



Sen. Steve McClure

Filed: 5/5/2023

10300HB2077sam004

LRB103 05331 SPS 61554 a

1 AMENDMENT TO HOUSE BILL 2077

2 AMENDMENT NO. _____. Amend House Bill 2077, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Dental Practice Act is amended by
6 changing Sections 4, 11, 16.1, 17, 19, 23, and 50 and by adding
7 Section 50.1 as follows:

8 (225 ILCS 25/4) (from Ch. 111, par. 2304)

9 (Section scheduled to be repealed on January 1, 2026)

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

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

1 website or by contacting the Department.

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

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

6 "Board" means the Board of Dentistry.

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

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

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

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

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

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

1 contact with its adjacent structures and tissues; and

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

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

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

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

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

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

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

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

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

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

1 patient care.

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

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

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

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

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

1 advanced areas specific to public health dentistry.

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

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

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

23 (Source: P.A. 101-64, eff. 7-12-19; 101-162, eff. 7-26-19;
24 102-93, eff. 1-1-22; 102-588, eff. 8-20-21; 102-936, eff.
25 1-1-23.)

1 (225 ILCS 25/11) (from Ch. 111, par. 2311)

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

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

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

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

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

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

1 that the dentist is holding himself or herself out to the
2 public as a specialist.

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

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

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

26 (3) The applicant is a graduate of a dental school or

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

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

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

26 (d) Faculty limited licenses. Persons who have received

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

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

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

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

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

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

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

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

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

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

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

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

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

1 course for continuing education in the State of Illinois, as
2 provided in this Section or by the rules adopted by the
3 Department.

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

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

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

11 (225 ILCS 25/17) (from Ch. 111, par. 2317)

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

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

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

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

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

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

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

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

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

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

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

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

25 (11) Who takes material or digital scans for final
26 impressions of human teeth or places his or her hands in

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

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

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

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

1 (b) The practice of dentistry in the discharge of
2 their official duties by dentists in any branch of the
3 Armed Services of the United States, the United States
4 Public Health Service, or the United States Veterans
5 Administration; or

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

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

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

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

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

26 (f) The use of X-Ray machines for exposing X-Ray films

1 of dental or oral tissues by dental hygienists or dental
2 assistants; or

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

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

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

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

24 A dental assistant may place, carve, and finish
25 amalgam restorations, place, pack, and finish
26 composite restorations, and place interim restorations

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

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

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

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

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

24 (5) Removal of calculus from human teeth.

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

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

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

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

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

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

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

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

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

1 of Section 9 of this Act; or

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

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

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

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

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

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

26 The authority to practice shall terminate immediately

1 upon:

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

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

5 (3) withdrawal of the application.

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

8 (225 ILCS 25/19) (from Ch. 111, par. 2319)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 itself out in any manner contrary to this Act.

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

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

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

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

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

26 14. Permitting more than 4 dental hygienists to be

1 employed under his or her supervision at any one time.

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

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

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

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

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

15 20. Gross negligence in practice under this Act.

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

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

26 23. Professional incompetence as manifested by poor

1 standards of care.

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

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

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

16 (b) Reporting charges for services not rendered.

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

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

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

1 licensee has caused a child to be an abused child or
2 neglected child as defined in the Abused and Neglected
3 Child Reporting Act.

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

6 29. Abandonment of a patient.

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

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

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

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

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

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

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

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

1 38. Failure to provide copies of dental records as
2 required by law.

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

7 40. Failure to maintain a sanitary work environment.

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

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

25 The Department may refuse to issue or may suspend the
26 license of any person who fails to file a return, or to pay the

1 tax, penalty or interest shown in a filed return, or to pay any
2 final assessment of tax, penalty or interest, as required by
3 any tax Act administered by the Illinois Department of
4 Revenue, until such time as the requirements of any such tax
5 Act are satisfied.

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

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

12 (225 ILCS 25/50) (from Ch. 111, par. 2350)

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

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

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

1 8-2001 of the Code of Civil Procedure. A dentist providing
2 services through a mobile dental van or portable dental unit
3 shall provide to the patient or the patient's parent or
4 guardian, in writing, the dentist's name, license number,
5 address, and information on how the patient or the patient's
6 parent or guardian may obtain the patient's dental records, as
7 provided by law.

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

9 (225 ILCS 25/50.1 new)

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

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

21 (720 ILCS 570/309) (from Ch. 56 1/2, par. 1309)

22 Sec. 309. On or after April 1, 2000, no person shall issue
23 a prescription for a Schedule II controlled substance, which

1 is a narcotic drug listed in Section 206 of this Act; or which
2 contains any quantity of amphetamine or methamphetamine, their
3 salts, optical isomers or salts of optical isomers;
4 phenmetrazine and its salts; gluthethimide; and pentazocine,
5 other than on a written prescription; provided that in the
6 case of an emergency, epidemic or a sudden or unforeseen
7 accident or calamity, the prescriber may issue a lawful oral
8 prescription where failure to issue such a prescription might
9 result in loss of life or intense suffering, but such oral
10 prescription shall include a statement by the prescriber
11 concerning the accident or calamity, or circumstances
12 constituting the emergency, the cause for which an oral
13 prescription was used. Within 7 days after issuing an
14 emergency prescription, the prescriber shall cause a written
15 prescription for the emergency quantity prescribed to be
16 delivered to the dispensing pharmacist. The prescription shall
17 have written on its face "Authorization for Emergency
18 Dispensing", and the date of the emergency prescription. The
19 written prescription may be delivered to the pharmacist in
20 person, or by mail, but if delivered by mail it must be
21 postmarked within the 7-day period. Upon receipt, the
22 dispensing pharmacist shall attach this prescription to the
23 emergency oral prescription earlier received and reduced to
24 writing. The dispensing pharmacist shall notify the Department
25 of Financial and Professional Regulation if the prescriber
26 fails to deliver the authorization for emergency dispensing on

1 the prescription to him or her. Failure of the dispensing
2 pharmacist to do so shall void the authority conferred by this
3 paragraph to dispense without a written prescription of a
4 prescriber. All prescriptions issued for Schedule II
5 controlled substances shall include the quantity prescribed.
6 All nonelectronic prescriptions issued for Schedule II
7 controlled substances shall include both a written and
8 numerical notation of quantity on the face of the
9 prescription. No prescription for a Schedule II controlled
10 substance may be refilled. The Department shall provide, at no
11 cost, audit reviews and necessary information to the
12 Department of Financial and Professional Regulation in
13 conjunction with ongoing investigations being conducted in
14 whole or part by the Department of Financial and Professional
15 Regulation.

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

17 (720 ILCS 570/311.6)

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

20 Sec. 311.6. Opioid prescriptions.

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

1 format.

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

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

26 (1) prior to January 1, 2026, the prescriber

1 demonstrates financial difficulties in buying or managing
2 an electronic prescription option, whether it is an
3 electronic health record or some other electronic
4 prescribing product;

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

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

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

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

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

22 (B) is receiving hospice or palliative care;

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

26 (D) is receiving care through the United States

1 Department of Veterans Affairs; or

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

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

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

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

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

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

24 (d) Any prescriber who makes a good faith effort to
25 prescribe electronically, but for reasons not within the
26 prescriber's control is unable to prescribe electronically,

1 may be exempt from any disciplinary action.

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

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

8 (Source: P.A. 102-490, eff. 1-1-24 (See Section 55 of P.A.
9 102-1109 for effective date of P.A. 102-490).)".