



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4810

by Rep. Lilian Jiménez

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Dental Practice Act. Creates a license for dental therapists. Sets forth requirements for licensure, a collaborative management agreement, the examination of applicants, and the scope of practice of dental therapists. Requires the Department of Financial and Professional Regulation to maintain a list of the names and addresses of all dentists, dental therapists, and dental hygienists and of all persons whose licenses have been suspended or revoked, together with other information relative to the enforcement of the Act. Makes conforming and other changes.

LRB104 17877 AAS 31313 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 2, 4, 5, 8.5, 12.5, 13.05, 13.15, 15.5, 16,
6 16.1, 17, 18.5, 19, 19.1, 20, 21, 23, 24, 25, 25.1, 26, 34, 36,
7 37, 38.1, 51, 54.2, 54.3, and 55 and by adding Sections 7.7,
8 14.5, and 14.6 as follows:

9 (225 ILCS 25/2) (from Ch. 111, par. 2302)

10 (Section scheduled to be repealed on January 1, 2031)

11 Sec. 2. Legislative declaration of public policy. The
12 practice of dentistry in the State of Illinois is hereby
13 declared to affect the public health, safety and welfare and
14 to be subject to regulation and control in the public
15 interest. It is further declared to be a matter of public
16 interest and concern that the dental profession merit and
17 receive the confidence of the public and that only qualified
18 persons be permitted to practice dentistry in the State of
19 Illinois. Despite the authority granted under this Act
20 allowing dentists to delegate the performance of certain
21 procedures to dental therapists, dental hygienists, and dental
22 assistants, nothing ~~contained~~ in this Act shall be construed
23 in any way to relieve the supervising dentist from ultimate

1 responsibility for the care of the patient. This Act shall be
2 liberally construed to carry out these objects and purposes.

3 It is further declared to be the public policy of this
4 State, pursuant to subsections (h) and (i) of Section 6 of
5 Article VII of the Illinois Constitution of 1970, that any
6 power or function set forth in this Act to be exercised by the
7 State is an exclusive State power or function. Such power or
8 function shall not be exercised concurrently, either directly
9 or indirectly, by any unit of local government, including home
10 rule units, except as otherwise provided in this Act.

11 (Source: P.A. 104-151, eff. 1-1-26.)

12 (225 ILCS 25/4)

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

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

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

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

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

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

5 "Board" means the Board of Dentistry.

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

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

14 "Dental therapist" means a person licensed to practice
15 dental therapy as authorized by Section 14.6.

16 "Dental therapist supervision" means the supervision of a
17 dental therapist by a licensed dentist who has a collaborative
18 management agreement with the dental therapist that allows the
19 dental therapist to treat patients in any setting outlined by
20 the collaborative management agreement without a dentist first
21 examining the patient or being present in the facility during
22 treatment.

23 "Dental therapy" means the provision of services described
24 in Section 14.6 and any related services or procedures
25 required in the performance of those services.

26 "Dental assistant" means an appropriately trained person

1 who, under the supervision of a dentist, provides dental
2 services as authorized by Section 17.

3 "Expanded function dental assistant" means a dental
4 assistant who has completed the training required by Section
5 17.1 of this Act.

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

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

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

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

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

24 "General supervision" means supervision of a dental
25 hygienist requiring that the patient be a patient of record,
26 that the dentist examine the patient in accordance with

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

8 "Probationary dental therapist supervision" means
9 supervision of a dental therapist by the supervising
10 collaborative dentist, during the dental therapist's
11 probationary supervision period, as determined by the
12 supervising collaborative dentist and outlined by the
13 collaborative management agreement, requiring (i) that the
14 patient be a patient of record, (ii) that the dentist examines
15 the patient in accordance with Section 18.5 prior to treatment
16 by the dental therapist, and (iii) that the dentist authorize
17 the procedures to be carried out by a notation in the patient's
18 record. After the probationary dental therapist supervision
19 period, the dental therapist may work under dental therapist
20 supervision.

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

25 "Dentistry" means the healing art which is concerned with
26 the examination, diagnosis, treatment planning, and care of

1 conditions within the human oral cavity and its adjacent
2 tissues and structures, as further specified in Section 17.

3 "Branches of dentistry" means the various specialties of
4 dentistry which, for purposes of this Act, shall be limited to
5 the following: endodontics, oral and maxillofacial surgery,
6 orthodontics and dentofacial orthopedics, pediatric dentistry,
7 periodontics, prosthodontics, oral and maxillofacial
8 radiology, dental anesthesiology, oral and maxillofacial
9 pathology, dental public health, oral medicine, and orofacial
10 pain.

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

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

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

26 "Impaired dentist", "impaired dental therapist", or

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

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

14 "Patient of record", ~~except as provided in Section 17.2,~~
15 means a patient for whom the patient's most recent dentist,
16 dental therapist, or public health dental hygienist has
17 obtained a relevant medical and dental history and on whom the
18 dentist, dental therapist, or public health dental hygienist
19 has performed an ~~a physical~~ examination ~~within the last year~~
20 and evaluated the conditions ~~condition~~ to be treated,
21 ~~including a review of the patient's most recent x-rays.~~

22 "Dental responder" means a dentist, dental therapist, or
23 dental hygienist who is appropriately certified in disaster
24 preparedness, immunizations, and dental humanitarian medical
25 response consistent with the Society of Disaster Medicine and
26 Public Health and training certified by the National Incident

1 Management System or the National Disaster Life Support
2 Foundation.

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

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

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

20 "Public health supervision" means the supervision of a
21 public health dental hygienist by a licensed dentist who has a
22 written public health supervision agreement with that public
23 health dental hygienist while working in an approved facility
24 or program that allows the public health dental hygienist to
25 treat patients, without a dentist first examining the patient
26 and being present in the facility during treatment, (1) who

1 are eligible for Medicaid or (2) who are uninsured or whose
2 household income is not greater than 300% of the federal
3 poverty level.

4 "Teledentistry" means the use of telehealth systems and
5 methodologies in dentistry and includes patient diagnosis,
6 treatment planning, care, and education delivery for a patient
7 of record using synchronous and asynchronous communications
8 under an Illinois licensed dentist's authority as provided
9 under this Act.

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

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

25 "General anesthesia" means a drug-induced loss of
26 consciousness during which: (1) patients are not arousable,

1 even by painful stimulation; (2) the ability to independently
2 maintain ventilatory function is often impaired; (3) patients
3 often require assistance in maintaining airways and positive
4 pressure ventilation may be required because of depressed
5 spontaneous ventilation or drug-induced depression of
6 neuromuscular function; and (4) cardiovascular function may be
7 impaired.

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

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

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

19 (Source: P.A. 103-425, eff. 1-1-24; 103-431, eff. 1-1-24;
20 103-605, eff. 7-1-24; 103-628, eff. 7-1-24; 103-902, eff.
21 8-9-24; 104-103, eff. 8-1-25; 104-151, eff. 1-1-26; 104-417,
22 eff. 8-15-25; revised 9-15-25.)

23 (225 ILCS 25/5) (from Ch. 111, par. 2305)

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

25 Sec. 5. Powers and duties of Department. Subject to the

1 provisions of this Act, the Department shall exercise the
2 following functions, powers and duties:

3 (a) Conduct or authorize examinations to ascertain the
4 fitness and qualifications of applicants for dental licenses,
5 dental therapist licenses, or dental hygienist licenses, pass
6 upon the qualifications of applicants for licenses, and issue
7 licenses to such as are found to be fit and qualified.

8 (b) Prescribe rules and regulations for a method of
9 examination of candidates.

10 (c) Prescribe rules and regulations defining what shall
11 constitute an approved program, school, college or department
12 of a university except that no program, school, college or
13 department of a university that refuses admittance to
14 applicants solely on account of race, color, creed, sex or
15 national origin shall be approved.

16 (d) Conduct hearings on proceedings to revoke, suspend, or
17 on objection to the issuance of licenses and to revoke,
18 suspend or refuse to issue such licenses.

19 (e) Promulgate rules and regulations required for the
20 administration of this Act.

21 (f) The Department may require completion of a census by
22 all licensed dentists in order to obtain relevant information
23 regarding the availability of dental services within the
24 State.

25 (Source: P.A. 94-1014, eff. 7-7-06.)

1 (225 ILCS 25/8.5)

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

3 Sec. 8.5. Unlicensed practice; violation; civil penalty.

4 (a) Any person who practices, offers to practice, attempts
5 to practice, or holds oneself out to practice dentistry,
6 dental therapy, or dental hygiene without being licensed under
7 this Act shall, in addition to any other penalty provided by
8 law, pay a civil penalty to the Department in an amount not to
9 exceed \$10,000 for each offense as determined by the
10 Department. The civil penalty shall be assessed by the
11 Department after a hearing is held in accordance with the
12 provisions set forth in this Act regarding the provision of a
13 hearing for the discipline of a licensee.

14 (b) The Department has the authority and power to
15 investigate any and all unlicensed activity.

16 (c) The civil penalty shall be paid within 60 days after
17 the effective date of the order imposing the civil penalty.
18 The order shall constitute a judgment and may be filed and
19 execution had thereon in the same manner as any judgment from
20 any court of record.

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

22 (225 ILCS 25/12.5 new)

23 Sec. 12.5. Necessity for licensure of dental therapists.
24 No person, unless the person is a dentist, shall perform the
25 operative procedures of dental therapy without first applying

1 for and obtaining a license for such purpose. The Department
2 shall issue a license authorizing practice as a dental
3 therapist to any person who qualifies for such license
4 pursuant to this Act. In addition to the license authorized by
5 this Section, the Department shall deliver to each dental
6 therapist a separate certificate of identification in a form
7 specified by the Department.

8 (225 ILCS 25/13.05 new)

9 Sec. 13.05. Qualifications of applicants for dental
10 therapy licenses. Every person who desires to obtain a license
11 as a dental therapist shall apply to the Department in
12 writing, upon forms prepared and furnished by the Department.
13 Each application shall contain proof of the particular
14 qualifications required of the applicant, shall be verified by
15 the applicant under oath, and shall be accompanied by the
16 required examination fee.

17 The Department shall require that every applicant for a
18 license as a dental therapist:

19 (1) Be at least 21 years of age and of good moral
20 character.

21 (2) Present satisfactory evidence of having
22 successfully completed a dental therapy program accredited
23 by the Commission on Dental Accreditation of the American
24 Dental Association.

25 (3) Submit evidence that he or she holds a currently

1 valid certification to perform cardiopulmonary
2 resuscitation. The Department shall adopt rules
3 establishing criteria for certification in cardiopulmonary
4 resuscitation. The rules of the Department shall provide
5 for exceptions only in instances where the applicant is a
6 person with a physical disability and therefore unable to
7 secure such certification.

8 (4) Present satisfactory evidence that he or she has
9 successfully completed a dental therapy examination
10 administered by one of the following regional testing
11 services:

12 (i) Central Regional Dental Testing Service, Inc.
13 (CRDTS);

14 (ii) States Resources for Testing and Assessments,
15 Inc. (SRTA) (formerly, Southern Regional Testing
16 Agency, Inc.); or

17 (iii) Commission on Dental Competency Assessments
18 - Western Regional Examining Board - Council of
19 Interstate Testing Agencies, Inc. (CDCA-WREB-CITA).

20 For the purposes of this paragraph (4), "successfully
21 completed" means that the applicant has achieved a minimum
22 passing score as determined by the applicable regional
23 testing service under this paragraph (4).

24 The Secretary may suspend a regional testing service
25 under this paragraph (4) if, after proper notice and
26 hearing, it is established that (i) the integrity of the

1 examination has been breached so as to make future test
2 results unreliable or (ii) the examination is
3 fundamentally deficient in testing clinical competency.

4 (225 ILCS 25/13.15 new)

5 Sec. 13.15. Dental therapist collaborative management
6 agreement. After completion of the requirements of Section
7 13.05 and a period of probationary dental therapist
8 supervision, a dental therapist may operate under the
9 conditions described in Section 14.6 and under supervision by
10 a supervising collaborative dentist.

11 (225 ILCS 25/14.5 new)

12 Sec. 14.5. Examination for licensure as a dental
13 therapist. The examination of applicants for licensure as
14 dental therapists may include both practical demonstrations
15 and written tests and shall encompass the subjects usually
16 taught in programs of dental therapy, approved by the
17 Department. If an applicant fails to pass an examination for
18 licensure under this Act within 3 years after filing an
19 application, the application shall be denied. The applicant
20 may reapply for examination if the applicant pays the required
21 fee and provides evidence of meeting the requirements in
22 effect at the time of reapplication.

23 (225 ILCS 25/14.6 new)

1 Sec. 14.6. Dental therapists; scope and area of practice.

2 (a) Except as otherwise provided in this Act, a dental
3 therapist may perform the dental therapy services specified in
4 subsection (b) under dental therapist supervision to the
5 extent authorized by the supervising dentist and provided
6 within the terms of a collaborative management agreement that
7 meets the requirements of subsection (c) and that is signed by
8 the dental therapist and the supervising dentist.

9 (b) Dental therapy services shall include all of the
10 following:

11 (1) All services, treatments, and competencies
12 identified by the Commission on Dental Accreditation of
13 the American Dental Association in the Accreditation
14 Standards for Dental Therapy Education Programs.

15 (2) The following State-specific services, if the
16 dental therapist's education included curriculum content
17 satisfying the criteria established by the Commission on
18 Dental Accreditation of the American Dental Association
19 for State-specific dental therapy services:

20 (A) comprehensive charting of the oral cavity;

21 (B) supragingival and subgingival scaling and
22 polishing;

23 (C) dental sealant application;

24 (D) exposure and evaluation of radiographic and
25 other images;

26 (E) placement and removal of space maintainers;

1 (F) removal of caries on primary and permanent
2 teeth;

3 (G) placement of direct restorations on primary
4 and permanent teeth;

5 (H) pulp vitality testing;

6 (I) pulpotomies on primary teeth;

7 (J) fabrication and placement of single-tooth
8 temporary crowns;

9 (K) placement of periodontal dressings;

10 (L) extraction of erupted primary teeth and Class
11 III and IV mobility teeth on adults;

12 (M) suture removal;

13 (N) laser bacterial reduction and treatment of
14 oral lesions;

15 (O) brush biopsies;

16 (P) tooth reimplantation and stabilization;

17 (Q) fabrication of athletic mouthguards;

18 (R) minor adjustments and repair of removable
19 prosthetic devices;

20 (S) removal and repair of broken orthodontic
21 appliances;

22 (T) recementation of permanent crowns;

23 (U) emergency palliative treatment of dental pain;

24 (V) vaccine administration;

25 (W) administering or offering non-opioid
26 analgesics, including nitrous oxide,

1 anti-inflammatories, local and topical anesthetics,
2 antibiotics, antimicrobials, and fluorides, as
3 authorized by the supervising collaborative dentist
4 and the collaborative management agreement; and

5 (X) oral evaluation and assessment of oral
6 conditions and dental disease and formulation of an
7 individualized treatment plan if authorized by the
8 supervising collaborative dentist and subject to any
9 conditions, limitations, and protocols specified by
10 the supervising collaborative dentist in the
11 collaborative management agreement.

12 (c) Before performing any of the services authorized in
13 subsection (b), a dental therapist shall enter into a
14 collaborative management agreement with a supervising dentist.
15 The agreement shall be signed by the dental therapist and the
16 supervising collaborative dentist and shall include all of the
17 following information:

18 (1) practice settings where services may be provided
19 by the dental therapist and the populations to be served
20 by the dental therapist;

21 (2) any limitations on the services that may be
22 provided by the dental therapist, including the level of
23 supervision required by the supervising dentist and
24 teledentistry;

25 (3) age-specific and procedure-specific practice
26 protocols for the dental therapist, including case

1 selection criteria, assessment guidelines, and imaging
2 frequency;

3 (4) a procedure for creating and maintaining dental
4 records for the patients who are treated by the dental
5 therapist;

6 (5) a plan to manage medical emergencies in each
7 practice setting where the dental therapist provides care;

8 (6) a quality assurance plan for monitoring care
9 provided by the dental therapist, including patient care
10 review, referral follow-up, and a quality assurance chart
11 review;

12 (7) protocols for the dental therapist to administer
13 or offer medications, including the specific conditions
14 and circumstances under which the medications are to be
15 administered or offered;

16 (8) criteria relating to the provision of care by the
17 dental therapist to patients with specific medical
18 conditions or complex medication histories, including
19 requirements for consultation before the initiation of
20 care;

21 (9) supervision criteria of dental therapists; and

22 (10) a plan for the provision of clinical resources
23 and referrals in situations that are beyond the
24 capabilities of the dental therapist.

25 (d) A supervising collaborative dentist shall determine
26 the number of hours of practice that a dental therapist must

1 complete under probationary dental therapist supervision
2 before the dental therapist may perform any of the services
3 authorized in subsection (b) under dental therapist
4 supervision.

5 (e) A supervising collaborative dentist may restrict or
6 limit the dental therapist's practice in the collaborative
7 management agreement to be less than the full scope of
8 practice for dental therapists that is authorized in
9 subsection (b).

10 (f) A supervising collaborative dentist may authorize a
11 dental therapist to provide dental therapy services to a
12 patient before the supervising collaborative dentist examines
13 or diagnoses the patient if the authority, conditions, and
14 protocols are established in a collaborative management
15 agreement and if the patient is subsequently referred to a
16 dentist for any needed additional services that exceed the
17 dental therapist's scope of practice or authorization under
18 the collaborative management agreement.

19 (g) A supervising collaborative dentist must be licensed
20 and practicing in this State. The supervising collaborative
21 dentist is responsible for all services authorized and
22 performed by the dental therapist pursuant to the
23 collaborative management agreement and for providing or
24 arranging follow-up services to be provided by a dentist for
25 any additional services that exceed the dental therapist's
26 scope of practice or authorization under the collaborative

1 management agreement.

2 (h) A licensed dental therapist may provide services in
3 any of the following health care settings:

4 (1) a hospital;

5 (2) a health care facility or agency other than a
6 hospital;

7 (3) a Federally Qualified Health Center (FQHC) or a
8 FQHC Look-Alike;

9 (4) a nonprofit dental practice or a nonprofit
10 organization that provides dental care to low-income and
11 underserved individuals;

12 (5) a tribal clinic;

13 (6) a correctional facility;

14 (7) a long-term care facility;

15 (8) a military or Veterans Administration hospital,
16 clinic, or care setting;

17 (9) an oral health educational institution;

18 (10) a school-based health center;

19 (11) a local health department;

20 (12) a health care setting in a geographic area
21 designated as a Dental Health Professional Shortage Area
22 by the United States Department of Health and Human
23 Services;

24 (13) any other clinic or practice setting, including a
25 mobile dental unit, in which at least 50% of the annual
26 active patient count of the dental therapists at the

1 clinic or practice setting consists of patients who meet
2 any of the following characteristics:

3 (A) are enrolled in a medical assistance program
4 established under Article V of the Illinois Public Aid
5 Code;

6 (B) have a disability or chronic condition that
7 creates a significant barrier to receiving dental
8 care; or

9 (C) do not have dental coverage and have an annual
10 gross family income equal to 200% of the federal
11 poverty guidelines updated periodically in the Federal
12 Register by the United States Department of Health and
13 Human Services under the authority of 42 U.S.C. 9902;
14 and

15 (14) any other facility authorized to offer dental
16 care under State law.

17 (225 ILCS 25/15.5 new)

18 Sec. 15.5. List of dentists, dental therapists, and dental
19 hygienists. The Department shall maintain a list of the names
20 and addresses of all dentists, dental therapists, and dental
21 hygienists and of all persons whose licenses have been
22 suspended or revoked together with such other information
23 relative to the enforcement of the provisions of this Act as it
24 may deem of interest to the public. Such lists shall also be
25 mailed by the Department to any person upon request and

1 payment of the required fee. In addition, the Department shall
2 keep available for inquiry or inspection a similar list of all
3 persons whose licenses have been suspended or revoked in the
4 interim between such published lists. All lists required to be
5 published or kept by this Section shall be arranged
6 alphabetically.

7 (225 ILCS 25/16) (from Ch. 111, par. 2316)

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

9 Sec. 16. Expiration, renewal and restoration of licenses.
10 The expiration date and renewal date for each license issued
11 under this Act shall be set by rule. The renewal period for
12 each license issued under this Act shall be 3 years. A dentist,
13 dental therapist, or dental hygienist may renew a license
14 during the month preceding its expiration date by paying the
15 required fee. All initial licenses issued during an open
16 renewal period shall have the next expiration date. A dentist,
17 dental therapist, or dental hygienist shall provide proof of
18 current Basic Life Support (BLS) certification intended for
19 health care providers at the time of renewal as provided by
20 rule. Basic Life Support certification training taken as a
21 requirement of this Section shall be counted for no more than 4
22 hours during each licensure period towards the continuing
23 education hours under Section 16.1 of this Act. The Department
24 shall provide by rule for exemptions from this requirement for
25 a dentist, dental therapist, or dental hygienist with a

1 physical disability that would preclude the dentist or dental
2 hygienist from performing BLS.

3 Any dentist, dental therapist, or dental hygienist whose
4 license has expired or whose license is on inactive status may
5 have the license restored at any time within 5 years after the
6 expiration thereof, upon payment of the required fee and a
7 showing of proof of compliance with current continuing
8 education requirements, as provided by rule.

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

23 If a person whose license has expired or who has had a
24 license on inactive status for more than 5 years has not
25 maintained an active practice satisfactory to the Department
26 ~~department~~, the Department shall determine, by an evaluation

1 process established by rule, the person's fitness to resume
2 active status and may require the person to complete a period
3 of evaluated clinical experience and may require successful
4 completion of a practical examination.

5 However, any person whose license expired while the person
6 was (i) on active duty with the Armed Forces of the United
7 States or called into service or training by the State militia
8 or (ii) in training or education under the supervision of the
9 United States preliminary to induction into the military
10 service, may have the person's license renewed, reinstated, or
11 restored without paying any lapsed renewal or restoration fee,
12 if within 2 years after termination of such service, training,
13 or education other than by dishonorable discharge, the person
14 furnishes the Department with satisfactory proof that the
15 person has been so engaged and that the person's service,
16 training, or education has been so terminated.

17 (Source: P.A. 103-687, eff. 7-19-24; 104-151, eff. 1-1-26.)

18 (225 ILCS 25/16.1) (from Ch. 111, par. 2316.1)

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

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

1 and a minimum of 36 hours of study in approved continuing
2 education courses for dental hygienists during each 3-year
3 licensing period.

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

25 No license shall be renewed unless the renewal application
26 is accompanied by an affidavit indicating that the applicant

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

1 license under this Act shall be required to complete only the
2 minimum number of hours of continuing education required for
3 renewal of a single license. The Department may provide
4 exemptions from continuing education requirements.

5 (Source: P.A. 103-425, eff. 1-1-24.)

6 (225 ILCS 25/17)

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

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

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

15 (2) Who is a manager, proprietor, operator, or
16 conductor of a business where dental operations are
17 performed; or

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

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

21 (5) Who extracts a human tooth or teeth, or corrects
22 or attempts to correct malpositions of the human teeth or
23 jaws; or

24 (6) Who offers or undertakes, by any means or method,
25 to diagnose, treat, or remove stains, calculus, and

1 bonding materials from human teeth or jaws; or

2 (7) Who uses or administers local or general
3 anesthetics in the treatment of dental or oral diseases or
4 in any preparation incident to a dental operation of any
5 kind or character; or

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

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

17 (10) Who instructs students on clinical matters or
18 performs any clinical operation included in the curricula
19 of recognized dental or dental therapy schools and
20 colleges; or

21 (11) Who takes material or digital scans for final
22 impressions of human teeth or places the person's hands in
23 the mouth of any person for the purpose of applying teeth
24 whitening materials, or who takes impressions of human
25 teeth or places the person's hands in the mouth of any
26 person for the purpose of assisting in the application of

1 teeth whitening materials. A person does not practice
2 dentistry when the person discloses to the consumer that
3 the person is not licensed as a dentist under this Act and
4 (i) discusses the use of teeth whitening materials with a
5 consumer purchasing these materials; (ii) provides
6 instruction on the use of teeth whitening materials with a
7 consumer purchasing these materials; or (iii) provides
8 appropriate equipment on-site to the consumer for the
9 consumer to self-apply teeth whitening materials.

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

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

17 (a) The rendering of dental relief in emergency cases
18 in the practice of the person's profession by a physician
19 or surgeon, licensed as such under the laws of this State,
20 unless the person undertakes to reproduce or reproduces
21 lost parts of the human teeth in the mouth or to restore or
22 replace lost or missing teeth in the mouth; or

23 (b) The practice of dentistry in the discharge of
24 their official duties by dentists in any branch of the
25 Armed Services of the United States, the United States
26 Public Health Service, or the United States Veterans

1 Administration; or

2 (c) The practice of dentistry by students in their
3 course of study in dental schools or colleges approved by
4 the Department, when acting under the direction and
5 supervision of dentists acting as instructors; or

6 (d) The practice of dentistry by clinical instructors
7 in the course of their teaching duties in dental or dental
8 therapy schools or colleges approved by the Department:

9 (i) when acting under the direction and
10 supervision of dentists, provided that such clinical
11 instructors have instructed continuously in this State
12 since January 1, 1986; or

13 (ii) when holding the rank of full professor at
14 such approved dental or dental therapy school or
15 college and possessing a current valid license or
16 authorization to practice dentistry in another
17 country; or

18 (e) The practice of dentistry by licensed dentists of
19 other states or countries at meetings of the Illinois
20 State Dental Society or component parts thereof, alumni
21 meetings of dental colleges, or any other like dental
22 organizations, while appearing as clinicians; or

23 (f) The use of X-Ray machines for exposing X-Ray films
24 or digital images of dental or oral tissues by dental
25 therapists, dental hygienists, or dental assistants; or

26 (g) The performance of any dental service by a dental

1 therapist, dental hygienist, or dental assistant, if such
2 service is performed under the supervision and full
3 responsibility of a dentist. In addition, after being
4 authorized by a dentist, a dental assistant, dental
5 therapist, or dental hygienist may, for the purpose of
6 eliminating pain or discomfort, remove loose, broken, or
7 irritating orthodontic appliances on a patient of record.

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

12 (1) Any and all diagnosis of or prescription for
13 treatment of disease, pain, deformity, deficiency,
14 injury, or physical condition of the human teeth or
15 jaws, or adjacent structures.

16 (2) Removal of, restoration of, or addition to the
17 hard or soft tissues of the oral cavity, except for the
18 placing, carving, and finishing of amalgam
19 restorations and placing, packing, and finishing
20 composite restorations by dental therapists and dental
21 assistants who have had additional formal education
22 and certification.

23 A dental assistant or dental therapist may place,
24 carve, and finish amalgam restorations, place, pack,
25 and finish composite restorations, and place interim
26 restorations if the dental assistant (A) has

1 successfully completed a structured training program
2 as described in item (2) of paragraph ~~subsection~~ (g)
3 provided by an educational institution accredited by
4 the Commission on Dental Accreditation, such as a
5 dental or dental therapy school or a dental hygiene or
6 dental assistant program, or (B) has at least 4,000
7 hours of direct clinical patient care experience and
8 has successfully completed a structured training
9 program as described in item (2) of paragraph
10 ~~subsection~~ (g) provided by a statewide dental
11 association, approved by the Department to provide
12 continuing education, that has developed and conducted
13 training programs for expanded functions for dental
14 therapists, dental assistants, or dental hygienists.
15 The training program must: (i) include a minimum of 16
16 hours of didactic study and 14 hours of clinical
17 manikin instruction; all training programs shall
18 include areas of study in nomenclature, caries
19 classifications, oral anatomy, periodontium, basic
20 occlusion, instrumentations, pulp protection liners
21 and bases, dental materials, matrix and wedge
22 techniques, amalgam placement and carving, rubber dam
23 clamp placement, and rubber dam placement and removal;
24 (ii) include an outcome assessment examination that
25 demonstrates competency; (iii) require the supervising
26 dentist to observe and approve the completion of 8

1 amalgam or composite restorations; and (iv) issue a
2 certificate of completion of the training program,
3 which must be kept on file at the dental office and be
4 made available to the Department upon request. A
5 dental assistant must have successfully completed an
6 approved coronal polishing and dental sealant course
7 prior to taking the amalgam and composite restoration
8 course.

9 A dentist utilizing dental assistants shall not
10 supervise more than 4 dental assistants at any one
11 time for placing, carving, and finishing of amalgam
12 restorations or for placing, packing, and finishing
13 composite restorations.

14 (3) Any and all correction of malformation of
15 teeth or of ~~the~~ jaws.

16 (4) Administration of anesthetics, except for
17 monitoring of nitrous oxide, moderate sedation, deep
18 sedation, and general anesthetic as provided in
19 Section 8.1 of this Act, that may be performed only
20 after successful completion of a training program
21 approved by the Department. A dentist utilizing dental
22 assistants shall not supervise more than 4 dental
23 assistants at any one time for the monitoring of
24 nitrous oxide.

25 (5) Removal of calculus from human teeth.

26 (6) Taking of material or digital scans for final

1 impressions for the fabrication of prosthetic
2 appliances, crowns, bridges, inlays, onlays, or other
3 restorative or replacement dentistry.

4 (7) The operative procedure of dental hygiene
5 consisting of oral prophylactic procedures, except for
6 coronal polishing and pit and fissure sealants, which
7 may be performed by a dental assistant who has
8 successfully completed a training program approved by
9 the Department. Dental assistants may perform coronal
10 polishing under the following circumstances: (i) the
11 coronal polishing shall be limited to polishing the
12 clinical crown of the tooth and existing restorations,
13 supragingivally; (ii) the dental assistant performing
14 the coronal polishing shall be limited to the use of
15 rotary instruments using a rubber cup or brush
16 polishing method (air polishing is not permitted); and
17 (iii) the supervising dentist shall not supervise more
18 than 4 dental assistants at any one time for the task
19 of coronal polishing or pit and fissure sealants.

20 In addition to coronal polishing and pit and
21 fissure sealants as described in this item (7), a
22 dental assistant who has at least 2,000 hours of
23 direct clinical patient care experience and who has
24 successfully completed a structured training program
25 provided by (1) an educational institution including,
26 but not limited to, a dental school or dental hygiene

1 or dental assistant program, (2) a continuing
2 education provider approved by the Department, or (3)
3 a statewide dental or dental hygienist association
4 that has developed and conducted a training program
5 for expanded functions for dental assistants or
6 hygienists may perform: (A) coronal scaling above the
7 gum line, supragingivally, on the clinical crown of
8 the tooth only on patients 17 years of age or younger
9 who have an absence of periodontal disease and who are
10 not medically compromised or individuals with special
11 needs and (B) intracoronal temporization of a tooth.
12 The training program must: (I) include a minimum of 32
13 hours of instruction in both didactic and clinical
14 manikin or human subject instruction; all training
15 programs shall include areas of study in dental
16 anatomy, public health dentistry, medical history,
17 dental emergencies, and managing the pediatric
18 patient; (II) include an outcome assessment
19 examination that demonstrates competency; (III)
20 require the supervising dentist to observe and approve
21 the completion of 6 full mouth supragingival scaling
22 procedures unless the training was received as a part
23 of a Commission on Dental Accreditation approved
24 dental assistant program; and (IV) issue a certificate
25 of completion of the training program, which must be
26 kept on file at the dental office and be made available

1 to the Department upon request. A dental assistant
2 must have successfully completed an approved coronal
3 polishing course prior to taking the coronal scaling
4 course. A dental assistant performing these functions
5 shall be limited to the use of hand instruments only.
6 In addition, coronal scaling as described in this
7 paragraph shall only be utilized on patients who are
8 eligible for Medicaid, who are uninsured, or whose
9 household income is not greater than 300% of the
10 federal poverty level. A dentist may not supervise
11 more than 2 dental assistants at any one time for the
12 task of coronal scaling.

13 The limitations on the number of dental assistants a
14 dentist may supervise contained in items (2), (4), and (7)
15 of this paragraph (g) mean a limit of 4 total dental
16 assistants or dental hygienists doing expanded functions
17 covered by these Sections being supervised by one dentist;
18 or

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

20 (i) has applied in writing to the Department, in
21 form and substance satisfactory to the Department, for
22 a general dental license and has complied with all
23 provisions of Section 9 of this Act, except for the
24 passage of the examination specified in subsection (e)
25 of Section 9 of this Act; or

26 (ii) has applied in writing to the Department, in

1 form and substance satisfactory to the Department, for
2 a temporary dental license and has complied with all
3 provisions of subsection (c) of Section 11 of this
4 Act; and

5 (iii) has been accepted or appointed for specialty
6 or residency training by a hospital situated in this
7 State; or

8 (iv) has been accepted or appointed for specialty
9 training in an approved dental program situated in
10 this State; or

11 (v) has been accepted or appointed for specialty
12 training in a dental public health agency situated in
13 this State.

14 The applicant shall be permitted to practice dentistry
15 for a period of 3 months from the starting date of the
16 program, unless authorized in writing by the Department to
17 continue such practice for a period specified in writing
18 by the Department.

19 The applicant shall only be entitled to perform such
20 acts as may be prescribed by and incidental to the
21 applicant's program of residency or specialty training and
22 shall not otherwise engage in the practice of dentistry in
23 this State.

24 The authority to practice shall terminate immediately
25 upon:

26 (1) the decision of the Department that the

- 1 applicant has failed the examination; or
2 (2) denial of licensure by the Department; or
3 (3) withdrawal of the application.

4 (Source: P.A. 103-425, eff. 1-1-24; 103-431, eff. 1-1-24;
5 103-605, eff. 7-1-24; 103-628, eff. 7-1-24; 104-103, eff.
6 8-1-25; 104-151, eff. 1-1-26; revised 11-21-25.)

7 (225 ILCS 25/18.5 new)

8 Sec. 18.5. Dental therapist supervision responsibilities.

9 (a) When working together, the dentist and dental
10 therapist shall enter into a collaborative management
11 agreement. The dentist providing dental therapist supervision
12 shall:

13 (1) define the period of probationary dental therapist
14 supervision which would allow the dentist and dental
15 therapist to work together collaboratively before they
16 work together via dental therapist supervision;

17 (2) be available to provide an appropriate level of
18 contact, communication, collaboration, and consultation
19 with the dental therapist and must meet in person with the
20 dental therapist at least quarterly for review and
21 consultation;

22 (3) have specific standing orders or policy guidelines
23 for procedures that are to be carried out for each
24 location or program, although the dentist need not be
25 present when the procedures are being performed;

1 (4) provide for the patient's additional necessary
2 care in consultation with the dental therapist;

3 (5) file agreements and notifications as required; and

4 (6) include procedures for creating and maintaining
5 dental records, including protocols for transmission of
6 all records between the dental therapist and the dentist
7 following each treatment, which shall include a notation
8 regarding procedures authorized by the dentist and
9 performed by the dental therapist and the location where
10 those records are to be kept.

11 Each dentist and dental therapist who enters into a
12 collaborative management agreement must document and maintain
13 a copy of any change or termination of that agreement.

14 Dental records shall be owned and maintained by the
15 supervising collaborative dentist for all patients treated by
16 the dental therapist unless the supervising collaborative
17 dentist is an employee of a public health clinic or federally
18 qualified health center, in which case the public health
19 clinic or federally qualified health center shall maintain the
20 records.

21 If a dentist ceases to be employed or contracted by a
22 facility, the dentist shall notify the facility administrator
23 that the dental therapy collaborative management agreement is
24 no longer in effect. A new collaborative management agreement
25 is required for the dental therapist to continue treating
26 patients.

1 A dentist entering into an agreement under this Section
2 may supervise and enter into agreements for dental therapist
3 collaborative management supervision with 2 dental therapists.
4 This subsection (a) shall be in addition to the limit of 4
5 dental hygienists per dentist set forth in subsection (g) of
6 Section 18.

7 (b) A dental therapist providing services under a
8 collaborative management agreement may perform only those
9 duties within the accepted scope of practice in the
10 collaborative management agreement, described in Section 14.6,
11 and other procedures and acts as shall be determined by the
12 Department by rule.

13 (c) A dental therapist providing services under a
14 collaborative management agreement shall:

15 (1) provide to the patient, parent, or guardian a
16 written plan for referral or an agreement for follow-up
17 that records all conditions observed that should be called
18 to the attention of a dentist for proper diagnosis;

19 (2) have each patient sign a consent form that informs
20 them that they are receiving care from a licensed dental
21 therapist working under the supervision of a licensed
22 dentist;

23 (3) inform each patient who may require further dental
24 services of that need; and

25 (4) maintain an appropriate level of contact and
26 communication with the supervising collaborative dentist

1 providing collaborative management agreement supervision.
2 (d) Dental therapists providing services under a
3 collaborative management agreement may be compensated for the
4 dental therapist's work by salary, honoraria, and other
5 mechanisms by the employing or sponsoring entity. Nothing in
6 this Act shall preclude the entity that employs or sponsors a
7 dental therapist from seeking payment, reimbursement, or other
8 sources of funding for the services provided.

9 (225 ILCS 25/19) (from Ch. 111, par. 2319)

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

11 Sec. 19. Endorsement. Any person who has been lawfully
12 licensed to practice dentistry, including the practice of a
13 licensed dental specialty, dental therapy, or dental hygiene
14 in another state or territory or as a member of the military
15 service which has and maintains a standard for the practice of
16 dentistry, a dental specialty, dental therapy, or dental
17 hygiene at least equal to that now maintained in this State, or
18 if the requirements for licensure in such state or territory
19 in which the applicant was licensed were, at the date of the
20 applicant's licensure, substantially equivalent to the
21 requirements then in force in this State, and who has been
22 lawfully engaged in the practice of dentistry or dental
23 hygiene for at least 2 years immediately preceding the filing
24 of the application to practice in this State and who shall
25 deposit with the Department a duly attested certificate from

1 the Board of the state or territory in which the person is
2 licensed, certifying to the fact of the person's licensing and
3 of the person being a person of good moral character may, upon
4 payment of the required fee, be granted a license to practice
5 dentistry, a dental specialty, dental therapy, or dental
6 hygiene in this State, as the case may be.

7 For the purposes of this Section, "substantially
8 equivalent" means that the applicant has presented evidence of
9 completion and graduation from an American Dental Association
10 Commission on Dental Accreditation (CODA) accredited dental
11 college or school in the United States or Canada, presented
12 evidence that the applicant has passed both parts of the
13 National Board Dental Examination, except when the applicant
14 is applying for a license to practice dental therapy, and has
15 successfully completed an examination conducted by a regional
16 testing service.

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

23 (Source: P.A. 103-425, eff. 1-1-24; 104-151, eff. 1-1-26.)

24 (225 ILCS 25/19.1)

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

1 Sec. 19.1. Temporary authorization of applicants from
2 other jurisdictions. A person holding an active, unencumbered
3 license in good standing in another jurisdiction who applies
4 for a license pursuant to Section 19 of this Act due to a
5 natural disaster or catastrophic event in another
6 jurisdiction, may be temporarily authorized by the Secretary
7 to practice dentistry, dental therapy, or dental hygiene under
8 the supervision of a dentist licensed under this Act, pending
9 the issuance of the license. This temporary authorization
10 shall expire upon the issuance of the license or upon
11 notification that the Department has denied licensure.

12 The Department may adopt all rules necessary for the
13 administration of this Section.

14 (Source: P.A. 94-1014, eff. 7-7-06.)

15 (225 ILCS 25/20) (from Ch. 111, par. 2320)

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

17 Sec. 20. Display of licenses. Any person licensed to
18 practice dentistry, dental therapy, or dental hygiene in this
19 State by the Department as hereinbefore provided, shall at all
20 times display such license or duplicate original thereof in a
21 conspicuous place, in the person's office wherein the person
22 shall practice such profession, and shall further, whenever
23 requested, exhibit such license to any of the members of the
24 Department or its authorized agent. Upon proof by affidavit,
25 the Department shall provide a duplicate if such person

1 establishes that the person's license is lost or stolen or
2 that the person practices at multiple locations.

3 (Source: P.A. 104-151, eff. 1-1-26.)

4 (225 ILCS 25/21) (from Ch. 111, par. 2321)

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

6 Sec. 21. Fees. The fees for the administration and
7 enforcement of this Act, including but not limited to original
8 licensure, renewal, and restoration fees, shall be set by the
9 Department by rule. However, the fee for application for
10 renewal of a license as a dentist or specialist is \$100 per
11 year and the fee for application for renewal of a license as a
12 dental therapist or dental hygienist is \$50 per year. The fees
13 shall be nonrefundable.

14 (Source: P.A. 92-523, eff. 2-8-02.)

15 (225 ILCS 25/23) (from Ch. 111, par. 2323)

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

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

24 1. Fraud, misrepresentation, or concealment in

1 applying for or procuring a license under this Act, or in
2 connection with applying for renewal of a license under
3 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 the patient's 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 any 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, dental
7 therapist, or dental hygienist to engage in the practice
8 of dentistry, dental therapy, or dental hygiene. The
9 person practiced upon is not an accomplice, employer,
10 procurer, inducer, aider, or abettor ~~abettor~~ within the
11 meaning of this Act.

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

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

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

1 Illinois Public Aid Code.

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

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

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

16 13. Permitting a dental hygienist, dental therapist,
17 dental assistant or other person under the licensee's
18 supervision to perform any operation not authorized by
19 this Act.

20 14. Permitting more than 4 dental hygienists to be
21 employed under the licensee's supervision at any one time.

22 15. A violation of any provision of this Act or any
23 rules promulgated under this Act.

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

26 17. Violating any provision of Section 45 relating to

1 advertising.

2 18. Discipline by another U.S. jurisdiction or foreign
3 nation, if at least one of the grounds for the discipline
4 is the same or substantially equivalent to those set forth
5 within this Act.

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

9 20. Gross negligence in practice under this Act.

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

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

20 23. Professional incompetence as manifested by poor
21 standards of care.

22 24. Physical or mental illness, including, but not
23 limited to, deterioration through the aging process, or
24 loss of motor skills which results in a dentist's
25 inability to practice dentistry with reasonable judgment,
26 skill or safety. In enforcing this paragraph, the

1 Department may compel a person licensed to practice under
2 this Act to submit to a mental or physical examination
3 pursuant to the terms and conditions of Section 23b.

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

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

10 (b) Reporting charges for services not rendered.

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

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

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

24 28. Violating the Health Care Worker Self-Referral
25 Act.

26 29. Abandonment of a patient.

1 30. Mental incompetency as declared by a court of
2 competent jurisdiction.

3 31. A finding by the Department that the licensee,
4 after having the licensee's license placed on probationary
5 status, has violated the terms of probation.

6 32. Material misstatement in furnishing information to
7 the Department.

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

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

14 35. Cheating on or attempting to subvert the licensing
15 examination administered under this Act.

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

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

21 38. Failure to provide copies of dental records as
22 required by law.

23 39. Failure of a licensed dentist who owns or is
24 employed at a dental office to give notice of an office
25 closure to the dentist's patients at least 30 days prior
26 to the office closure pursuant to Section 50.1.

1 40. Failure to maintain a sanitary work environment.

2 41. Failure to comply with the provisions of Section
3 17.2 of this Act.

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

17 All fines imposed under this Section shall be paid within
18 60 days after the effective date of the order imposing the fine
19 or in accordance with the terms set forth in the order imposing
20 the fine.

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

1 any such tax Act are satisfied.

2 Any dentist who has had a license suspended or revoked for
3 more than 5 years must comply with the requirements for
4 restoration set forth in Section 16 prior to being eligible
5 for reinstatement from the suspension or revocation.

6 (Source: P.A. 103-425, eff. 1-1-24; 103-902, eff. 8-9-24;
7 104-151, eff. 1-1-26.)

8 (225 ILCS 25/24) (from Ch. 111, par. 2324)

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

10 Sec. 24. Refusal, suspension, or revocation of a dental
11 therapist or dental hygienist license. The Department may
12 refuse to issue or renew or may revoke, suspend, place on
13 probation, reprimand or take other disciplinary or
14 non-disciplinary action as the Department may deem proper,
15 including imposing fines not to exceed \$10,000 per violation,
16 with regard to any dental therapist or dental hygienist
17 license for any one or any combination of the following
18 causes:

19 1. Fraud or misrepresentation in applying for or
20 procuring a license under this Act, or in connection with
21 applying for renewal of a license under this Act.

22 2. Performing any operation not authorized by this
23 Act.

24 3. Practicing dental therapy or dental hygiene other
25 than under the supervision of a licensed dentist as

1 provided by this Act.

2 4. The willful violation of, or the willful procuring
3 of, or knowingly assisting in the violation of, any Act
4 which is now or which hereafter may be in force in this
5 State relating to the use of habit-forming drugs.

6 5. The obtaining of, or an attempt to obtain a
7 license, or practice in the profession, or money, or any
8 other thing of value by fraudulent representation.

9 6. Gross negligence in performing the operative
10 procedure of dental therapy or dental hygiene.

11 7. Active practice of dental therapy or dental hygiene
12 while knowingly having any infectious, communicable, or
13 contagious disease proscribed by rule or regulation of the
14 Department.

15 8. Inability to practice with reasonable judgment,
16 skill, or safety as a result of habitual or excessive use
17 or addiction to alcohol, narcotics, stimulants, or any
18 other chemical agent or drug.

19 9. Conviction by plea of guilty or nolo contendere,
20 finding of guilt, jury verdict, or entry of judgment or by
21 sentencing of any crime, including, but not limited to,
22 convictions, preceding sentences of supervision,
23 conditional discharge, or first offender probation, under
24 the laws of any jurisdiction of the United States that (i)
25 is a felony or (ii) is a misdemeanor, an essential element
26 of which is dishonesty, or that is directly related to the

1 practice of dental therapy or dental hygiene.

2 10. Aiding or abetting the unlicensed practice of
3 dentistry, dental therapy, or dental hygiene.

4 11. Discipline by another U.S. jurisdiction or a
5 foreign nation, if at least one of the grounds for the
6 discipline is the same or substantially equivalent to
7 those set forth in this Act.

8 12. Violating the Health Care Worker Self-Referral
9 Act.

10 13. Violating the prohibitions of Section 38.1 of this
11 Act.

12 14. Engaging in dishonorable, unethical, or
13 unprofessional conduct of a character likely to deceive,
14 defraud, or harm the public.

15 15. A finding by the Department that the licensee,
16 after having the licensee's license placed on probationary
17 status, has violated the terms of probation.

18 16. Material misstatement in furnishing information to
19 the Department.

20 17. Failing, within 60 days, to provide information in
21 response to a written request by the Department in the
22 course of an investigation.

23 18. Immoral conduct in the commission of any act,
24 including, but not limited to, commission of an act of
25 sexual misconduct related to the licensee's practice.

26 19. Cheating on or attempting to subvert the licensing

1 examination administered under this Act.

2 20. Violations of this Act or of the rules promulgated
3 under this Act.

4 21. Practicing under a false or, except as provided by
5 law, an assumed name.

6 The provisions of this Act relating to proceedings for the
7 suspension and revocation of a license to practice dentistry
8 shall apply to proceedings for the suspension or revocation of
9 a license as a dental therapist or a dental hygienist.

10 All proceedings to suspend, revoke, place on probationary
11 status, or take any other disciplinary action as the
12 Department may deem proper with regard to a license on any of
13 the grounds contained in this Section, must be commenced
14 within 5 years after receipt by the Department of a complaint
15 alleging the commission of or notice of the conviction order
16 for any of the acts described in this Section. Except for fraud
17 in procuring a license, no action shall be commenced more than
18 7 years after the date of the incident or act alleged to have
19 violated this Section. The time during which the holder of the
20 license was outside the State of Illinois shall not be
21 included within any period of time limiting the commencement
22 of disciplinary action by the Department.

23 All fines imposed under this Section shall be paid within
24 60 days after the effective date of the order imposing the fine
25 or in accordance with the terms set forth in the order imposing
26 the fine.

1 Any dental therapist or dental hygienist who has had a
2 license suspended or revoked for more than 5 years must comply
3 with the requirements for restoration set forth in Section 16
4 prior to being eligible for reinstatement from the suspension
5 or revocation.

6 (Source: P.A. 104-151, eff. 1-1-26.)

7 (225 ILCS 25/25) (from Ch. 111, par. 2325)

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

9 Sec. 25. Notice of hearing; investigations and informal
10 conferences.

11 (a) Upon the motion of either the Department or the Board
12 or upon the verified complaint in writing of any person
13 setting forth facts which if proven would constitute grounds
14 for refusal, suspension, or revocation of a license under this
15 Act, the Board shall investigate the actions of any person,
16 hereinafter called the respondent, who holds or represents
17 that the person holds a license. All such motions or
18 complaints shall be brought to the Board.

19 (b) Prior to taking an in-person statement from a dentist,
20 dental therapist, or dental hygienist who is the subject of a
21 complaint, the investigator shall inform the dentist, the
22 dental therapist, or the dental hygienist in writing:

23 (1) that the dentist, dental therapist, or dental
24 hygienist is the subject of a complaint;

25 (2) that the dentist, dental therapist, or dental

1 hygienist need not immediately proceed with the interview
2 and may seek appropriate consultation prior to consenting
3 to the interview; and

4 (3) that failure of the dentist, dental therapist, or
5 dental hygienist to proceed with the interview shall not
6 prohibit the Department from conducting a visual
7 inspection of the facility.

8 A Department investigator's failure to comply with this
9 subsection may not be the sole ground for dismissal of any
10 order of the Department filed upon a finding of a violation or
11 for dismissal of a pending investigation.

12 (b-5) The duly authorized dental investigators of the
13 Department shall have the right to enter and inspect, during
14 business hours, the business premises of a dentist licensed
15 under this Act or of a person who holds oneself out as
16 practicing dentistry, with due consideration for patient care
17 of the subject of the investigation, so as to inspect the
18 physical premises and equipment and furnishings therein. This
19 right of inspection shall not include inspection of business,
20 medical, or personnel records located on the premises without
21 a Department subpoena issued in accordance with Section 25.1
22 of this Act or Section 2105-105 of the Department of
23 Professional Regulation Law of the Civil Administrative Code
24 of Illinois. For the purposes of this Section, "business
25 premises" means the office or offices where the dentist
26 conducts the practice of dentistry.

1 (c) If the Department concludes on the basis of a
2 complaint or its initial investigation that there is a
3 possible violation of the Act, the Department may:

4 (1) schedule a hearing pursuant to this Act; or

5 (2) request in writing that the dentist, dental
6 therapist, or dental hygienist being investigated attend
7 an informal conference with representatives of the
8 Department.

9 The request for an informal conference shall contain the
10 nature of the alleged actions or inactions that constitute the
11 possible violations.

12 A dentist, dental therapist, or dental hygienist shall be
13 allowed to have legal counsel at the informal conference. If
14 the informal conference results in a consent order between the
15 accused dentist, dental therapist, or dental hygienist and the
16 Department, the consent order must be approved by the
17 Secretary. However, if the consent order would result in a
18 fine exceeding \$10,000 or the suspension or revocation of the
19 dentist, dental therapist, or dental hygienist license, the
20 consent order must be approved by the Board and the Secretary.
21 Participation in the informal conference by a dentist, a
22 dental therapist, a dental hygienist, or the Department and
23 any admissions or stipulations made by a dentist, a dental
24 therapist, a dental hygienist, or the Department at the
25 informal conference, including any agreements in a consent
26 order that is subsequently disapproved by either the Board or

1 the Secretary, shall not be used against the dentist, dental
2 therapist, dental hygienist, or Department in ~~at~~ any
3 subsequent hearing and shall not become a part of the record of
4 the hearing.

5 (d) The Secretary shall, before suspending, revoking,
6 placing on probationary status, or taking any other
7 disciplinary action as the Secretary may deem proper with
8 regard to any license, at least 30 days prior to the date set
9 for the hearing, notify the respondent in writing of any
10 charges made and the time and place for a hearing of the
11 charges before the Board, direct the respondent to file the
12 written answer thereto to the Board under oath within 20 days
13 after the service on the respondent of such notice and inform
14 the respondent that if the respondent fails to file such
15 answer, default will be taken against the respondent and the
16 respondent's license may be suspended, revoked, placed on
17 probationary status, or other disciplinary action may be taken
18 with regard thereto, including limiting the scope, nature or
19 extent of the respondent's practice, as the Secretary may deem
20 proper.

21 (e) Such written notice and any notice in such proceedings
22 thereafter may be served by delivery personally to the
23 respondent, or by registered or certified mail to the
24 respondent's ~~licensee's~~ address of record or email address of
25 record.

26 (Source: P.A. 104-151, eff. 1-1-26.)

1 (225 ILCS 25/25.1)

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

3 Sec. 25.1. Subpoena powers.

4 (a) The Department, upon a determination by the
5 chairperson of the Board that reasonable cause exists that a
6 violation of one or more of the grounds for discipline set
7 forth in Section 23 or Section 24 of this Act has occurred or
8 is occurring, may subpoena, without patient consent, the
9 dental records of individual patients of dentists, dental
10 therapists, and dental hygienists licensed under this Act.

11 (b) Notwithstanding subsection (a) of this Section, the
12 Board and the Department may subpoena copies of hospital,
13 medical, or dental records in mandatory report cases alleging
14 death or permanent bodily injury when consent to obtain the
15 records has not been provided by a patient or a patient's legal
16 representative. All records and other information received
17 pursuant to a subpoena shall be confidential and shall be
18 afforded the same status as information concerning medical
19 studies under Part 21 of Article VIII of the Code of Civil
20 Procedure. The use of these records shall be restricted to
21 members of the Board, the dental coordinator, and appropriate
22 Department staff designated by the Secretary for the purpose
23 of determining the existence of one or more grounds for
24 discipline of the dentist, dental therapist, or dental
25 hygienist as provided for in Section 23 or Section 24 of this

1 Act.

2 (c) Any review of an individual patient's records shall be
3 conducted by the Department in strict confidentiality,
4 provided that the patient records shall be admissible in a
5 disciplinary hearing before the Secretary, the Board, or a
6 hearing officer designated by the Department when necessary to
7 substantiate the grounds for discipline alleged against the
8 dentist, dental therapist, or dental hygienist licensed under
9 this Act.

10 (d) The Department may provide reimbursement for fees and
11 mileage associated with its subpoena power in the same manner
12 prescribed by law for judicial procedure in a civil case.

13 (e) Nothing in this Section shall be deemed to supersede
14 the provisions of Part 21 of Article VIII of the Code of Civil
15 Procedure, now or hereafter amended, to the extent applicable.

16 (f) All information gathered by the Department during any
17 investigation, including information subpoenaed under this Act
18 and the investigative file, shall be kept for the confidential
19 use of the Secretary, the dental coordinator, the Board's
20 attorneys, the dental investigative staff, authorized clerical
21 staff, and persons employed by contract to advise the dental
22 coordinator or the Department as provided in this Act, except
23 that the Department may disclose information and documents to
24 (i) a federal, State, or local law enforcement agency pursuant
25 to a subpoena in an ongoing criminal investigation or (ii) a
26 dental licensing authority of another state or jurisdiction

1 pursuant to an official request made by that authority. Any
2 information or documents disclosed by the Department to a
3 federal, State, or local law enforcement agency may only be
4 used by that agency for the investigation and prosecution of a
5 criminal offense. Any information or documents disclosed by
6 the Department to a dental licensing authority of another
7 state or jurisdiction may only be used by that authority for
8 investigations and disciplinary proceedings with regards to a
9 license.

10 This subsection (f) applies only to causes of action
11 accruing on or after the effective date of this amendatory Act
12 of the 96th General Assembly.

13 (Source: P.A. 104-151, eff. 1-1-26.)

14 (225 ILCS 25/26) (from Ch. 111, par. 2326)

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

16 Sec. 26. Disciplinary actions.

17 (a) In case the respondent, after receiving notice, fails
18 to file an answer, the respondent's license may, in the
19 discretion of the Secretary, having first received the
20 recommendation of the Board, be suspended, revoked, placed on
21 probationary status, or the Secretary may take whatever
22 disciplinary or non-disciplinary action the Secretary may deem
23 proper, including limiting the scope, nature, or extent of the
24 person's practice or the imposition of a fine, without a
25 hearing, if the act or acts charged constitute sufficient

1 grounds for such action under this Act.

2 (b) The Secretary may temporarily suspend the license of a
3 dentist, dental therapist, or dental hygienist without a
4 hearing, simultaneous to the institution of proceedings for a
5 hearing under this Act, if the Secretary finds that evidence
6 in the Secretary's possession indicates that a dentist's, dental therapist's,
7 or dental hygienist's continuation in
8 practice would constitute an immediate danger to the public.
9 In the event that the Secretary temporarily suspends the
10 license of a dentist, a dental therapist, or a dental
11 hygienist without a hearing, a hearing by the Board must be
12 held within 15 days after such suspension has occurred.

13 (c) The entry of a judgment by any circuit court
14 establishing that any person holding a license under this Act
15 is a person subject to involuntary admission under the Mental
16 Health and Developmental Disabilities Code shall operate as a
17 suspension of that license. That person may resume the
18 person's practice only upon a finding by the Board that the
19 person has been determined to be no longer subject to
20 involuntary admission by the court and upon the Board's
21 recommendation to the Secretary that the person be permitted
22 to resume the person's practice.

23 (Source: P.A. 104-151, eff. 1-1-26.)

24 (225 ILCS 25/34) (from Ch. 111, par. 2334)

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

1 Sec. 34. Confidential information; disclosure. In all
2 hearings conducted under this Act, information received,
3 pursuant to law, relating to any information acquired by a
4 dentist, dental therapist, or dental hygienist in attending
5 any patient in a professional character, and necessary to
6 professionally serve such patient, shall be deemed strictly
7 confidential and shall only be made available, either as part
8 of the record of a hearing hereunder or otherwise: (1) when
9 such record is required, in its entirety, for purposes of
10 judicial review pursuant to this Act; or (2) upon the express,
11 written consent of the patient, or in the case of the patient's
12 death or disability, the patient's personal representative.

13 (Source: P.A. 104-151, eff. 1-1-26.)

14 (225 ILCS 25/36) (from Ch. 111, par. 2336)

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

16 Sec. 36. Reports of violations; immunity ~~Violations—~~
17 ~~Immunity~~. Any person licensed under this Act, the Illinois
18 State Dental Society, Illinois Dental Hygienists' ~~Hygienists~~
19 Association, or any other similar group or component society
20 or member thereof, ~~or any other person~~, may report to the Board
21 any information such person, association or society may have
22 which appears to show that a dentist, dental therapist, or
23 dental hygienist is or may be in violation of any of the
24 provisions of this Act. Any such person, association, or
25 society, participating in good faith in the making of a

1 report, under the Act, shall have immunity from any liability,
2 civil, criminal, or ~~that~~ otherwise that may ~~might~~ result by
3 reason of such action. For the purpose of any proceedings,
4 civil or criminal, the good faith of any such person,
5 association, or society shall be presumed.

6 (Source: P.A. 85-946.)

7 (225 ILCS 25/37) (from Ch. 111, par. 2337)

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

9 Sec. 37. Unlicensed practice; injunctions. The practice of
10 dentistry by any person not holding a valid and current
11 license under this Act is declared to be inimical to the public
12 welfare, to constitute a public nuisance, and to cause
13 irreparable harm to the public welfare.

14 A person is considered to practice dentistry who:

15 (1) employs a dentist, dental therapist, dental
16 hygienist, or other entity which can provide dental
17 services under this Act;

18 (2) directs or controls the use of any dental
19 equipment or material while such equipment or material is
20 being used for the provision of dental services, provided
21 that this provision shall not be construed to prohibit a
22 person from obtaining professional advice or assistance in
23 obtaining or from leasing the equipment or material,
24 provided the advice, assistance, or lease does not
25 restrict or interfere with the custody, control, or use of

1 the equipment or material by the person;

2 (3) directs, controls or interferes with a dentist's,
3 dental therapist's, or dental hygienist's clinical
4 judgment; or

5 (4) exercises direction or control, by written
6 contract, license, or otherwise, over a dentist, dental
7 therapist, dental hygienist, or other entity which can
8 provide dental services under this Act in the selection of
9 a course of treatment; limitation of patient referrals;
10 content of patient records; policies and decisions
11 relating to refunds (if the refund payment would be
12 reportable under federal law to the National Practitioner
13 Data Bank) and warranties and the clinical content of
14 advertising; and final decisions relating to employment of
15 dental assistants, dental therapists, and dental
16 hygienists. Nothing in this Act shall, however, be
17 construed as prohibiting the seeking or giving of advice
18 or assistance with respect to these matters.

19 The purpose of this Section is to prevent a non-dentist
20 from influencing or otherwise interfering with the exercise of
21 independent professional judgment by a dentist, dental
22 therapist, dental hygienist, or other entity which can provide
23 dental services under this Act. Nothing in this Section shall
24 be construed to prohibit insurers and managed care plans from
25 operating pursuant to the applicable provisions of the
26 Illinois Insurance Code under which the entities are licensed.

1 The Secretary, the Attorney General, the State's attorney
2 of any county in the State, or any person may maintain an
3 action in the name of the People of the State of Illinois, and
4 may apply for injunctive relief in any circuit court to enjoin
5 such person from engaging in such practice; and upon the
6 filing of a verified petition in such court, the court if
7 satisfied by affidavit, or otherwise, that such person has
8 been engaged in such practice without a valid and current
9 license so to do, may enter a temporary restraining order
10 without notice or bond, enjoining the defendant from such
11 further practice. Only the showing of non-licensure, by
12 affidavit or otherwise, is necessary in order for a temporary
13 injunction to issue. A copy of the verified complaint shall be
14 served upon the defendant and the proceedings shall thereafter
15 be conducted as in other civil cases except as modified by this
16 Section. If it is established that the defendant has been, or
17 is engaged in such unlawful practice, the court may enter an
18 order or judgment perpetually enjoining the defendant from
19 further such practice. In all proceedings hereunder the court,
20 in its discretion, may apportion the costs among the parties
21 interested in the action, including cost of filing the
22 complaint, service of process, witness fees and expenses,
23 court reporter charges and reasonable attorneys' fees. In case
24 of violation of any injunctive order entered under the
25 provisions of this Section, the court may summarily try and
26 punish the offender for contempt of court. Such injunction

1 proceedings shall be in addition to, and not in lieu of, all
2 penalties and other remedies provided in this Act.

3 This Section does not apply to an executor, administrator,
4 guardian, or authorized representative contracting with
5 another dentist or dentists to continue the operations of a
6 deceased or incapacitated dentist's practice under Section
7 38.2 of this Act.

8 (Source: P.A. 97-1013, eff. 8-17-12.)

9 (225 ILCS 25/38.1)

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

11 Sec. 38.1. Prohibition against interference by
12 non-dentists. The purpose of this Section is to ensure that
13 each dentist, dental therapist, or dental hygienist practicing
14 in this State meets minimum requirements for safe practice
15 without clinical interference by persons not licensed under
16 this Act. It is the legislative intent that dental services be
17 provided only in accordance with the provisions of this Act
18 and not be delegated to unlicensed persons.

19 Unless otherwise authorized by this Act, a dentist, dental
20 therapist, or dental hygienist is prohibited from providing
21 dental services in this State, if the dentist, dental
22 therapist, or dental hygienist:

23 (1) is employed by any person other than a dentist to
24 provide dental services, except as set forth in Section
25 38.2 of this Act; or

1 (2) allows any person other than another dentist to
2 direct, control, or interfere with the dentist's, dental
3 therapist's, or dental hygienist's clinical judgment.
4 Clinical judgment shall include but not be limited to such
5 matters as the dentist's, dental therapist's, or dental
6 hygienist's selection of a course of treatment, limitation
7 of patient referrals, content of patient records, policies
8 and decisions relating to refunds (if the refund payment
9 would be reportable under federal law to the National
10 Practitioner Data Bank) and warranties and the clinical
11 content of advertising, and final decisions relating to
12 employment of dental assistants, dental therapists, and
13 dental hygienists. This paragraph (2) shall not be
14 construed to limit a patient's right of informed consent.
15 An executor, administrator, guardian, or authorized
16 representative contracting with another dentist or
17 dentists to continue the operations of a deceased or
18 incapacitated dentist's practice under Section 38.2 of
19 this Act who violates this paragraph (2) is subject to the
20 civil penalties set forth in Section 8.5 of this Act.

21 (Source: P.A. 94-1028, eff. 1-1-07.)

22 (225 ILCS 25/51) (from Ch. 111, par. 2351)

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

24 Sec. 51. Dispensing drugs or medicine. Any dentist or
25 dental therapist who dispenses any drug or medicine shall

1 dispense such drug or medicine in good faith and shall affix to
2 the box, bottle, vessel, or package containing the same a
3 label indicating:

4 (a) the date on which such drug or medicine is
5 dispensed;

6 (b) the name of the patient;

7 (c) the last name of the person dispensing such drug
8 or medicine;

9 (d) the directions for use thereof; and

10 (e) the proprietary name or names or the established
11 name or names of the drug or medicine, the dosage and
12 quantity, except as otherwise authorized by regulation of
13 the Department.

14 This Section shall not apply to drugs and medicines in a
15 package which bears a label of the manufacturer containing
16 information describing its contents which is in compliance
17 with requirements of the Federal Food, Drug, and Cosmetic Act
18 and the Illinois Food, Drug, and Cosmetic Act and which is
19 dispensed without consideration by a dentist. "Drug" and
20 "medicine" have the meanings ascribed to them in the Pharmacy
21 Practice Act, as now or hereafter amended; "good faith" has
22 the meaning ascribed to it in subsection (v) of Section 102 of
23 the ~~"Illinois Controlled Substances Act", as amended.~~

24 (Source: P.A. 95-689, eff. 10-29-07.)

25 (225 ILCS 25/54.2)

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

2 Sec. 54.2. Dental responders. A dentist, dental therapist,
3 or dental hygienist who is a dental responder is deemed to be
4 acting within the bounds of the dentist or dental hygienist's
5 license when providing disaster, immunizations, mobile, and
6 humanitarian care during a declared local, State, or national
7 emergency.

8 (Source: P.A. 104-151, eff. 1-1-26.)

9 (225 ILCS 25/54.3)

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

11 Sec. 54.3. Vaccinations.

12 (a) Notwithstanding Section 54.2 of this Act, a dentist or
13 dental therapist may administer vaccinations upon completion
14 of appropriate training set forth by rule and approved by the
15 Department on appropriate vaccine storage, proper
16 administration, and addressing contraindications and adverse
17 reactions. Vaccinations shall be limited to patients 18 years
18 of age and older pursuant to a valid prescription or standing
19 order by a physician licensed to practice medicine in all its
20 branches who, in the course of professional practice,
21 administers vaccines to patients. Methods of communication
22 shall be established for consultation with the physician in
23 person or by telecommunications.

24 (b) Vaccinations administered by a dentist or dental
25 therapist shall be limited to influenza (inactivated influenza

1 vaccine and live attenuated influenza intranasal vaccine).
2 Vaccines shall only be administered by the dentist or dental
3 therapist and shall not be delegated to an assistant or any
4 other person. Vaccination of a patient by a dentist or dental
5 therapist shall be documented in the patient's dental record
6 and the record shall be retained in accordance with current
7 dental recordkeeping standards. The dentist or dental
8 therapist shall notify the patient's primary care physician of
9 each dose of vaccine administered to the patient and shall
10 enter all patient level data or update the patient's current
11 record. The dentist or dental therapist may provide this
12 notice to the patient's physician electronically. In addition,
13 the dentist or dental therapist shall enter all patient level
14 data on vaccines administered in the immunization data
15 registry maintained by the Department of Public Health.

16 (c) A dentist or dental therapist shall only provide
17 vaccinations under this Section if contracted with and
18 credentialed by the patient's health insurance, health
19 maintenance organization, or other health plan to specifically
20 provide the vaccinations allowed under this Section. Persons
21 enrolled in Medicare or Medicaid may only receive the
22 vaccinations allowed for under this Section from dentists or
23 dental therapists who are authorized to do so by the federal
24 Centers for Medicare and Medicaid Services or the Department
25 of Healthcare and Family Services.

26 (d) The Department shall adopt any rules necessary to

1 implement this Section.

2 (Source: P.A. 104-151, eff. 1-1-26.)

3 (225 ILCS 25/55) (from Ch. 111, par. 2355)

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

5 Sec. 55. Illinois Administrative Procedure Act. The
6 Illinois Administrative Procedure Act is hereby expressly
7 adopted and incorporated herein as if all of the provisions of
8 that Act were included in this Act, except that the provision
9 of subsection (d) of Section 10-65 of the Illinois
10 Administrative Procedure Act that provides that at hearings
11 the dentist, dental therapist, or dental hygienist has the
12 right to show compliance with all lawful requirements for
13 retention, continuation or renewal of the license is
14 specifically excluded. For the purposes of this Act the notice
15 required under Section 10-25 of the Illinois Administrative
16 Procedure Act is deemed sufficient when mailed or emailed to
17 the last known address or email address of a party.

18 (Source: P.A. 104-151, eff. 1-1-26.)

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