Department of Nuclear
10 Safety.

11 4. Acceptance of a fee for service as a witness,
12 without the knowledge of the court, in addition to the fee
13 allowed by the court.

14 5. Division of fees or agreeing to split or divide the
15 fees received for dental services with any person for
16 bringing or referring a patient, except in regard to
17 referral services as provided for under Section 45, or
18 assisting in the care or treatment of a patient, without
19 the knowledge of the patient or his or her legal
20 representative. Nothing in this item 5 affects any bona
21 fide independent contractor or employment arrangements
22 among health care professionals, health facilities, health
23 care providers, or other entities, except as otherwise
24 prohibited by law. Any employment arrangements may include
25 provisions for compensation, health insurance, pension, or
26 other employment benefits for the provision of services

1 within the scope of the licensee's practice under this
2 Act. Nothing in this item 5 shall be construed to require
3 an employment arrangement to receive professional fees for
4 services rendered.

5 6. Employing, procuring, inducing, aiding or abetting
6 a person not licensed or registered as a dentist or dental
7 hygienist to engage in the practice of dentistry or dental
8 hygiene. The person practiced upon is not an accomplice,
9 employer, procurer, inducer, aider, or abetter within the
10 meaning of this Act.

11 7. Making any misrepresentations or false promises,
12 directly or indirectly, to influence, persuade or induce
13 dental patronage.

14 8. Professional connection or association with or
15 lending his or her name to another for the illegal
16 practice of dentistry by another, or professional
17 connection or association with any person, firm or
18 corporation holding himself, herself, themselves, or
19 itself out in any manner contrary to this Act.

20 9. Obtaining or seeking to obtain practice, money, or
21 any other things of value by false or fraudulent
22 representations, but not limited to, engaging in such
23 fraudulent practice to defraud the medical assistance
24 program of the Department of Healthcare and Family
25 Services (formerly Department of Public Aid) under the
26 Illinois Public Aid Code.

1 10. Practicing under a false or, except as provided by
2 law, an assumed name.

3 11. Engaging in dishonorable, unethical, or
4 unprofessional conduct of a character likely to deceive,
5 defraud, or harm the public.

6 12. Conviction by plea of guilty or nolo contendere,
7 finding of guilt, jury verdict, or entry of judgment or by
8 sentencing for any crime, including, but not limited to,
9 convictions, preceding sentences of supervision,
10 conditional discharge, or first offender probation, under
11 the laws of any jurisdiction of the United States that (i)
12 is a felony under the laws of this State or (ii) is a
13 misdemeanor, an essential element of which is dishonesty,
14 or that is directly related to the practice of dentistry.

15 13. Permitting a dental hygienist, dental assistant or
16 other person under his or her supervision to perform any
17 operation not authorized by this Act.

18 14. Permitting more than 4 dental hygienists to be
19 employed under his or her supervision at any one time.

20 15. A violation of any provision of this Act or any
21 rules promulgated under this Act.

22 16. Taking impressions for or using the services of
23 any person, firm or corporation violating this Act.

24 17. Violating any provision of Section 45 relating to
25 advertising.

26 18. Discipline by another U.S. jurisdiction or foreign

1 nation, if at least one of the grounds for the discipline
2 is the same or substantially equivalent to those set forth
3 within this Act.

4 19. Willfully failing to report an instance of
5 suspected child abuse or neglect as required by the Abused
6 and Neglected Child Reporting Act.

7 20. Gross negligence in practice under this Act.

8 21. The use or prescription for use of narcotics or
9 controlled substances or designated products as listed in
10 the Illinois Controlled Substances Act, in any way other
11 than for therapeutic purposes.

12 22. Willfully making or filing false records or
13 reports in his or her practice as a dentist, including,
14 but not limited to, false records to support claims
15 against the dental assistance program of the Department of
16 Healthcare and Family Services (formerly Illinois
17 Department of Public Aid).

18 23. Professional incompetence as manifested by poor
19 standards of care.

20 24. Physical or mental illness, including, but not
21 limited to, deterioration through the aging process, or
22 loss of motor skills which results in a dentist's
23 inability to practice dentistry with reasonable judgment,
24 skill or safety. In enforcing this paragraph, the
25 Department may compel a person licensed to practice under
26 this Act to submit to a mental or physical examination

1 pursuant to the terms and conditions of Section 23b.

2 25. Gross or repeated irregularities in billing for
3 services rendered to a patient. For purposes of this
4 paragraph 25, "irregularities in billing" shall include:

5 (a) Reporting excessive charges for the purpose of
6 obtaining a total payment in excess of that usually
7 received by the dentist for the services rendered.

8 (b) Reporting charges for services not rendered.

9 (c) Incorrectly reporting services rendered for
10 the purpose of obtaining payment not earned.

11 26. Continuing the active practice of dentistry while
12 knowingly having any infectious, communicable, or
13 contagious disease proscribed by rule or regulation of the
14 Department.

15 27. Being named as a perpetrator in an indicated
16 report by the Department of Children and Family Services
17 pursuant to the Abused and Neglected Child Reporting Act,
18 and upon proof by clear and convincing evidence that the
19 licensee has caused a child to be an abused child or
20 neglected child as defined in the Abused and Neglected
21 Child Reporting Act.

22 28. Violating the Health Care Worker Self-Referral
23 Act.

24 29. Abandonment of a patient.

25 30. Mental incompetency as declared by a court of
26 competent jurisdiction.

1 31. A finding by the Department that the licensee,
2 after having his or her license placed on probationary
3 status, has violated the terms of probation.

4 32. Material misstatement in furnishing information to
5 the Department.

6 33. Failing, within 60 days, to provide information in
7 response to a written request by the Department in the
8 course of an investigation.

9 34. Immoral conduct in the commission of any act,
10 including, but not limited to, commission of an act of
11 sexual misconduct related to the licensee's practice.

12 35. Cheating on or attempting to subvert the licensing
13 examination administered under this Act.

14 36. A pattern of practice or other behavior that
15 demonstrates incapacity or incompetence to practice under
16 this Act.

17 37. Failure to establish and maintain records of
18 patient care and treatment as required under this Act.

19 38. Failure to provide copies of dental records as
20 required by law.

21 39. Failure of a licensed dentist who owns or is
22 employed at a dental office to give notice of an office
23 closure to his or her patients at least 30 days prior to
24 the office closure pursuant to Section 50.1.

25 40. Failure to maintain a sanitary work environment.

26 All proceedings to suspend, revoke, place on probationary

1 status, or take any other disciplinary action as the
2 Department may deem proper, with regard to a license on any of
3 the foregoing grounds, must be commenced within 5 years after
4 receipt by the Department of a complaint alleging the
5 commission of or notice of the conviction order for any of the
6 acts described herein. Except for fraud in procuring a
7 license, no action shall be commenced more than 7 years after
8 the date of the incident or act alleged to have violated this
9 Section. The time during which the holder of the license was
10 outside the State of Illinois shall not be included within any
11 period of time limiting the commencement of disciplinary
12 action by the Department.

13 All fines imposed under this Section shall be paid within
14 60 days after the effective date of the order imposing the fine
15 or in accordance with the terms set forth in the order imposing
16 the fine.

17 The Department may refuse to issue or may suspend the
18 license of any person who fails to file a return, or to pay the
19 tax, penalty or interest shown in a filed return, or to pay any
20 final assessment of tax, penalty or interest, as required by
21 any tax Act administered by the Illinois Department of
22 Revenue, until such time as the requirements of any such tax
23 Act are satisfied.

24 Any dentist who has had his or her license suspended or
25 revoked for more than 5 years must comply with the
26 requirements for restoration set forth in Section 16 prior to

1 being eligible for reinstatement from the suspension or
2 revocation.

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

4 (225 ILCS 25/50) (from Ch. 111, par. 2350)

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

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

11 Dental records required by this Section shall be
12 maintained for 10 years. Dental records required to be
13 maintained under this Section, or copies of those dental
14 records, shall be made available upon request to the patient
15 or the patient's guardian. A dentist shall be entitled to
16 reasonable reimbursement for the cost of reproducing these
17 records, which shall not exceed the cost allowed under Section
18 8-2001 of the Code of Civil Procedure. A dentist providing
19 services through a mobile dental van or portable dental unit
20 shall provide to the patient or the patient's parent or
21 guardian, in writing, the dentist's name, license number,
22 address, and information on how the patient or the patient's
23 parent or guardian may obtain the patient's dental records, as
24 provided by law.

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

1 (225 ILCS 25/50.1 new)

2 Sec. 50.1. Closing a dental office. A dental office that
3 is closing and will not continue to offer dentistry services
4 must provide notice to its patients at least 30 days prior to
5 the closure. The notice to patients shall include an
6 explanation of how copies of the patient's records may be
7 accessed or obtained by the patient. The notice may be given by
8 publication in a newspaper of general circulation in the area
9 in which the dental office is located or in an electronic
10 format accessible by patients.

11 Section 10. The Illinois Controlled Substances Act is
12 amended by changing Sections 309 and 311.6 as follows:

13 (720 ILCS 570/309) (from Ch. 56 1/2, par. 1309)

14 Sec. 309. On or after April 1, 2000, no person shall issue
15 a prescription for a Schedule II controlled substance, which
16 is a narcotic drug listed in Section 206 of this Act; or which
17 contains any quantity of amphetamine or methamphetamine, their
18 salts, optical isomers or salts of optical isomers;
19 phenmetrazine and its salts; gluthethimide; and pentazocine,
20 other than on a written prescription; provided that in the
21 case of an emergency, epidemic or a sudden or unforeseen
22 accident or calamity, the prescriber may issue a lawful oral
23 prescription where failure to issue such a prescription might

1 result in loss of life or intense suffering, but such oral
2 prescription shall include a statement by the prescriber
3 concerning the accident or calamity, or circumstances
4 constituting the emergency, the cause for which an oral
5 prescription was used. Within 7 days after issuing an
6 emergency prescription, the prescriber shall cause a written
7 prescription for the emergency quantity prescribed to be
8 delivered to the dispensing pharmacist. The prescription shall
9 have written on its face "Authorization for Emergency
10 Dispensing", and the date of the emergency prescription. The
11 written prescription may be delivered to the pharmacist in
12 person, or by mail, but if delivered by mail it must be
13 postmarked within the 7-day period. Upon receipt, the
14 dispensing pharmacist shall attach this prescription to the
15 emergency oral prescription earlier received and reduced to
16 writing. The dispensing pharmacist shall notify the Department
17 of Financial and Professional Regulation if the prescriber
18 fails to deliver the authorization for emergency dispensing on
19 the prescription to him or her. Failure of the dispensing
20 pharmacist to do so shall void the authority conferred by this
21 paragraph to dispense without a written prescription of a
22 prescriber. All prescriptions issued for Schedule II
23 controlled substances shall include the quantity prescribed.
24 All nonelectronic prescriptions issued for Schedule II
25 controlled substances shall include both a written and
26 numerical notation of quantity on the face of the

1 prescription. No prescription for a Schedule II controlled
2 substance may be refilled. The Department shall provide, at no
3 cost, audit reviews and necessary information to the
4 Department of Financial and Professional Regulation in
5 conjunction with ongoing investigations being conducted in
6 whole or part by the Department of Financial and Professional
7 Regulation.

8 (Source: P.A. 97-334, eff. 1-1-12.)

9 (720 ILCS 570/311.6)

10 (This Section may contain text from a Public Act with a
11 delayed effective date)

12 Sec. 311.6. Opioid prescriptions.

13 (a) Notwithstanding any other provision of law, a
14 prescription for a substance classified in Schedule II, III,
15 IV, or V must be sent electronically, in accordance with
16 Section 316. Prescriptions sent in accordance with this
17 subsection (a) must be accepted by the dispenser in electronic
18 format.

19 (b) Beginning on the effective date of this amendatory Act
20 of the 103rd General Assembly until December 31, 2028,
21 notwithstanding ~~Notwithstanding~~ any other provision of this
22 Section or any other provision of law, a prescriber shall not
23 be required to issue prescriptions electronically if he or she
24 certifies to the Department of Financial and Professional
25 Regulation that he or she will not issue more than 150 ~~25~~

1 prescriptions during a 12-month period. Prescriptions in both
2 oral and written form for controlled substances shall be
3 included in determining whether the prescriber will reach the
4 limit of 150 ~~25~~ prescriptions. Beginning January 1, 2029,
5 notwithstanding any other provision of this Section or any
6 other provision of law, a prescriber shall not be required to
7 issue prescriptions electronically if he or she certifies to
8 the Department of Financial and Professional Regulation that
9 he or she will not issue more than 50 prescriptions during a
10 12-month period. Prescriptions in both oral and written form
11 for controlled substances shall be included in determining
12 whether the prescriber will reach the limit of 50
13 prescriptions.

14 (b-5) Notwithstanding any other provision of this Section
15 or any other provision of law, a prescriber shall not be
16 required to issue prescriptions electronically under the
17 following circumstances:

18 (1) prior to January 1, 2026, the prescriber
19 demonstrates financial difficulties in buying or managing
20 an electronic prescription option, whether it is an
21 electronic health record or some other electronic
22 prescribing product;

23 (2) on and after January 1, 2026, the prescriber
24 provides proof of a waiver from the Centers for Medicare
25 and Medicaid Services for the Electronic Prescribing for
26 Controlled Substances Program due to demonstrated economic

1 hardship for the previous compliance year;

2 (3) there is a temporary technological or electrical
3 failure that prevents an electronic prescription from
4 being issued;

5 (4) the prescription is for a drug that the
6 practitioner reasonably determines would be impractical
7 for the patient to obtain in a timely manner if prescribed
8 by an electronic data transmission prescription and the
9 delay would adversely impact the patient's medical
10 condition;

11 (5) the prescription is for an individual who:

12 (A) resides in a nursing or assisted living
13 facility;

14 (B) is receiving hospice or palliative care;

15 (C) is receiving care at an outpatient renal
16 dialysis facility and the prescription is related to
17 the care provided;

18 (D) is receiving care through the United States
19 Department of Veterans Affairs; or

20 (E) is incarcerated in a state, detained, or
21 confined in a correctional facility;

22 (6) the prescription prescribes a drug under a
23 research protocol;

24 (7) the prescription is a non-patient specific
25 prescription dispensed under a standing order, approved
26 protocol for drug therapy, collaborative drug management,

1 or comprehensive medication management, or in response to
2 a public health emergency or other circumstance in which
3 the practitioner may issue a non-patient specific
4 prescription;

5 (8) the prescription is issued when the prescriber and
6 dispenser are the same entity; or

7 (9) the prescription is issued for a compound
8 prescription containing 2 or more compounds.

9 (c) The Department of Financial and Professional
10 Regulation ~~may shall~~ adopt rules for the administration of
11 this Section ~~. These rules shall provide for the~~
12 ~~implementation of any such exemption~~ to the requirements under
13 this Section that the Department of Financial and Professional
14 Regulation may deem appropriate, ~~including the exemption~~
15 ~~provided for in subsection (b).~~

16 (d) Any prescriber who makes a good faith effort to
17 prescribe electronically, but for reasons not within the
18 prescriber's control is unable to prescribe electronically,
19 may be exempt from any disciplinary action.

20 (e) Any pharmacist who dispenses in good faith based upon
21 a valid prescription that is not prescribed electronically may
22 be exempt from any disciplinary action. A pharmacist is not
23 required to ensure or responsible for ensuring the
24 prescriber's compliance under subsection (b), nor may any
25 other entity or organization require a pharmacist to ensure
26 the prescriber's compliance with that subsection.

1 (f) It shall be a violation of this Section for any
2 prescriber or dispenser to adopt a policy contrary to this
3 Section.

4 (Source: P.A. 102-490, eff. 1-1-24 (See Section 55 of P.A.
5 102-1109 for effective date of P.A. 102-490).)