



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2676

by Rep. Michael J. Zalewski

SYNOPSIS AS INTRODUCED:

225 ILCS 25/4

from Ch. 111, par. 2304

225 ILCS 25/13.5 new

Amends the Illinois Dental Practice Act. Changes the definition of "public health dental hygienist." Provides that the requirement that a public health dental hygienist have additional structured courses in dental education in advanced areas specific to public health dentistry shall include emergency procedures for medically compromised patients, pharmacology, medical recordkeeping procedures, geriatric dentistry, pediatric dentistry, and pathology provided by an educational institution accredited by the Commission on Dental Accreditation, such as a dental school or dental hygiene program, or a statewide dental association, approved by the Department of Financial and Professional Regulation to provide continuing education, that has developed and conducted training programs for expanded functions for dental assistants and hygienists. Provides that the training program must include a minimum of 26 hours of didactic study; include 8 hours of in-person classroom experience with an outcome assessment examination that tests the competency of the didactic subjects required by the Act; require the hygienist to complete an 8-hour, on-site mentoring experience monitored by the dentist who will have a public health supervision agreement with the hygienist; issue a certificate of completion of the training program, which must be kept on file at the supervising dentist's office and which will be made available to the Department upon request; and operate in a public health setting pursuant to a written public health supervision agreement with a dentist who is working in or has contracted with a local or State government agency or institution or who is providing services as part of a certified school-based program or school-based oral health program. Effective immediately.

LRB101 07105 JRG 52142 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 Section 4 and by adding Section 13.5 as follows:

6 (225 ILCS 25/4) (from Ch. 111, par. 2304)

7 (Section scheduled to be repealed on January 1, 2026)

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

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

20 "Board" means the Board of Dentistry.

21 "Dentist" means a person who has received a general license
22 pursuant to paragraph (a) of Section 11 of this Act and who may
23 perform any intraoral and extraoral procedure required in the

1 practice of dentistry and to whom is reserved the
2 responsibilities specified in Section 17.

3 "Dental hygienist" means a person who holds a license under
4 this Act to perform dental services as authorized by Section
5 18.

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

9 "Expanded function dental assistant" means a dental
10 assistant who has completed the training required by Section
11 17.1 of this Act.

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

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

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

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

23 "Supervision" means supervision of a dental hygienist or a
24 dental assistant requiring that a dentist authorize the
25 procedure, remain in the dental facility while the procedure is
26 performed, and approve the work performed by the dental

1 hygienist or dental assistant before dismissal of the patient,
2 but does not mean that the dentist must be present at all times
3 in the treatment room.

4 "General supervision" means supervision of a dental
5 hygienist requiring that the patient be a patient of record,
6 that the dentist examine the patient in accordance with Section
7 18 prior to treatment by the dental hygienist, and that the
8 dentist authorize the procedures which are being carried out by
9 a notation in the patient's record, but not requiring that a
10 dentist be present when the authorized procedures are being
11 performed. The issuance of a prescription to a dental
12 laboratory by a dentist does not constitute general
13 supervision.

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

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

22 "Branches of dentistry" means the various specialties of
23 dentistry which, for purposes of this Act, shall be limited to
24 the following: endodontics, oral and maxillofacial surgery,
25 orthodontics and dentofacial orthopedics, pediatric dentistry,
26 periodontics, prosthodontics, and oral and maxillofacial

1 radiology.

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

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

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

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

23 "Patient of record" means a patient for whom the patient's
24 most recent dentist has obtained a relevant medical and dental
25 history and on whom the dentist has performed an examination
26 and evaluated the condition to be treated.

1 "Dental responder" means a dentist or dental hygienist who
2 is appropriately certified in disaster preparedness,
3 immunizations, and dental humanitarian medical response
4 consistent with the Society of Disaster Medicine and Public
5 Health and training certified by the National Incident
6 Management System or the National Disaster Life Support
7 Foundation.

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

13 "Public health dental hygienist" means a hygienist who
14 holds a valid license to practice in the State, has 2 years of
15 full-time clinical experience or an equivalent of 4,000 hours
16 of clinical experience and has completed at least 42 clock
17 hours of additional structured courses in dental education
18 ~~approved by rule by the Department in advanced areas specific~~
19 ~~to public health dentistry, including, but not limited to,~~
20 ~~emergency procedures for medically compromised patients,~~
21 ~~pharmacology, medical recordkeeping procedures, geriatric~~
22 ~~dentistry, pediatric dentistry, pathology, and other areas of~~
23 ~~study as determined by the Department, and works in a public~~
24 ~~health setting pursuant to a written public health supervision~~
25 ~~agreement as defined by rule by the Department with a dentist~~
26 ~~working in or contracted with a local or State government~~

1 ~~agency or institution or who is providing services as part of a~~
2 ~~certified school-based program or school-based oral health~~
3 ~~program.~~

4 "Public health setting" means a federally qualified health
5 center; a federal, State, or local public health facility; Head
6 Start; a special supplemental nutrition program for Women,
7 Infants, and Children (WIC) facility; or a certified
8 school-based health center or school-based oral health
9 program.

10 "Public health supervision" means the supervision of a
11 public health dental hygienist by a licensed dentist who has a
12 written public health supervision agreement with that public
13 health dental hygienist while working in an approved facility
14 or program that allows the public health dental hygienist to
15 treat patients, without a dentist first examining the patient
16 and being present in the facility during treatment, (1) who are
17 eligible for Medicaid or (2) who are uninsured and whose
18 household income is not greater than 200% of the federal
19 poverty level.

20 (Source: P.A. 99-25, eff. 1-1-16; 99-492, eff. 12-31-15;
21 99-680, eff. 1-1-17; 100-215, eff. 1-1-18; 100-513, eff.
22 1-1-18; 100-863, eff. 8-14-18.)

23 (225 ILCS 25/13.5 new)

24 Sec. 13.5. Training programs for public health dental
25 hygienist.

1 (a) With respect to the requirement that a public health
2 dental hygienist have additional structured courses in dental
3 education in advanced areas specific to public health
4 dentistry, education in advanced areas specific to public
5 health dentistry shall include emergency procedures for
6 medically compromised patients, pharmacology, medical
7 recordkeeping procedures, geriatric dentistry, pediatric
8 dentistry, and pathology provided by:

9 (1) an educational institution accredited by the
10 Commission on Dental Accreditation, such as a dental school
11 or dental hygiene program; or

12 (2) a statewide dental association, approved by the
13 Department to provide continuing education, that has
14 developed and conducted training programs for expanded
15 functions for dental assistants and hygienists.

16 (b) Training programs for a public health dental hygienist
17 must:

18 (1) include a minimum 26 hours of didactic study, which
19 can be taken in an online structured format;

20 (2) include 8 hours of in-person classroom experience
21 with an outcome assessment examination that tests the
22 competency of the didactic subjects required by this
23 Section;

24 (3) require the hygienist to complete an 8-hour,
25 on-site mentoring experience monitored by the dentist who
26 will have a public health supervision agreement with the

1 hygienist;

2 (4) issue a certificate of completion of the training
3 program, which must be kept on file at the supervising
4 dentist's office and which will be made available to the
5 Department upon request; and

6 (5) operate in a public health setting pursuant to a
7 written public health supervision agreement with a dentist
8 who is working in or has contracted with a local or State
9 government agency or institution or who is providing
10 services as part of a certified school-based program or
11 school-based oral health program.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.