



Sen. Emil Jones, III

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1 AMENDMENT TO SENATE BILL 2631

2 AMENDMENT NO. _____. Amend Senate Bill 2631, AS AMENDED,
3 in the introductory clause of Section 5, by changing "changing
4 Section 11" with "changing Sections 11, 17, and 17.1"; and

5 in Section 5, immediately below Sec. 11, by inserting the
6 following:

7 "(225 ILCS 25/17) (from Ch. 111, par. 2317)

8 (Section scheduled to be repealed on January 1, 2026)

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

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

16 (2) Who is a manager, proprietor, operator or conductor

1 of a business where dental operations are performed; or

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

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

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

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

11 (7) Who uses or administers local or general
12 anesthetics in the treatment of dental or oral diseases or
13 in any preparation incident to a dental operation of any
14 kind or character; or

15 (8) Who takes material or digital scans for final
16 impressions of the human tooth, teeth, or jaws or performs
17 any phase of any operation incident to the replacement of a
18 part of a tooth, a tooth, teeth or associated tissues by
19 means of a filling, crown, a bridge, a denture or other
20 appliance; or

21 (9) Who offers to furnish, supply, construct,
22 reproduce or repair, or who furnishes, supplies,
23 constructs, reproduces or repairs, prosthetic dentures,
24 bridges or other substitutes for natural teeth, to the user
25 or prospective user thereof; or

26 (10) Who instructs students on clinical matters or

1 performs any clinical operation included in the curricula
2 of recognized dental schools and colleges; or

3 (11) Who takes material or digital scans for final
4 impressions of human teeth or places his or her hands in
5 the mouth of any person for the purpose of applying teeth
6 whitening materials, or who takes impressions of human
7 teeth or places his or her hands in the mouth of any person
8 for the purpose of assisting in the application of teeth
9 whitening materials. A person does not practice dentistry
10 when he or she discloses to the consumer that he or she is
11 not licensed as a dentist under this Act and (i) discusses
12 the use of teeth whitening materials with a consumer
13 purchasing these materials; (ii) provides instruction on
14 the use of teeth whitening materials with a consumer
15 purchasing these materials; or (iii) provides appropriate
16 equipment on-site to the consumer for the consumer to
17 self-apply teeth whitening materials.

18 The fact that any person engages in or performs, or offers
19 to engage in or perform, any of the practices, acts, or
20 operations set forth in this Section, shall be prima facie
21 evidence that such person is engaged in the practice of
22 dentistry.

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

25 (a) The rendering of dental relief in emergency cases
26 in the practice of his or her profession by a physician or

1 surgeon, licensed as such under the laws of this State,
2 unless he or she undertakes to reproduce or reproduces lost
3 parts of the human teeth in the mouth or to restore or
4 replace lost or missing teeth in the mouth; or

5 (b) The practice of dentistry in the discharge of their
6 official duties by dentists in any branch of the Armed
7 Services of the United States, the United States Public
8 Health Service, or the United States Veterans
9 Administration; or

10 (c) The practice of dentistry by students in their
11 course of study in dental schools or colleges approved by
12 the Department, when acting under the direction and
13 supervision of dentists acting as instructors; or

14 (d) The practice of dentistry by clinical instructors
15 in the course of their teaching duties in dental schools or
16 colleges approved by the Department:

17 (i) when acting under the direction and
18 supervision of dentists, provided that such clinical
19 instructors have instructed continuously in this State
20 since January 1, 1986; or

21 (ii) when holding the rank of full professor at
22 such approved dental school or college and possessing a
23 current valid license or authorization to practice
24 dentistry in another country; or

25 (e) The practice of dentistry by licensed dentists of
26 other states or countries at meetings of the Illinois State

1 Dental Society or component parts thereof, alumni meetings
2 of dental colleges, or any other like dental organizations,
3 while appearing as clinicians; or

4 (f) The use of X-Ray machines for exposing X-Ray films
5 of dental or oral tissues by dental hygienists or dental
6 assistants; or

7 (g) The performance of any dental service by a dental
8 assistant, if such service is performed under the
9 supervision and full responsibility of a dentist. In
10 addition, after being authorized by a dentist, a dental
11 assistant may, for the purpose of eliminating pain or
12 discomfort, remove loose, broken, or irritating
13 orthodontic appliances on a patient of record.

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

18 (1) Any and all diagnosis of or prescription for
19 treatment of disease, pain, deformity, deficiency,
20 injury or physical condition of the human teeth or
21 jaws, or adjacent structures.

22 (2) Removal of, or restoration of, or addition to
23 the hard or soft tissues of the oral cavity, except for
24 the placing, carving, and finishing of amalgam
25 restorations and placing, packing, and finishing
26 composite restorations by dental assistants who have

1 had additional formal education and certification ~~as~~
2 ~~determined by the Department.~~

3 A dental assistant may place, carve, and finish
4 amalgam restorations and place, pack, and finish
5 composite restorations if he or she has at least 4,000
6 hours of direct clinical patient care experience and
7 has successfully completed a structured training
8 program provided by: (A) an educational institution
9 accredited by the Commission on Dental Accreditation,
10 such as a dental school or dental hygiene or dental
11 assistant program, or (B) a statewide dental
12 association, approved by the Department to provide
13 continuing education, that has developed and conducted
14 training programs for expanded functions for dental
15 assistants or hygienists. The training program must:
16 (i) include a minimum of 16 hours of didactic study and
17 12 hours of clinical manikin instruction; all training
18 programs shall include areas of study in nomenclature,
19 caries classifications, oral anatomy, periodontium,
20 basic occlusion, instrumentations, pulp protection
21 liners 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 dental
5 assistant must have successfully completed an approved
6 coronal polishing and dental sealant course prior to
7 taking the amalgam and composite restoration course.

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

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

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

24 (5) Removal of calculus from human teeth.

25 (6) Taking of material or digital scans for final
26 impressions for the fabrication of prosthetic

1 appliances, crowns, bridges, inlays, onlays, or other
2 restorative or replacement dentistry.

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

19 In addition to coronal polishing and pit and
20 fissure sealants as described in this item (7), a
21 dental assistant who has at least 2,000 hours of direct
22 clinical patient care experience and who has
23 successfully completed a structured training program
24 provided by (1) an educational institution such as a
25 dental school or dental hygiene or dental assistant
26 program, or (2) by a statewide dental or dental

1 hygienist association, approved by the Department on
2 or before the effective date of this amendatory Act of
3 the 99th General Assembly, that has developed and
4 conducted a training program for expanded functions
5 for dental assistants or hygienists may perform: (A)
6 coronal scaling above the gum line, supragingivally,
7 on the clinical crown of the tooth only on patients 12
8 years of age or younger who have an absence of
9 periodontal disease and who are not medically
10 compromised or individuals with special needs and (B)
11 intracoronal temporization of a tooth. The training
12 program must: (I) include a minimum of 16 hours of
13 instruction in both didactic and clinical manikin or
14 human subject instruction; all training programs shall
15 include areas of study in dental anatomy, public health
16 dentistry, medical history, dental emergencies, and
17 managing the pediatric patient; (II) include an
18 outcome assessment examination that demonstrates
19 competency; (III) require the supervising dentist to
20 observe and approve the completion of 6 full mouth
21 supragingival scaling procedures; and (IV) issue a
22 certificate of completion of the training program,
23 which must be kept on file at the dental office and be
24 made available to the Department upon request. A dental
25 assistant must have successfully completed an approved
26 coronal polishing course prior to taking the coronal

1 scaling course. A dental assistant performing these
2 functions shall be limited to the use of hand
3 instruments only. In addition, coronal scaling as
4 described in this paragraph shall only be utilized on
5 patients who are eligible for Medicaid or who are
6 uninsured and whose household income is not greater
7 than 200% of the federal poverty level. A dentist may
8 not supervise more than 2 dental assistants at any one
9 time for the task of coronal scaling. This paragraph is
10 inoperative on and after January 1, 2021.

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

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

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

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

1 and

2 (iii) has been accepted or appointed for specialty
3 or residency training by a hospital situated in this
4 State; or

5 (iv) has been accepted or appointed for specialty
6 training in an approved dental program situated in this
7 State; or

8 (v) has been accepted or appointed for specialty
9 training in a dental public health agency situated in
10 this State.

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

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

21 The authority to practice shall terminate immediately
22 upon:

23 (1) the decision of the Department that the
24 applicant has failed the examination; or

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

26 (3) withdrawal of the application.

1 (Source: P.A. 99-492, eff. 12-31-15; 99-680, eff. 1-1-17;
2 100-215, eff. 1-1-18.)

3 (225 ILCS 25/17.1)

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

5 Sec. 17.1. Expanded function dental assistants.

6 (a) A dental assistant who has completed training as
7 provided in subsection (b) of this Section in all of the
8 following areas may hold himself or herself out as an expanded
9 function dental assistant:

10 (1) Taking material or digital scans for final
11 impressions after completing a training program that
12 includes either didactic objectives or clinical skills and
13 functions that demonstrate competency.

14 (2) Performing pulp vitality test after completing a
15 training program that includes either didactic objectives
16 or clinical skills and functions that demonstrate
17 competency.

18 (3) Placing, carving, and finishing of amalgam
19 restorations and placing, packing, and finishing composite
20 restorations as allowed under Section 17.

21 (4) Starting the flow of oxygen and monitoring of
22 nitrous oxide-oxygen analgesia as allowed under Section
23 17.

24 (5) Coronal polishing and pit and fissure sealants, as
25 ~~currently~~ allowed under Section 17 ~~by law.~~

1 All procedures listed in paragraphs (1) through (5) for
2 dental assistants must be performed under the supervision of a
3 dentist, requiring the dentist authorizes the procedure,
4 remains in the dental facility while the procedure is
5 performed, and approves the work performed by the dental
6 assistant before dismissal of the patient, but the dentist is
7 not required to be present at all times in the treatment room.

8 After the completion of training as provided in subsection
9 (b) of this Section, an expanded function dental assistant may
10 perform any of the services listed in this subsection (a)
11 pursuant to the limitations of this Act.

12 (b) Certification and training as an expanded function
13 dental assistant must be obtained from one of the following
14 sources: (i) an approved continuing education sponsor; (ii) a
15 dental assistant training program approved by the Commission on
16 Dental Accreditation of the American Dental Association; or
17 (iii) a training program approved by the Department.

18 Training required under this subsection (b) must also
19 include Basic Life Support certification, as described in
20 Section 16 of this Act. Proof of current certification shall be
21 kept on file with the supervising dentist.

22 (c) Any procedures listed in subsection (a) that are
23 performed by an expanded function dental assistant must be
24 approved by the supervising dentist and examined prior to
25 dismissal of the patient. The supervising dentist shall be
26 responsible for all dental services or procedures performed by

1 the dental assistant.

2 (d) Nothing in this Section shall be construed to alter the
3 number of dental assistants that a dentist may supervise under
4 paragraph (g) of Section 17 of this Act.

5 (e) Nothing in this Act shall: (1) require a dental
6 assistant to be certified as an expanded function dental
7 assistant or (2) prevent a dentist from training dental
8 assistants in accordance with the provisions of Section 17 of
9 this Act or rules pertaining to dental assistant duties.

10 (Source: P.A. 100-215, eff. 1-1-18.)

11 (225 ILCS 25/18) (from Ch. 111, par. 2318)

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

13 Sec. 18. Acts constituting the practice of dental hygiene;
14 limitations.

15 (a) A person practices dental hygiene within the meaning of
16 this Act when he or she performs the following acts under the
17 supervision of a dentist:

18 (i) the operative procedure of dental hygiene,
19 consisting of oral prophylactic procedures;

20 (ii) the exposure and processing of X-Ray films of
21 the teeth and surrounding structures;

22 (iii) the application to the surfaces of the teeth
23 or gums of chemical compounds designed to be
24 desensitizing agents or effective agents in the
25 prevention of dental caries or periodontal disease;

1 (iv) all services which may be performed by a
2 dental assistant as specified by rule pursuant to
3 Section 17, and a dental hygienist may engage in the
4 placing, carving, and finishing of amalgam
5 restorations only after obtaining formal education and
6 certification as determined by the Department;

7 (v) administration and monitoring of nitrous oxide
8 upon successful completion of a training program
9 approved by the Department;

10 (vi) administration of local anesthetics upon
11 successful completion of a training program approved
12 by the Department; and

13 (vii) such other procedures and acts as shall be
14 prescribed by rule or regulation of the Department.

15 (b) A dental hygienist may be employed or engaged only:

16 (1) by a dentist;

17 (2) by a federal, State, county, or municipal agency or
18 institution;

19 (3) by a public or private school; or

20 (4) by a public clinic operating under the direction of
21 a hospital or federal, State, county, municipal, or other
22 public agency or institution.

23 (c) When employed or engaged in the office of a dentist, a
24 dental hygienist may perform, under general supervision, those
25 procedures found in items (i) through (iv) of subsection (a) of
26 this Section, provided the patient has been examined by the

1 dentist within one year of the provision of dental hygiene
2 services, the dentist has approved the dental hygiene services
3 by a notation in the patient's record and the patient has been
4 notified that the dentist may be out of the office during the
5 provision of dental hygiene services.

6 (d) If a patient of record is unable to travel to a dental
7 office because of illness, infirmity, or imprisonment, a dental
8 hygienist may perform, under the general supervision of a
9 dentist, those procedures found in items (i) through (iv) of
10 subsection (a) of this Section, provided the patient is located
11 in a long-term care facility licensed by the State of Illinois,
12 a mental health or developmental disability facility, or a
13 State or federal prison. The dentist shall personally examine
14 and diagnose the patient and determine which services are
15 necessary to be performed, which shall be contained in an order
16 to the hygienist and a notation in the patient's record. Such
17 order must be implemented within 120 days of its issuance, and
18 an updated medical history and observation of oral conditions
19 must be performed by the hygienist immediately prior to
20 beginning the procedures to ensure that the patient's health
21 has not changed in any manner to warrant a reexamination by the
22 dentist.

23 (e) School-based oral health care, consisting of and
24 limited to oral prophylactic procedures, sealants, and
25 fluoride treatments, may be provided by a dental hygienist
26 under the general supervision of a dentist. A dental hygienist

1 may not provide other dental hygiene treatment in a
2 school-based setting, including but not limited to
3 administration or monitoring of nitrous oxide or
4 administration of local anesthetics. The school-based
5 procedures may be performed provided the patient is located at
6 a public or private school and the program is being conducted
7 by a State, county or local public health department initiative
8 or in conjunction with a dental school or dental hygiene
9 program. The dentist shall personally examine and diagnose the
10 patient and determine which services are necessary to be
11 performed, which shall be contained in an order to the
12 hygienist and a notation in the patient's record. Any such
13 order for sealants must be implemented within 120 days after
14 its issuance. Any such order for oral prophylactic procedures
15 or fluoride treatments must be implemented within 180 days
16 after its issuance. An updated medical history and observation
17 of oral conditions must be performed by the hygienist
18 immediately prior to beginning the procedures to ensure that
19 the patient's health has not changed in any manner to warrant a
20 reexamination by the dentist.

21 (f) Without the supervision of a dentist, a dental
22 hygienist may perform dental health education functions and may
23 record case histories and oral conditions observed.

24 (g) The number of dental hygienists practicing in a dental
25 office shall not exceed, at any one time, 4 times the number of
26 dentists practicing in the office at the time.

1 (h) A dental hygienist who is certified as a public health
2 dental hygienist may provide services to patients: (1) who are
3 eligible for Medicaid or (2) who are uninsured and whose
4 household income is not greater than 200% of the federal
5 poverty level. A public health dental hygienist may perform
6 oral assessments, perform screenings, and provide educational
7 and preventative services as provided in subsection (b) of
8 Section 18.1 of this Act. The public health dental hygienist
9 may not administer local anesthesia or nitrous oxide, or place,
10 carve, or finish amalgam restorations or provide periodontal
11 therapy under this exception. Each patient must sign a consent
12 form that acknowledges that the care received does not take the
13 place of a regular dental examination. The public health dental
14 hygienist must provide the patient or guardian a written
15 referral to a dentist for assessment of the need for further
16 dental care at the time of treatment. Any indication or
17 observation of a condition that could warrant the need for
18 urgent attention must be reported immediately to the
19 supervising dentist for appropriate assessment and treatment.

20 This subsection (h) is inoperative on and after January 1,
21 2021.

22 (i) A dental hygienist performing procedures listed in
23 paragraphs (1) through (4) of subsection (a) of Section 17.1
24 must be under the supervision of a dentist, requiring the
25 dentist authorizes the procedure, remains in the dental
26 facility while the procedure is performed, and approves the

1 work performed by the dental hygienist before dismissal of the
2 patient, but the dentist is not required to be present at all
3 times in the treatment room.

4 (j) A dental hygienist may perform actions described in
5 paragraph (5) of subsection (a) of Section 17.1 under the
6 general supervision of a dentist as described in this Section.

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