

AN ACT concerning regulation.

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

Section 5. The Illinois Dental Practice Act is amended by changing Sections 4 and 17.2 as follows:

(225 ILCS 25/4)

(Section scheduled to be repealed on January 1, 2031)

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

"Address of record" means the designated address recorded by the Department in the applicant's or licensee's application file or license file as maintained by the Department's licensure maintenance unit. It is the duty of the applicant or licensee to inform the Department of any change of address and those changes must be made either through the Department's website or by contacting the Department.

"Email address of record" means the designated email address recorded by the Department in the applicant's application file or the licensee's license file, as maintained by the Department's licensure maintenance unit.

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

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

"Board" means the Board of Dentistry.

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

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

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

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

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

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

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

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

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

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

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

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

"Branches of dentistry" means the various specialties of

dentistry which, for purposes of this Act, shall be limited to the following: endodontics, oral and maxillofacial surgery, orthodontics and dentofacial orthopedics, pediatric dentistry, periodontics, prosthodontics, oral and maxillofacial radiology, dental anesthesiology, oral and maxillofacial pathology, dental public health, oral medicine, and orofacial pain.

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

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

"Informed consent" means legally valid consent that is given by a patient or legal guardian, that is recorded in writing or digitally, that authorizes intervention or treatment services from the treating dentist, and that documents agreement to participate in those services and knowledge of the risks, benefits, and alternatives, including the decision to withdraw from or decline treatment.

"Impaired dentist" or "impaired dental hygienist" means a dentist or dental hygienist who is unable to practice with reasonable skill and safety because of a physical or mental disability as evidenced by a written determination or written

consent based on clinical evidence, including deterioration through the aging process, loss of motor skills, abuse of drugs or alcohol, or a psychiatric disorder, of sufficient degree to diminish the person's ability to deliver competent patient care.

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

"Patient of record", except as provided in Section 17.2, means a patient for whom the patient's most recent dentist has obtained a relevant medical and dental history and on whom the dentist has performed a physical examination within the last year and evaluated the condition to be treated, including a review of the patient's most recent x-rays.

"Dental responder" means 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.

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

dental services can be provided.

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

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

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

"Teledentistry" means the use of telehealth systems and methodologies in dentistry and includes patient diagnosis, treatment planning, care, and education delivery for a patient

of record using synchronous and asynchronous communications under an Illinois licensed dentist's authority as provided under this Act.

"Synchronous" means the transmission of a patient's health care information through a real-time, 2-way interaction between a patient and a dentist or dental office using audiovisual telecommunication technology.

"Moderate sedation" means a drug-induced depression of consciousness during which: (1) patients respond purposefully to verbal commands, either alone or accompanied by light tactile stimulation; (2) no interventions are required to maintain a patient's airway and spontaneous ventilation is adequate; and (3) cardiovascular function is usually maintained.

"Deep sedation" means a drug-induced depression of consciousness during which: (1) patients cannot be easily aroused, but respond purposefully following repeated or painful stimulation; (2) the ability to independently maintain ventilatory function may be impaired; (3) patients may require assistance in maintaining airways and spontaneous ventilation may be inadequate; and (4) cardiovascular function is usually maintained.

"General anesthesia" means a drug-induced loss of consciousness during which: (1) patients are not arousable, even by painful stimulation; (2) the ability to independently maintain ventilatory function is often impaired; (3) patients

often require assistance in maintaining airways and positive pressure ventilation may be required because of depressed spontaneous ventilation or drug-induced depression of neuromuscular function; and (4) cardiovascular function may be impaired.

"Venipuncture" means the puncture of a vein as part of a medical procedure, typically to withdraw a blood sample or for an intravenous catheter for the administration of medication or fluids.

"Enteral route of administration" means administration of a drug that is absorbed through the gastrointestinal tract or through oral, rectal, or sublingual mucosa.

"Parenteral route of administration" means administration of a drug by which the drug bypasses the gastrointestinal tract through intramuscular, intravenous, intranasal, submucosal, subcutaneous, or intraosseous methods.

(Source: P.A. 103-425, eff. 1-1-24; 103-431, eff. 1-1-24; 103-605, eff. 7-1-24; 103-628, eff. 7-1-24; 103-902, eff. 8-9-24; 104-103, eff. 8-1-25; 104-151, eff. 1-1-26; 104-417, eff. 8-15-25; revised 9-15-25.)

(225 ILCS 25/17.2)

(Section scheduled to be repealed on January 1, 2031)

Sec. 17.2. Teledentistry.

(a) As used in this Section, "patient of record" means a patient for whom the patient's most recent Illinois-licensed

dentist has obtained a relevant medical and dental history and on whom the dentist has (i) performed a physical examination within the last year; (ii) obtained relevant records that are appropriate for the type of teledentistry service being provided from an in-person examination within the previous 12 months, including a review of the patient's most recent x-rays; provided that if none are available, the supervising dentist must order x-rays and they must be reviewed by the licensed dentist prior to treatment; ~~or~~ (iii) established a relationship with the patient through an exchange of protected health information for the purpose of screening a patient ~~providing emergency care, treatment, or services~~ in accordance with the requirements of subsection (c); or (iv) established a relationship with the patient through an exchange of protected health information that meets the requirements of subsection (d) subsection (e). A patient who receives teledentistry services under this Section shall receive a referral to an Illinois-licensed dentist to receive appropriate in-person care.

(b) A dentist may only practice or utilize teledentistry on a patient of record. A dentist practicing dentistry through teledentistry is subject to the same standard of care and practice standards that are applicable to dental services provided in a clinic or office setting. A dentist may provide and delegate dental services using teledentistry to an Illinois-licensed dental hygienist only under the supervision

requirements as specified in this Act for in-person care. A dental hygienist may perform oral prophylaxis procedures; may apply fluoride treatments, but not any product used for the remineralization of teeth, including, but not limited to, silver diamine fluoride; and may process x-rays as ordered by the supervising dentist on a patient of record only after an Illinois-licensed dentist has examined, diagnosed, and authorized such procedures using synchronous systems. A person is limited to 2 oral prophylaxis procedures performed by a licensed dental hygienist using teledentistry until an in-person examination by a licensed dentist has been completed. Local anesthetics and nitrous oxide may not be used during an oral prophylaxis procedure in a teledentistry service by a dental hygienist. Prior to providing teledentistry services to a patient, a dentist must obtain informed consent from the patient as to the treatment proposed to be offered through teledentistry ~~by the dentist~~. The informed consent form shall include a written statement explaining the alternatives to and the capabilities and limitations of teledentistry and shall advise that a teledentistry interaction is not equivalent to an in-person clinical examination and that the dentist is not physically present. Such consent shall also be documented and included in the patient's record. A dentist and dental hygienist providing services via teledentistry under this Section shall provide the patient with their names ~~his or her name~~, direct telephone

~~numbers number~~, and physical practice ~~addresses address~~. It is a violation of this Act for a provider of dental services rendering care through teledentistry to require a patient to sign an agreement that limits in any way the patient's ability to write a review of services received or file a complaint with the Department or other regulatory agency. The Department shall adopt rules, including, but not limited to, minimal technology standards for teledentistry and rules to provide for the use of teledentistry in the State of Illinois.

(c) A dentist may treat a patient of record to provide emergent care or to conduct an initial screening ~~consultation~~ using teledentistry. An initial screening may only be provided using teledentistry by an Illinois-licensed dentist to assess suitability of the patient for treatment at a dental facility or for assessing for acute pain, infection, injury, or an intraoral or perioral condition that presents immediate harm or discomfort to the patient for which treatment cannot be postponed for the purpose of treating or assessing for acute pain, infection, injury, or any intraoral or perioral condition that presents immediate harm or discomfort to the patient for which treatment cannot be postponed. A provider of dental services rendering care or providing a screening through ~~emergent care or conducting an initial consultation through~~ teledentistry must direct the patient to receive appropriate in-person care after the provision of teledentistry services.

(d) An initial examination may be provided using teledentistry but shall only be conducted for the purpose of providing a consultation, for the provision of services authorized in subsection (b), or for treating or assessing acute pain, infection, injury, or any intraoral or perioral condition that presents immediate harm or discomfort to the patient for which treatment cannot be postponed. A provider of dental services rendering care or providing a teledentistry examination must direct the patient to receive appropriate in-person care after the provision of teledentistry services. An initial examination for new patients, excluding patients seeking orthodontic, sleep apnea, or snoring treatment or the functional and cosmetic replacement or treatment of teeth, may be conducted through teledentistry if the authorizing Illinois-licensed dentist establishes a bona fide dentist-patient relationship by reviewing the patient's medical and dental history and verifying both the patient's identity and physical location to ensure that dental care is being administered within the State.

An initial examination for orthodontia, sleep apnea, or snoring treatment or the functional and cosmetic replacement or treatment of teeth shall be performed in person only. Additionally, an in-person clinical examination shall be performed immediately before providing or authorizing services or treatments to patients that are not reversible or that otherwise result in increased risk to the patient. For ongoing

dentist-patient relationships, dentists shall direct patients to be seen in person at least annually.

Nothing in this Section shall be construed to expand the scope of practice for dental hygienists or establish independent hygiene practice.

(Source: P.A. 103-902, eff. 8-9-24; 104-417, eff. 8-15-25.)