



Sen. Michael E. Hastings

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LRB104 18507 CCC 37229 a

1 AMENDMENT TO SENATE BILL 3211

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 3211 by replacing  
3 everything after the enacting clause with the following:

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

6 (225 ILCS 25/4)

7 (Section scheduled to be repealed on January 1, 2031)

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

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

16 "Email address of record" means the designated email

1 address recorded by the Department in the applicant's  
2 application file or the licensee's license file, as maintained  
3 by the Department's licensure maintenance unit.

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

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

8 "Board" means the Board of Dentistry.

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

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

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

20 "Expanded function dental assistant" means a dental  
21 assistant who has completed the training required by Section  
22 17.1 of this Act.

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

25 (i) engages in making, providing, repairing, or  
26 altering dental prosthetic appliances and other artificial

1 materials and devices which are returned to a dentist for  
2 insertion into the human oral cavity or which come in  
3 contact with its adjacent structures and tissues; ~~and~~

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

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

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

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

25 "Public member" means a person who is not a health  
26 professional. For purposes of board membership, any person

1 with a significant financial interest in a health service or  
2 profession is not a public member.

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

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

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

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

23 "Informed consent" means legally valid consent that is  
24 given by a patient or legal guardian, that is recorded in  
25 writing or digitally, that authorizes intervention or  
26 treatment services from the treating dentist, and that

1 documents agreement to participate in those services and  
2 knowledge of the risks, benefits, and alternatives, including  
3 the decision to withdraw from or decline treatment.

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

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

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

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

1 Health and training certified by the National Incident  
2 Management System or the National Disaster Life Support  
3 Foundation.

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

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

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

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

1 and being present in the facility during treatment, (1) who  
2 are eligible for Medicaid or (2) who are uninsured or whose  
3 household income is not greater than 300% of the federal  
4 poverty level.

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

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

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

22 "Deep sedation" means a drug-induced depression of  
23 consciousness during which: (1) patients cannot be easily  
24 aroused, but respond purposefully following repeated or  
25 painful stimulation; (2) the ability to independently maintain  
26 ventilatory function may be impaired; (3) patients may require

1 assistance in maintaining airways and spontaneous ventilation  
2 may be inadequate; and (4) cardiovascular function is usually  
3 maintained.

4 "General anesthesia" means a drug-induced loss of  
5 consciousness during which: (1) patients are not arousable,  
6 even by painful stimulation; (2) the ability to independently  
7 maintain ventilatory function is often impaired; (3) patients  
8 often require assistance in maintaining airways and positive  
9 pressure ventilation may be required because of depressed  
10 spontaneous ventilation or drug-induced depression of  
11 neuromuscular function; and (4) cardiovascular function may be  
12 impaired.

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

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

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

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

1 eff. 8-15-25; revised 9-15-25.)

2 (225 ILCS 25/17.2)

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

4 Sec. 17.2. Teledentistry.

5 (a) As used in this Section, "patient of record" means a  
6 patient for whom the patient's most recent Illinois-licensed  
7 dentist has obtained a relevant medical and dental history and  
8 on whom the dentist has (i) performed a physical examination  
9 within the last year; (ii) obtained relevant records that are  
10 appropriate for the type of teledentistry service being  
11 provided from an in-person examination within the previous 12  
12 months, including a review of the patient's most recent  
13 x-rays; provided that if none are available, the supervising  
14 dentist must order x-rays and they must be reviewed by the  
15 licensed dentist prior to treatment; ~~or~~ (iii) established a  
16 relationship with the patient through an exchange of protected  
17 health information for the purpose of screening a patient  
18 ~~providing emergency care, treatment, or services~~ in accordance  
19 with the requirements of subsection (c); or (iv) established a  
20 relationship with the patient through an exchange of protected  
21 health information that meets the requirements of subsection  
22 (d) ~~subsection (c)~~. A patient who receives teledentistry  
23 services under this Section shall receive a referral to an  
24 Illinois-licensed dentist to receive appropriate in-person  
25 care.

1 (b) A dentist may only practice or utilize teledentistry  
2 on a patient of record. A dentist practicing dentistry through  
3 teledentistry is subject to the same standard of care and  
4 practice standards that are applicable to dental services  
5 provided in a clinic or office setting. A dentist may provide  
6 and delegate dental services using teledentistry to an  
7 Illinois-licensed dental hygienist only under the supervision  
8 requirements as specified in this Act for in-person care. A  
9 dental hygienist may perform oral prophylaxis procedures; may  
10 apply fluoride treatments, but not any product used for the  
11 remineralization of teeth, including, but not limited to,  
12 silver diamine fluoride; and may process x-rays as ordered by  
13 the supervising dentist on a patient of record only after an  
14 Illinois-licensed dentist has examined, diagnosed, and  
15 authorized such procedures using synchronous systems. A person  
16 is limited to 2 oral prophylaxis procedures performed by a  
17 licensed dental hygienist using teledentistry until an  
18 in-person examination by a licensed dentist has been  
19 completed. Local anesthetics and nitrous oxide may not be used  
20 during an oral prophylaxis procedure in a teledentistry  
21 service by a dental hygienist. Prior to providing  
22 teledentistry services to a patient, a dentist must obtain  
23 informed consent from the patient as to the treatment proposed  
24 to be offered through teledentistry ~~by the dentist.~~ The  
25 informed consent form shall include a written statement  
26 explaining the alternatives to and the capabilities and

1 limitations of teledentistry and shall advise that a  
2 teledentistry interaction is not equivalent to an in-person  
3 clinical examination and that the dentist is not physically  
4 present. Such consent shall also be documented and included in  
5 the patient's record. A dentist and dental hygienist providing  
6 services via teledentistry under this Section shall provide  
7 the patient with their names ~~his or her name~~, direct telephone  
8 numbers ~~number~~, and physical practice addresses ~~address~~. It is  
9 a violation of this Act for a provider of dental services  
10 rendering care through teledentistry to require a patient to  
11 sign an agreement that limits in any way the patient's ability  
12 to write a review of services received or file a complaint with  
13 the Department or other regulatory agency. The Department  
14 shall adopt rules, including, but not limited to, minimal  
15 technology standards for teledentistry and rules to provide  
16 for the use of teledentistry in the State of Illinois.

17 (c) A dentist may treat a patient of record to provide  
18 emergent care or to conduct an initial screening ~~consultation~~  
19 using teledentistry. An initial screening may only be provided  
20 using teledentistry by an Illinois-licensed dentist to assess  
21 suitability of the patient for treatment at a dental facility  
22 or for assessing for acute pain, infection, injury, or an  
23 intraoral or perioral condition that presents immediate harm  
24 or discomfort to the patient for which treatment cannot be  
25 postponed for the purpose of treating or assessing for acute  
26 pain, infection, injury, or any intraoral or perioral

1 ~~condition that presents immediate harm or discomfort to the~~  
2 ~~patient for which treatment cannot be postponed.~~ A provider of  
3 dental services rendering care or providing a screening  
4 through ~~emergent care or conducting an initial consultation~~  
5 ~~through~~ teledentistry must direct the patient to receive  
6 appropriate in-person care after the provision of  
7 teledentistry services.

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

1       An initial examination for orthodontia, sleep apnea, or  
2       snoring treatment or the functional and cosmetic replacement  
3       or treatment of teeth shall be performed in person only.  
4       Additionally, an in-person clinical examination shall be  
5       performed immediately before providing or authorizing services  
6       or treatments to patients that are not reversible or that  
7       otherwise result in increased risk to the patient. For ongoing  
8       dentist-patient relationships, dentists shall direct patients  
9       to be seen in person at least annually.

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

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