

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 4, 11, 17, 19, 23, and 50 and by adding
6 Section 50.1 as follows:

7 (225 ILCS 25/4) (from Ch. 111, par. 2304)

8 (Section scheduled to be repealed on January 1, 2026)

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

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

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

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

21 "Board" means the Board of Dentistry.

22 "Dentist" means a person who has received a general
23 license pursuant to paragraph (a) of Section 11 of this Act and

1 who may perform any intraoral and extraoral procedure required
2 in the practice of dentistry and to whom is reserved the
3 responsibilities specified in Section 17.

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

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

10 "Expanded function dental assistant" means a dental
11 assistant who has completed the training required by Section
12 17.1 of this Act.

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

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

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

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

24 "Supervision" means supervision of a dental hygienist or a
25 dental assistant requiring that a dentist authorize the
26 procedure, remain in the dental facility while the procedure

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

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

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

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

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

1 periodontics, prosthodontics, oral and maxillofacial
2 radiology, and dental anesthesiology.

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

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

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

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

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

1 and evaluated the condition to be treated.

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

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

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

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

26 "Public health supervision" means the supervision of a

1 public health dental hygienist by a licensed dentist who has a
2 written public health supervision agreement with that public
3 health dental hygienist while working in an approved facility
4 or program that allows the public health dental hygienist to
5 treat patients, without a dentist first examining the patient
6 and being present in the facility during treatment, (1) who
7 are eligible for Medicaid or (2) who are uninsured and whose
8 household income is not greater than 300% ~~200%~~ of the federal
9 poverty level.

10 "Teledentistry" means the use of telehealth systems and
11 methodologies in dentistry and includes patient care and
12 education delivery using synchronous and asynchronous
13 communications under a dentist's authority as provided under
14 this Act.

15 (Source: P.A. 101-64, eff. 7-12-19; 101-162, eff. 7-26-19;
16 102-93, eff. 1-1-22; 102-588, eff. 8-20-21; 102-936, eff.
17 1-1-23.)

18 (225 ILCS 25/11) (from Ch. 111, par. 2311)

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

20 Sec. 11. Types of dental licenses. The Department shall
21 have the authority to issue the following types of licenses:

22 (a) General licenses. The Department shall issue a license
23 authorizing practice as a dentist to any person who qualifies
24 for a license under this Act.

25 (b) Specialty licenses. The Department shall issue a

1 license authorizing practice as a specialist in any particular
2 branch of dentistry to any dentist who has complied with the
3 requirements established for that particular branch of
4 dentistry at the time of making application. The Department
5 shall establish additional requirements of any dentist who
6 announces or holds himself or herself out to the public as a
7 specialist or as being specially qualified in any particular
8 branch of dentistry.

9 No dentist shall announce or hold himself or herself out
10 to the public as a specialist or as being specially qualified
11 in any particular branch of dentistry unless he or she is
12 licensed to practice in that specialty of dentistry.

13 The fact that any dentist shall announce by card,
14 letterhead, or any other form of communication using terms as
15 "Specialist" , "Practice Limited To" or "Limited to
16 Specialty of" with the name of the branch of dentistry
17 practiced as a specialty, or shall use equivalent words or
18 phrases to announce the same, shall be prima facie evidence
19 that the dentist is holding himself or herself out to the
20 public as a specialist.

21 (c) Temporary training licenses. Persons who wish to
22 pursue specialty or other advanced clinical educational
23 programs in an approved dental school or a hospital situated
24 in this State, or persons who wish to pursue programs of
25 specialty training in dental public health in public agencies
26 in this State, may receive without examination, in the

1 discretion of the Department, a temporary training license. In
2 order to receive a temporary training license under this
3 subsection, an applicant shall furnish satisfactory proof to
4 the Department that:

5 (1) The applicant is at least 21 years of age and is of
6 good moral character. In determining moral character under
7 this Section, the Department may take into consideration
8 any felony conviction of the applicant, but such a
9 conviction shall not operate as bar to licensure;

10 (2) The applicant has been accepted or appointed for
11 specialty or residency training by an approved hospital
12 situated in this State, by an approved dental school
13 situated in this State, or by a public health agency in
14 this State the training programs of which are recognized
15 and approved by the Department. The applicant shall
16 indicate the beginning and ending dates of the period for
17 which he or she has been accepted or appointed;

18 (3) The applicant is a graduate of a dental school or
19 college approved and in good standing in the judgment of
20 the Department. The Department may consider diplomas or
21 certifications of education, or both, accompanied by
22 transcripts of course work and credits awarded to
23 determine if an applicant has graduated from a dental
24 school or college approved and in good standing. The
25 Department may also consider diplomas or certifications of
26 education, or both, accompanied by transcripts of course

1 work and credits awarded in determining whether a dental
2 school or college is approved and in good standing.

3 Temporary training licenses issued under this Section
4 shall be valid only for the duration of the period of residency
5 or specialty training and may be extended or renewed as
6 prescribed by rule. The holder of a valid temporary training
7 license shall be entitled thereby to perform acts as may be
8 prescribed by and incidental to his or her program of
9 residency or specialty training; but he or she shall not be
10 entitled to engage in the practice of dentistry in this State.

11 A temporary training license may be revoked by the
12 Department upon proof that the holder has engaged in the
13 practice of dentistry in this State outside of his or her
14 program of residency or specialty training, or if the holder
15 shall fail to supply the Department, within 10 days of its
16 request, with information as to his or her current status and
17 activities in his or her specialty training program.

18 (d) Faculty limited licenses. Persons who have received
19 full-time appointments to teach dentistry at an approved
20 dental school or hospital situated in this State may receive
21 without examination, in the discretion of the Department, a
22 faculty limited license. In order to receive a faculty limited
23 license an applicant shall furnish satisfactory proof to the
24 Department that:

25 (1) The applicant is at least 21 years of age, is of
26 good moral character, and is licensed to practice

1 dentistry in another state or country; and

2 (2) The applicant has a full-time appointment to teach
3 dentistry at an approved dental school or hospital
4 situated in this State.

5 Faculty limited licenses issued under this Section shall
6 be valid for a period of 3 years and may be extended or
7 renewed. The holder of a valid faculty limited license may
8 perform acts as may be required by his or her teaching of
9 dentistry. The ~~In addition, the~~ holder of a faculty limited
10 license may practice general dentistry or in his or her area of
11 specialty, but only in a clinic or office affiliated with the
12 dental school. The holder of a faculty limited license may
13 advertise a specialty degree as part of the licensee's ability
14 to practice in a faculty practice. Any faculty limited license
15 issued to a faculty member under this Section shall terminate
16 immediately and automatically, without any further action by
17 the Department, if the holder ceases to be a faculty member at
18 an approved dental school or hospital in this State.

19 The Department may revoke a faculty limited license for a
20 violation of this Act or its rules, or if the holder fails to
21 supply the Department, within 10 days of its request, with
22 information as to his or her current status and activities in
23 his or her teaching program.

24 (e) Inactive status. Any person who holds one of the
25 licenses under subsection (a) or (b) of Section 11 or under
26 Section 12 of this Act may elect, upon payment of the required

1 fee, to place his or her license on an inactive status and
2 shall, subject to the rules of the Department, be excused from
3 the payment of renewal fees until he or she notifies the
4 Department in writing of his or her desire to resume active
5 status.

6 Any licensee requesting restoration from inactive status
7 shall be required to pay the current renewal fee and upon
8 payment the Department shall be required to restore his or her
9 license, as provided in Section 16 of this Act.

10 Any licensee whose license is in an inactive status shall
11 not practice in the State of Illinois.

12 (f) Certificates of Identification. In addition to the
13 licenses authorized by this Section, the Department shall
14 deliver to each dentist a certificate of identification in a
15 form specified by the Department.

16 (Source: P.A. 100-976, eff. 1-1-19.)

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

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

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

21 (1) Who represents himself or herself as being able to
22 diagnose or diagnoses, treats, prescribes, or operates for
23 any disease, pain, deformity, deficiency, injury, or
24 physical condition of the human tooth, teeth, alveolar
25 process, gums, or jaw; or

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

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

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

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

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

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

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

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

1 user or prospective user thereof; or

2 (10) Who instructs students on clinical matters or
3 performs any clinical operation included in the curricula
4 of recognized dental schools and colleges; or

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

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

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

1 (a) The rendering of dental relief in emergency cases
2 in the practice of his or her profession by a physician or
3 surgeon, licensed as such under the laws of this State,
4 unless he or she undertakes to reproduce or reproduces
5 lost parts of the human teeth in the mouth or to restore or
6 replace lost or missing teeth in the mouth; or

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

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

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

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

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

1 (e) The practice of dentistry by licensed dentists of
2 other states or countries at meetings of the Illinois
3 State Dental Society or component parts thereof, alumni
4 meetings of dental colleges, or any other like dental
5 organizations, while appearing as clinicians; or

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

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

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

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

24 (2) Removal of, ~~or~~ restoration of, or addition to
25 the hard or soft tissues of the oral cavity, except for
26 the placing, carving, and finishing of amalgam

1 restorations and placing, packing, and finishing
2 composite restorations by dental assistants who have
3 had additional formal education and certification.

4 A dental assistant may place, carve, and finish
5 amalgam restorations, place, pack, and finish
6 composite restorations, and place interim restorations
7 if he or she (A) has successfully completed a
8 structured training program as described in item (2)
9 of subsection (g) provided by an educational
10 institution accredited by the Commission on Dental
11 Accreditation, such as a dental school or dental
12 hygiene or dental assistant program, or (B) has at
13 least 4,000 hours of direct clinical patient care
14 experience and has successfully completed a structured
15 training program as described in item (2) of
16 subsection (g) provided by a statewide dental
17 association, approved by the Department to provide
18 continuing education, that has developed and conducted
19 training programs for expanded functions for dental
20 assistants or hygienists. The training program must:
21 (i) include a minimum of 16 hours of didactic study and
22 14 hours of clinical manikin instruction; all training
23 programs shall include areas of study in nomenclature,
24 caries classifications, oral anatomy, periodontium,
25 basic occlusion, instrumentations, pulp protection
26 liners and bases, dental materials, matrix and wedge

1 techniques, amalgam placement and carving, rubber dam
2 clamp placement, and rubber dam placement and removal;
3 (ii) include an outcome assessment examination that
4 demonstrates competency; (iii) require the supervising
5 dentist to observe and approve the completion of 8
6 amalgam or composite restorations; and (iv) issue a
7 certificate of completion of the training program,
8 which must be kept on file at the dental office and be
9 made available to the Department upon request. A
10 dental assistant must have successfully completed an
11 approved coronal polishing and dental sealant course
12 prior to taking the amalgam and composite restoration
13 course.

14 A dentist utilizing dental assistants shall not
15 supervise more than 4 dental assistants at any one
16 time for placing, carving, and finishing of amalgam
17 restorations or for placing, packing, and finishing
18 composite restorations.

19 (3) Any and all correction of malformation of
20 teeth or of the jaws.

21 (4) Administration of anesthetics, except for
22 monitoring of nitrous oxide, conscious sedation, deep
23 sedation, and general anesthetic as provided in
24 Section 8.1 of this Act, that may be performed only
25 after successful completion of a training program
26 approved by the Department. A dentist utilizing dental

1 assistants shall not supervise more than 4 dental
2 assistants at any one time for the monitoring of
3 nitrous oxide.

4 (5) Removal of calculus from human teeth.

5 (6) Taking of material or digital scans for final
6 impressions for the fabrication of prosthetic
7 appliances, crowns, bridges, inlays, onlays, or other
8 restorative or replacement dentistry.

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

25 In addition to coronal polishing and pit and
26 fissure sealants as described in this item (7), a

1 dental assistant who has at least 2,000 hours of
2 direct clinical patient care experience and who has
3 successfully completed a structured training program
4 provided by (1) an educational institution including,
5 but not limited to, a dental school or dental hygiene
6 or dental assistant program, or (2) a continuing
7 education provider approved by the Department, or (3)
8 a statewide dental or dental hygienist association,
9 ~~approved by the Department on or before January 1,~~
10 ~~2017 (the effective date of Public Act 99-680),~~ that
11 has developed and conducted a training program for
12 expanded functions for dental assistants or hygienists
13 may perform: (A) coronal scaling above the gum line,
14 supragingivally, on the clinical crown of the tooth
15 only on patients 17 years of age or younger who have an
16 absence of periodontal disease and who are not
17 medically compromised or individuals with special
18 needs and (B) intracoronal temporization of a tooth.
19 The training program must: (I) include a minimum of 32
20 hours of instruction in both didactic and clinical
21 manikin or human subject instruction; all training
22 programs shall include areas of study in dental
23 anatomy, public health dentistry, medical history,
24 dental emergencies, and managing the pediatric
25 patient; (II) include an outcome assessment
26 examination that demonstrates competency; (III)

1 require the supervising dentist to observe and approve
2 the completion of 6 full mouth supragingival scaling
3 procedures unless the training was received as part of
4 a Commission on Dental Accreditation approved dental
5 assistant program; and (IV) issue a certificate of
6 completion of the training program, which must be kept
7 on file at the dental office and be made available to
8 the Department upon request. A dental assistant must
9 have successfully completed an approved coronal
10 polishing course prior to taking the coronal scaling
11 course. A dental assistant performing these functions
12 shall be limited to the use of hand instruments only.
13 In addition, coronal scaling as described in this
14 paragraph shall only be utilized on patients who are
15 eligible for Medicaid, who are uninsured, or whose
16 household income is not greater than 300% of the
17 federal poverty level. A dentist may not supervise
18 more than 2 dental assistants at any one time for the
19 task of coronal scaling. This paragraph is inoperative
20 on and after January 1, 2026.

21 The limitations on the number of dental assistants a
22 dentist may supervise contained in items (2), (4), and (7)
23 of this paragraph (g) mean a limit of 4 total dental
24 assistants or dental hygienists doing expanded functions
25 covered by these Sections being supervised by one dentist;
26 or

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

2 (i) has applied in writing to the Department, in
3 form and substance satisfactory to the Department, for
4 a general dental license and has complied with all
5 provisions of Section 9 of this Act, except for the
6 passage of the examination specified in subsection (e)
7 of Section 9 of this Act; or

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

13 (iii) has been accepted or appointed for specialty
14 or residency training by a hospital situated in this
15 State; or

16 (iv) has been accepted or appointed for specialty
17 training in an approved dental program situated in
18 this State; or

19 (v) has been accepted or appointed for specialty
20 training in a dental public health agency situated in
21 this State.

22 The applicant shall be permitted to practice dentistry
23 for a period of 3 months from the starting date of the
24 program, unless authorized in writing by the Department to
25 continue such practice for a period specified in writing
26 by the Department.

1 The applicant shall only be entitled to perform such
2 acts as may be prescribed by and incidental to his or her
3 program of residency or specialty training and shall not
4 otherwise engage in the practice of dentistry in this
5 State.

6 The authority to practice shall terminate immediately
7 upon:

8 (1) the decision of the Department that the
9 applicant has failed the examination; or

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

11 (3) withdrawal of the application.

12 (Source: P.A. 101-162, eff. 7-26-19; 102-558, eff. 8-20-21;
13 102-936, eff. 1-1-23.)

14 (225 ILCS 25/19) (from Ch. 111, par. 2319)

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

16 Sec. 19. Licensing applicants from other states. Any
17 person who has been lawfully licensed to practice dentistry,
18 including the practice of a licensed dental specialty, or
19 dental hygiene in another state or territory or as a member of
20 the military service which has and maintains a standard for
21 the practice of dentistry, a dental specialty, or dental
22 hygiene at least equal to that now maintained in this State, or
23 if the requirements for licensure in such state or territory
24 in which the applicant was licensed were, at the date of his or
25 her licensure, substantially equivalent to the requirements

1 then in force in this State, and who has been lawfully engaged
2 in the practice of dentistry or dental hygiene for at least 2 ~~3~~
3 ~~of the 5~~ years immediately preceding the filing of his or her
4 application to practice in this State and who shall deposit
5 with the Department a duly attested certificate from the Board
6 of the state or territory in which he or she is licensed,
7 certifying to the fact of his or her licensing and of his or
8 her being a person of good moral character may, upon payment of
9 the required fee, be granted a license to practice dentistry,
10 a dental specialty, or dental hygiene in this State, as the
11 case may be.

12 For the purposes of this Section, "substantially
13 equivalent" means that the applicant has presented evidence of
14 completion and graduation from an American Dental Association
15 accredited dental college or school in the United States or
16 Canada, presented evidence that the applicant has passed both
17 parts of the National Board Dental Examination, and
18 successfully completed an examination conducted by a regional
19 testing service. ~~In computing 3 of the immediately preceding 5~~
20 ~~years of practice in another state or territory, any person~~
21 ~~who left the practice of dentistry to enter the military~~
22 ~~service and who practiced dentistry while in the military~~
23 ~~service may count as a part of such period the time spent by~~
24 ~~him or her in such service.~~

25 Applicants have 3 years from the date of application to
26 complete the application process. If the process has not been

1 completed in 3 years, the application shall be denied, the fee
2 forfeited and the applicant must reapply and meet the
3 requirements in effect at the time of reapplication.

4 (Source: P.A. 97-526, eff. 1-1-12; 97-1013, eff. 8-17-12.)

5 (225 ILCS 25/23) (from Ch. 111, par. 2323)

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

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

14 1. Fraud or misrepresentation in applying for or
15 procuring a license under this Act, or in connection with
16 applying for renewal of a license under this Act.

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

21 3. Willful or repeated violations of the rules of the
22 Department of Public Health or Department of Nuclear
23 Safety.

24 4. Acceptance of a fee for service as a witness,
25 without the knowledge of the court, in addition to the fee

1 allowed by the court.

2 5. Division of fees or agreeing to split or divide the
3 fees received for dental services with any person for
4 bringing or referring a patient, except in regard to
5 referral services as provided for under Section 45, or
6 assisting in the care or treatment of a patient, without
7 the knowledge of the patient or his or her legal
8 representative. Nothing in this item 5 affects any bona
9 fide independent contractor or employment arrangements
10 among health care professionals, health facilities, health
11 care providers, or other entities, except as otherwise
12 prohibited by law. Any employment arrangements may include
13 provisions for compensation, health insurance, pension, or
14 other employment benefits for the provision of services
15 within the scope of the licensee's practice under this
16 Act. Nothing in this item 5 shall be construed to require
17 an employment arrangement to receive professional fees for
18 services rendered.

19 6. Employing, procuring, inducing, aiding or abetting
20 a person not licensed or registered as a dentist or dental
21 hygienist to engage in the practice of dentistry or dental
22 hygiene. The person practiced upon is not an accomplice,
23 employer, procurer, inducer, aider, or abetter within the
24 meaning of this Act.

25 7. Making any misrepresentations or false promises,
26 directly or indirectly, to influence, persuade or induce

1 dental patronage.

2 8. Professional connection or association with or
3 lending his or her name to another for the illegal
4 practice of dentistry by another, or professional
5 connection or association with any person, firm or
6 corporation holding himself, herself, themselves, or
7 itself out in any manner contrary to this Act.

8 9. Obtaining or seeking to obtain practice, money, or
9 any other things of value by false or fraudulent
10 representations, but not limited to, engaging in such
11 fraudulent practice to defraud the medical assistance
12 program of the Department of Healthcare and Family
13 Services (formerly Department of Public Aid) under the
14 Illinois Public Aid Code.

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

17 11. Engaging in dishonorable, unethical, or
18 unprofessional conduct of a character likely to deceive,
19 defraud, or harm the public.

20 12. Conviction by plea of guilty or nolo contendere,
21 finding of guilt, jury verdict, or entry of judgment or by
22 sentencing for any crime, including, but not limited to,
23 convictions, preceding sentences of supervision,
24 conditional discharge, or first offender probation, under
25 the laws of any jurisdiction of the United States that (i)
26 is a felony under the laws of this State or (ii) is a

1 misdemeanor, an essential element of which is dishonesty,
2 or that is directly related to the practice of dentistry.

3 13. Permitting a dental hygienist, dental assistant or
4 other person under his or her supervision to perform any
5 operation not authorized by this Act.

6 14. Permitting more than 4 dental hygienists to be
7 employed under his or her supervision at any one time.

8 15. A violation of any provision of this Act or any
9 rules promulgated under this Act.

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

12 17. Violating any provision of Section 45 relating to
13 advertising.

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

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

21 20. Gross negligence in practice under this Act.

22 21. The use or prescription for use of narcotics or
23 controlled substances or designated products as listed in
24 the Illinois Controlled Substances Act, in any way other
25 than for therapeutic purposes.

26 22. Willfully making or filing false records or

1 reports in his or her practice as a dentist, including,
2 but not limited to, false records to support claims
3 against the dental assistance program of the Department of
4 Healthcare and Family Services (formerly Illinois
5 Department of Public Aid).

6 23. Professional incompetence as manifested by poor
7 standards of care.

8 24. Physical or mental illness, including, but not
9 limited to, deterioration through the aging process, or
10 loss of motor skills which results in a dentist's
11 inability to practice dentistry with reasonable judgment,
12 skill or safety. In enforcing this paragraph, the
13 Department may compel a person licensed to practice under
14 this Act to submit to a mental or physical examination
15 pursuant to the terms and conditions of Section 23b.

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

19 (a) Reporting excessive charges for the purpose of
20 obtaining a total payment in excess of that usually
21 received by the dentist for the services rendered.

22 (b) Reporting charges for services not rendered.

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

25 26. Continuing the active practice of dentistry while
26 knowingly having any infectious, communicable, or

1 contagious disease proscribed by rule or regulation of the
2 Department.

3 27. Being named as a perpetrator in an indicated
4 report by the Department of Children and Family Services
5 pursuant to the Abused and Neglected Child Reporting Act,
6 and upon proof by clear and convincing evidence that the
7 licensee has caused a child to be an abused child or
8 neglected child as defined in the Abused and Neglected
9 Child Reporting Act.

10 28. Violating the Health Care Worker Self-Referral
11 Act.

12 29. Abandonment of a patient.

13 30. Mental incompetency as declared by a court of
14 competent jurisdiction.

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

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

20 33. 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 34. 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 35. Cheating on or attempting to subvert the licensing

1 examination administered under this Act.

2 36. A pattern of practice or other behavior that
3 demonstrates incapacity or incompetence to practice under
4 this Act.

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

7 38. Failure to provide copies of dental records as
8 required by law.

9 39. Failure of a licensed dentist who owns or is
10 employed at a dental office to give notice of an office
11 closure to his or her patients at least 30 days prior to
12 the office closure pursuant to Section 50.1.

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

26 All fines imposed under this Section shall be paid within

1 60 days after the effective date of the order imposing the fine
2 or in accordance with the terms set forth in the order imposing
3 the fine.

4 The Department may refuse to issue or may suspend the
5 license of any person who fails to file a return, or to pay the
6 tax, penalty or interest shown in a filed return, or to pay any
7 final assessment of tax, penalty or interest, as required by
8 any tax Act administered by the Illinois Department of
9 Revenue, until such time as the requirements of any such tax
10 Act are satisfied.

11 Any dentist who has had his or her license suspended or
12 revoked for more than 5 years must comply with the
13 requirements for restoration set forth in Section 16 prior to
14 being eligible for reinstatement from the suspension or
15 revocation.

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

17 (225 ILCS 25/50) (from Ch. 111, par. 2350)

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

19 Sec. 50. Patient records. Every dentist shall make a
20 record of all dental work performed for each patient. The
21 record shall be made in a manner and in sufficient detail that
22 it may be used for identification purposes. Dental records are
23 the property of the office in which dentistry is practiced.

24 Dental records required by this Section shall be
25 maintained for 10 years. Dental records required to be

1 maintained under this Section, or copies of those dental
2 records, shall be made available upon request to the patient
3 or the patient's guardian. A dentist shall be entitled to
4 reasonable reimbursement for the cost of reproducing these
5 records, which shall not exceed the cost allowed under Section
6 8-2001 of the Code of Civil Procedure. A dentist providing
7 services through a mobile dental van or portable dental unit
8 shall provide to the patient or the patient's parent or
9 guardian, in writing, the dentist's name, license number,
10 address, and information on how the patient or the patient's
11 parent or guardian may obtain the patient's dental records, as
12 provided by law.

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

14 (225 ILCS 25/50.1 new)

15 Sec. 50.1. Closing a dental office. A dental office that
16 is closing and will not continue to offer dentistry services
17 must provide notice to its patients at least 30 days prior to
18 the closure. The notice to patients shall include an
19 explanation of how copies of the patient's records may be
20 accessed or obtained by the patient. The notice may be given by
21 publication in a newspaper of general circulation in the area
22 in which the dental office is located or in an electronic
23 format accessible by patients.