



Sen. Steve McClure

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1 AMENDMENT TO HOUSE BILL 2077

2 AMENDMENT NO. _____. Amend House Bill 2077 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, 11, 16.1, 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8 (Section scheduled to be repealed on January 1, 2026)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.

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

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

5 "Board" means the Board of Dentistry.

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

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

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

17 "Expanded function dental assistant" means a dental
18 assistant who has completed the training required by Section
19 17.1 of this Act.

20 "Dental laboratory" means a person, firm, l or corporation
21 which:

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

1 (ii) utilizes or employs a dental technician to
2 provide such services; and

3 (iii) performs such functions only for a dentist or
4 dentists.

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

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

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

26 "Dentistry" means the healing art which is concerned with

1 the examination, diagnosis, treatment planning, and care of
2 conditions within the human oral cavity and its adjacent
3 tissues and structures, as further specified in Section 17.

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

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

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

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

1 "Nurse" means a registered professional nurse, a certified
2 registered nurse anesthetist licensed as an advanced practice
3 registered nurse, or a licensed practical nurse licensed under
4 the Nurse Practice Act.

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

9 "Dental responder" means a dentist or dental hygienist who
10 is appropriately certified in disaster preparedness,
11 immunizations, and dental humanitarian medical response
12 consistent with the Society of Disaster Medicine and Public
13 Health and training certified by the National Incident
14 Management System or the National Disaster Life Support
15 Foundation.

16 "Mobile dental van or portable dental unit" means any
17 self-contained or portable dental unit in which dentistry is
18 practiced that can be moved, towed, or transported from one
19 location to another in order to establish a location where
20 dental services can be provided.

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

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

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

17 "Teledentistry" means the use of telehealth systems and
18 methodologies in dentistry and includes patient care and
19 education delivery using synchronous and asynchronous
20 communications under a dentist's authority as provided under
21 this Act.

22 (Source: P.A. 101-64, eff. 7-12-19; 101-162, eff. 7-26-19;
23 102-93, eff. 1-1-22; 102-588, eff. 8-20-21; 102-936, eff.
24 1-1-23.)

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

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

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

7 (b) Specialty licenses. The Department shall issue a
8 license authorizing practice as a specialist in any particular
9 branch of dentistry to any dentist who has complied with the
10 requirements established for that particular branch of
11 dentistry at the time of making application. The Department
12 shall establish additional requirements of any dentist who
13 announces or holds himself or herself out to the public as a
14 specialist or as being specially qualified in any particular
15 branch of dentistry.

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

20 The fact that any dentist shall announce by card,
21 letterhead, or any other form of communication using terms as
22 "Specialist" "Practice Limited To" or "Limited to
23 Specialty of" with the name of the branch of dentistry
24 practiced as a specialty, or shall use equivalent words or
25 phrases to announce the same, shall be prima facie evidence
26 that the dentist is holding himself or herself out to the

1 public as a specialist.

2 (c) Temporary training licenses. Persons who wish to
3 pursue specialty or other advanced clinical educational
4 programs in an approved dental school or a hospital situated
5 in this State, or persons who wish to pursue programs of
6 specialty training in dental public health in public agencies
7 in this State, may receive without examination, in the
8 discretion of the Department, a temporary training license. In
9 order to receive a temporary training license under this
10 subsection, an applicant shall furnish satisfactory proof to
11 the Department that:

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

17 (2) The applicant has been accepted or appointed for
18 specialty or residency training by an approved hospital
19 situated in this State, by an approved dental school
20 situated in this State, or by a public health agency in
21 this State the training programs of which are recognized
22 and approved by the Department. The applicant shall
23 indicate the beginning and ending dates of the period for
24 which he or she has been accepted or appointed;

25 (3) The applicant is a graduate of a dental school or
26 college approved and in good standing in the judgment of

1 the Department. The Department may consider diplomas or
2 certifications of education, or both, accompanied by
3 transcripts of course work and credits awarded to
4 determine if an applicant has graduated from a dental
5 school or college approved and in good standing. The
6 Department may also consider diplomas or certifications of
7 education, or both, accompanied by transcripts of course
8 work and credits awarded in determining whether a dental
9 school or college is approved and in good standing.

10 Temporary training licenses issued under this Section
11 shall be valid only for the duration of the period of residency
12 or specialty training and may be extended or renewed as
13 prescribed by rule. The holder of a valid temporary training
14 license shall be entitled thereby to perform acts as may be
15 prescribed by and incidental to his or her program of
16 residency or specialty training; but he or she shall not be
17 entitled to engage in the practice of dentistry in this State.

18 A temporary training license may be revoked by the
19 Department upon proof that the holder has engaged in the
20 practice of dentistry in this State outside of his or her
21 program of residency or specialty training, or if the holder
22 shall fail to supply the Department, within 10 days of its
23 request, with information as to his or her current status and
24 activities in his or her specialty training program.

25 (d) Faculty limited licenses. Persons who have received
26 full-time appointments to teach dentistry at an approved

1 dental school or hospital situated in this State may receive
2 without examination, in the discretion of the Department, a
3 faculty limited license. In order to receive a faculty limited
4 license an applicant shall furnish satisfactory proof to the
5 Department that:

6 (1) The applicant is at least 21 years of age, is of
7 good moral character, and is licensed to practice
8 dentistry in another state or country; and

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

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

26 The Department may revoke a faculty limited license for a

1 violation of this Act or its rules, or if the holder fails to
2 supply the Department, within 10 days of its request, with
3 information as to his or her current status and activities in
4 his or her teaching program.

5 (e) Inactive status. Any person who holds one of the
6 licenses under subsection (a) or (b) of Section 11 or under
7 Section 12 of this Act may elect, upon payment of the required
8 fee, to place his or her license on an inactive status and
9 shall, subject to the rules of the Department, be excused from
10 the payment of renewal fees until he or she notifies the
11 Department in writing of his or her desire to resume active
12 status.

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

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

19 (f) Certificates of Identification. In addition to the
20 licenses authorized by this Section, the Department shall
21 deliver to each dentist a certificate of identification in a
22 form specified by the Department.

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

24 (225 ILCS 25/16.1) (from Ch. 111, par. 2316.1)

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

1 Sec. 16.1. Continuing education. The Department shall
2 promulgate rules of continuing education for persons licensed
3 under this Act. In establishing rules, the Department shall
4 require a minimum of 48 hours of study in approved courses for
5 dentists during each 3-year licensing period and a minimum of
6 36 hours of study in approved courses for dental hygienists
7 during each 3-year licensing period.

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

1 provided in this Section or by the rules adopted by the
2 Department.

3 No license shall be renewed unless the renewal application
4 is accompanied by an affidavit indicating that the applicant
5 has completed the required minimum number of hours of
6 continuing education in approved courses as required by this
7 Section. The affidavit shall not require a listing of courses.
8 The affidavit shall be a prima facie evidence that the
9 applicant has obtained the minimum number of required
10 continuing education hours in approved courses. The Department
11 shall not be obligated to conduct random audits or otherwise
12 independently verify that an applicant has met the continuing
13 education requirement. The Department, however, may not
14 conduct random audits of more than 10% of the licensed
15 dentists and dental hygienists in any one licensing cycle to
16 verify compliance with continuing education requirements. If
17 the Department, however, receives a complaint that a licensee
18 has not completed the required continuing education or if the
19 Department is investigating another alleged violation of this
20 Act by a licensee, the Department may demand and shall be
21 entitled to receive evidence from any licensee of completion
22 of required continuing education courses for the most recently
23 completed 3-year licensing period. Evidence of continuing
24 education may include, but is not limited to, canceled checks,
25 official verification forms of attendance, and continuing
26 education recording forms, that demonstrate a reasonable

1 record of attendance. The Board shall determine, in accordance
2 with rules adopted by the Department, whether a licensee or
3 applicant has met the continuing education requirements. Any
4 dentist who holds more than one license under this Act shall be
5 required to complete only the minimum number of hours of
6 continuing education required for renewal of a single license.
7 The Department may provide exemptions from continuing
8 education requirements.

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

10 (225 ILCS 25/17) (from Ch. 111, par. 2317)

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

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

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

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

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

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

25 (5) Who extracts a human tooth or teeth, or corrects

1 or attempts to correct malpositions of the human teeth or
2 jaws; or

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

6 (7) Who uses or administers local or general
7 anesthetics in the treatment of dental or oral diseases or
8 in any preparation incident to a dental operation of any
9 kind or character; or

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

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

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

24 (11) Who takes material or digital scans for final
25 impressions of human teeth or places his or her hands in
26 the mouth of any person for the purpose of applying teeth

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

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

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

20 (a) The rendering of dental relief in emergency cases
21 in the practice of his or her profession by a physician or
22 surgeon, licensed as such under the laws of this State,
23 unless he or she undertakes to reproduce or reproduces
24 lost parts of the human teeth in the mouth or to restore or
25 replace lost or missing teeth in the mouth; or

26 (b) The practice of dentistry in the discharge of

1 their official duties by dentists in any branch of the
2 Armed Services of the United States, the United States
3 Public Health Service, or the United States Veterans
4 Administration; or

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

9 (d) The practice of dentistry by clinical instructors
10 in the course of their teaching duties in dental schools
11 or colleges approved by the Department:

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

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

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

25 (f) The use of X-Ray machines for exposing X-Ray films
26 of dental or oral tissues by dental hygienists or dental

1 assistants; or

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

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

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

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

23 A dental assistant may place, carve, and finish
24 amalgam restorations, place, pack, and finish
25 composite restorations, and place interim restorations
26 if he or she (A) has successfully completed a

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

1 which must be kept on file at the dental office and be
2 made available to the Department upon request. A
3 dental assistant must have successfully completed an
4 approved coronal polishing and dental sealant course
5 prior to taking the amalgam and composite restoration
6 course.

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

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

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

23 (5) Removal of calculus from human teeth.

24 (6) Taking of material or digital scans for final
25 impressions for the fabrication of prosthetic
26 appliances, crowns, bridges, inlays, onlays, or other

1 restorative or replacement dentistry.

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

18 In addition to coronal polishing and pit and
19 fissure sealants as described in this item (7), a
20 dental assistant who has at least 2,000 hours of
21 direct clinical patient care experience and who has
22 successfully completed a structured training program
23 provided by (1) an educational institution including,
24 but not limited to, a dental school or dental hygiene
25 or dental assistant program, or (2) a continuing
26 education provider approved by the Department, or (3)

1 a statewide dental or dental hygienist association,
2 ~~approved by the Department on or before January 1,~~
3 ~~2017 (the effective date of Public Act 99-680),~~ that
4 has developed and conducted a training program for
5 expanded functions for dental assistants or hygienists
6 may perform: (A) coronal scaling above the gum line,
7 supragingivally, on the clinical crown of the tooth
8 only on patients 17 years of age or younger who have an
9 absence of periodontal disease and who are not
10 medically compromised or individuals with special
11 needs and (B) intracoronal temporization of a tooth.
12 The training program must: (I) include a minimum of 32
13 hours of instruction in both didactic and clinical
14 manikin or human subject instruction; all training
15 programs shall include areas of study in dental
16 anatomy, public health dentistry, medical history,
17 dental emergencies, and managing the pediatric
18 patient; (II) include an outcome assessment
19 examination that demonstrates competency; (III)
20 require the supervising dentist to observe and approve
21 the completion of 6 full mouth supragingival scaling
22 procedures unless the training was received as part of
23 a Commission on Dental Accreditation approved dental
24 assistant program; and (IV) issue a certificate of
25 completion of the training program, which must be kept
26 on file at the dental office and be made available to

1 the Department upon request. A dental assistant must
2 have successfully completed an approved coronal
3 polishing course prior to taking the coronal scaling
4 course. A dental assistant performing these functions
5 shall be limited to the use of hand instruments only.
6 In addition, coronal scaling as described in this
7 paragraph shall only be utilized on patients who are
8 eligible for Medicaid, who are uninsured, or whose
9 household income is not greater than 300% of the
10 federal poverty level. A dentist may not supervise
11 more than 2 dental assistants at any one time for the
12 task of coronal scaling. This paragraph is inoperative
13 on and after January 1, 2026.

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

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

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

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

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

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

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

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

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

25 The authority to practice shall terminate immediately
26 upon:

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

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

4 (3) withdrawal of the application.

5 (Source: P.A. 101-162, eff. 7-26-19; 102-558, eff. 8-20-21;
6 102-936, eff. 1-1-23.)

7 (225 ILCS 25/19) (from Ch. 111, par. 2319)

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

9 Sec. 19. Licensing applicants from other states. Any
10 person who has been lawfully licensed to practice dentistry,
11 including the practice of a licensed dental specialty, or
12 dental hygiene in another state or territory or as a member of
13 the military service which has and maintains a standard for
14 the practice of dentistry, a dental specialty, or dental
15 hygiene at least equal to that now maintained in this State, or
16 if the requirements for licensure in such state or territory
17 in which the applicant was licensed were, at the date of his or
18 her licensure, substantially equivalent to the requirements
19 then in force in this State, and who has been lawfully engaged
20 in the practice of dentistry or dental hygiene for at least 2 ~~3~~
21 ~~of the 5~~ years immediately preceding the filing of his or her
22 application to practice in this State and who shall deposit
23 with the Department a duly attested certificate from the Board
24 of the state or territory in which he or she is licensed,
25 certifying to the fact of his or her licensing and of his or

1 her being a person of good moral character may, upon payment of
2 the required fee, be granted a license to practice dentistry,
3 a dental specialty, or dental hygiene in this State, as the
4 case may be.

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

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

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

24 (225 ILCS 25/23) (from Ch. 111, par. 2323)

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

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

8 1. Fraud or misrepresentation in applying for or
9 procuring a license under this Act, or in connection with
10 applying for renewal of a license under this Act.

11 2. Inability to practice with reasonable judgment,
12 skill, or safety as a result of habitual or excessive use
13 or addiction to alcohol, narcotics, stimulants, or any
14 other chemical agent or drug.

15 3. Willful or repeated violations of the rules of the
16 Department of Public Health or Department of Nuclear
17 Safety.

18 4. Acceptance of a fee for service as a witness,
19 without the knowledge of the court, in addition to the fee
20 allowed by the court.

21 5. Division of fees or agreeing to split or divide the
22 fees received for dental services with any person for
23 bringing or referring a patient, except in regard to
24 referral services as provided for under Section 45, or
25 assisting in the care or treatment of a patient, without
26 the knowledge of the patient or his or her legal

1 representative. Nothing in this item 5 affects any bona
2 fide independent contractor or employment arrangements
3 among health care professionals, health facilities, health
4 care providers, or other entities, except as otherwise
5 prohibited by law. Any employment arrangements may include
6 provisions for compensation, health insurance, pension, or
7 other employment benefits for the provision of services
8 within the scope of the licensee's practice under this
9 Act. Nothing in this item 5 shall be construed to require
10 an employment arrangement to receive professional fees for
11 services rendered.

12 6. Employing, procuring, inducing, aiding or abetting
13 a person not licensed or registered as a dentist or dental
14 hygienist to engage in the practice of dentistry or dental
15 hygiene. The person practiced upon is not an accomplice,
16 employer, procurer, inducer, aider, or abetter within the
17 meaning of this Act.

18 7. Making any misrepresentations or false promises,
19 directly or indirectly, to influence, persuade or induce
20 dental patronage.

21 8. Professional connection or association with or
22 lending his or her name to another for the illegal
23 practice of dentistry by another, or professional
24 connection or association with any person, firm or
25 corporation holding himself, herself, themselves, or
26 itself out in any manner contrary to this Act.

1 9. Obtaining or seeking to obtain practice, money, or
2 any other things of value by false or fraudulent
3 representations, but not limited to, engaging in such
4 fraudulent practice to defraud the medical assistance
5 program of the Department of Healthcare and Family
6 Services (formerly Department of Public Aid) under the
7 Illinois Public Aid Code.

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

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

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

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

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

1 15. A violation of any provision of this Act or any
2 rules promulgated under this Act.

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

5 17. Violating any provision of Section 45 relating to
6 advertising.

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

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

14 20. Gross negligence in practice under this Act.

15 21. The use or prescription for use of narcotics or
16 controlled substances or designated products as listed in
17 the Illinois Controlled Substances Act, in any way other
18 than for therapeutic purposes.

19 22. Willfully making or filing false records or
20 reports in his or her practice as a dentist, including,
21 but not limited to, false records to support claims
22 against the dental assistance program of the Department of
23 Healthcare and Family Services (formerly Illinois
24 Department of Public Aid).

25 23. Professional incompetence as manifested by poor
26 standards of care.

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

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

12 (a) Reporting excessive charges for the purpose of
13 obtaining a total payment in excess of that usually
14 received by the dentist for the services rendered.

15 (b) Reporting charges for services not rendered.

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

18 26. Continuing the active practice of dentistry while
19 knowingly having any infectious, communicable, or
20 contagious disease proscribed by rule or regulation of the
21 Department.

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

1 neglected child as defined in the Abused and Neglected
2 Child Reporting Act.

3 28. Violating the Health Care Worker Self-Referral
4 Act.

5 29. Abandonment of a patient.

6 30. Mental incompetency as declared by a court of
7 competent jurisdiction.

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

11 32. Material misstatement in furnishing information to
12 the Department.

13 33. Failing, within 60 days, to provide information in
14 response to a written request by the Department in the
15 course of an investigation.

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

19 35. Cheating on or attempting to subvert the licensing
20 examination administered under this Act.

21 36. A pattern of practice or other behavior that
22 demonstrates incapacity or incompetence to practice under
23 this Act.

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

26 38. Failure to provide copies of dental records as

1 required by law.

2 39. Failure of a licensed dentist who owns or is
3 employed at a dental office to give notice of an office
4 closure to his or her patients at least 30 days prior to
5 the office closure pursuant to Section 50.1.

6 40. Failure to maintain a sanitary work environment.

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

20 All fines imposed under this Section shall be paid within
21 60 days after the effective date of the order imposing the fine
22 or in accordance with the terms set forth in the order imposing
23 the fine.

24 The Department may refuse to issue or may suspend the
25 license of any person who fails to file a return, or to pay the
26 tax, penalty or interest shown in a filed return, or to pay any

1 final assessment of tax, penalty or interest, as required by
2 any tax Act administered by the Illinois Department of
3 Revenue, until such time as the requirements of any such tax
4 Act are satisfied.

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

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

11 (225 ILCS 25/50) (from Ch. 111, par. 2350)

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

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

18 Dental records required by this Section shall be
19 maintained for 10 years. Dental records required to be
20 maintained under this Section, or copies of those dental
21 records, shall be made available upon request to the patient
22 or the patient's guardian. A dentist shall be entitled to
23 reasonable reimbursement for the cost of reproducing these
24 records, which shall not exceed the cost allowed under Section
25 8-2001 of the Code of Civil Procedure. A dentist providing

1 services through a mobile dental van or portable dental unit
2 shall provide to the patient or the patient's parent or
3 guardian, in writing, the dentist's name, license number,
4 address, and information on how the patient or the patient's
5 parent or guardian may obtain the patient's dental records, as
6 provided by law.

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

8 (225 ILCS 25/50.1 new)

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

18 Section 10. The Illinois Controlled Substances Act is
19 amended by changing Sections 309 and 311.6 as follows:

20 (720 ILCS 570/309) (from Ch. 56 1/2, par. 1309)

21 Sec. 309. On or after April 1, 2000, no person shall issue
22 a prescription for a Schedule II controlled substance, which
23 is a narcotic drug listed in Section 206 of this Act; or which

1 contains any quantity of amphetamine or methamphetamine, their
2 salts, optical isomers or salts of optical isomers;
3 phenmetrazine and its salts; gluthethimide; and pentazocine,
4 other than on a written prescription; provided that in the
5 case of an emergency, epidemic or a sudden or unforeseen
6 accident or calamity, the prescriber may issue a lawful oral
7 prescription where failure to issue such a prescription might
8 result in loss of life or intense suffering, but such oral
9 prescription shall include a statement by the prescriber
10 concerning the accident or calamity, or circumstances
11 constituting the emergency, the cause for which an oral
12 prescription was used. Within 7 days after issuing an
13 emergency prescription, the prescriber shall cause a written
14 prescription for the emergency quantity prescribed to be
15 delivered to the dispensing pharmacist. The prescription shall
16 have written on its face "Authorization for Emergency
17 Dispensing", and the date of the emergency prescription. The
18 written prescription may be delivered to the pharmacist in
19 person, or by mail, but if delivered by mail it must be
20 postmarked within the 7-day period. Upon receipt, the
21 dispensing pharmacist shall attach this prescription to the
22 emergency oral prescription earlier received and reduced to
23 writing. The dispensing pharmacist shall notify the Department
24 of Financial and Professional Regulation if the prescriber
25 fails to deliver the authorization for emergency dispensing on
26 the prescription to him or her. Failure of the dispensing

1 pharmacist to do so shall void the authority conferred by this
2 paragraph to dispense without a written prescription of a
3 prescriber. All prescriptions issued for Schedule II
4 controlled substances shall include the quantity prescribed.

5 All nonelectronic prescriptions issued for Schedule II
6 controlled substances shall include both a written and
7 numerical notation of quantity on the face of the
8 prescription. No prescription for a Schedule II controlled
9 substance may be refilled. The Department shall provide, at no
10 cost, audit reviews and necessary information to the
11 Department of Financial and Professional Regulation in
12 conjunction with ongoing investigations being conducted in
13 whole or part by the Department of Financial and Professional
14 Regulation.

15 (Source: P.A. 97-334, eff. 1-1-12.)

16 (720 ILCS 570/311.6)

17 (This Section may contain text from a Public Act with a
18 delayed effective date)

19 Sec. 311.6. Opioid prescriptions.

20 (a) Notwithstanding any other provision of law, a
21 prescription for a substance classified in Schedule II, III,
22 IV, or V must be sent electronically, in accordance with
23 Section 316. Prescriptions sent in accordance with this
24 subsection (a) must be accepted by the dispenser in electronic
25 format.

1 (b) Beginning on the effective date of this amendatory Act
2 of the 103rd General Assembly until December 31, 2028,
3 notwithstanding ~~Notwithstanding~~ any other provision of this
4 Section or any other provision of law, a prescriber shall not
5 be required to issue prescriptions electronically if he or she
6 certifies to the Department of Financial and Professional
7 Regulation that he or she will not issue more than 150 ~~25~~
8 prescriptions during a 12-month period. Prescriptions in both
9 oral and written form for controlled substances shall be
10 included in determining whether the prescriber will reach the
11 limit of 150 ~~25~~ prescriptions. Beginning January 1, 2029,
12 notwithstanding any other provision of this Section or any
13 other provision of law, a prescriber shall not be required to
14 issue prescriptions electronically if he or she certifies to
15 the Department of Financial and Professional Regulation that
16 he or she will not issue more than 50 prescriptions during a
17 12-month period. Prescriptions in both oral and written form
18 for controlled substances shall be included in determining
19 whether the prescriber will reach the limit of 50
20 prescriptions.

21 (b-5) Notwithstanding any other provision of this Section
22 or any other provision of law, a prescriber shall not be
23 required to issue prescriptions electronically under the
24 following circumstances:

25 (1) prior to January 1, 2026, the prescriber
26 demonstrates financial difficulties in buying or managing

1 an electronic prescription option, whether it is an
2 electronic health record or some other electronic
3 prescribing product;

4 (2) on and after January 1, 2026, the prescriber
5 provides proof of a waiver from the Centers for Medicare
6 and Medicaid Services for the Electronic Prescribing for
7 Controlled Substances Program due to demonstrated economic
8 hardship for the previous compliance year;

9 (3) there is a temporary technological or electrical
10 failure that prevents an electronic prescription from
11 being issued;

12 (4) the prescription is for a drug that the
13 practitioner reasonably determines would be impractical
14 for the patient to obtain in a timely manner if prescribed
15 by an electronic data transmission prescription and the
16 delay would adversely impact the patient's medical
17 condition;

18 (5) the prescription is for an individual who:

19 (A) resides in a nursing or assisted living
20 facility;

21 (B) is receiving hospice or palliative care;

22 (C) is receiving care at an outpatient renal
23 dialysis facility and the prescription is related to
24 the care provided;

25 (D) is receiving care through the United States
26 Department of Veterans Affairs; or

1 (E) is incarcerated in a state, detained, or
2 confined in a correctional facility;

3 (6) the prescription prescribes a drug under a
4 research protocol;

5 (7) the prescription is a non-patient specific
6 prescription dispensed under a standing order, approved
7 protocol for drug therapy, collaborative drug management,
8 or comprehensive medication management, or in response to
9 a public health emergency or other circumstance in which
10 the practitioner may issue a non-patient specific
11 prescription;

12 (8) the prescription is issued when the prescriber and
13 dispenser are the same entity; and

14 (9) the prescriptions is issued for a compound
15 prescription containing 2 or more compounds.

16 (c) The Department of Financial and Professional
17 Regulation ~~may shall~~ adopt rules for the administration of
18 this Section ~~. These rules shall provide for the~~
19 ~~implementation of any such exemption~~ to the requirements under
20 this Section that the Department of Financial and Professional
21 Regulation may deem appropriate, ~~including the exemption~~
22 ~~provided for in subsection (b).~~

23 (d) Any prescriber who makes a good faith effort to
24 prescribe electronically, but for reasons not within the
25 prescriber's control is unable to prescribe electronically,
26 may be exempt from any disciplinary action.

1 (e) Any pharmacist who dispenses in good faith based upon
2 a prescription that is not prescribed electronically is exempt
3 from any disciplinary action.

4 (f) It shall be a violation of this Section for any
5 prescriber or dispenser to adopt a policy contrary to this
6 Section.

7 (Source: P.A. 102-490, eff. 1-1-24 (See Section 55 of P.A.
8 102-1109 for effective date of P.A. 102-490).)".