



Sen. Julie A. Morrison

Filed: 3/1/2024

10300SB2822sam002

LRB103 36437 RTM 70274 a

1 AMENDMENT TO SENATE BILL 2822

2 AMENDMENT NO. _____. Amend Senate Bill 2822 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, 8.1, 17, 19.2, and 45 as follows:

6 (225 ILCS 25/4)

7 (Section scheduled to be repealed on January 1, 2026)

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

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

16 "Department" means the Department of Financial and

1 Professional Regulation.

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

4 "Board" means the Board of Dentistry.

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

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

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

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

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

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

26 (ii) utilizes or employs a dental technician to

1 provide such services; and

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

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

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

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

25 "Dentistry" means the healing art which is concerned with
26 the examination, diagnosis, treatment planning, and care of

1 conditions within the human oral cavity and its adjacent
2 tissues and structures, as further specified in Section 17.

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

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

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

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

26 "Nurse" means a registered professional nurse, a certified

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

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

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

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

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

26 "Public health setting" means a federally qualified health

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

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

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

21 "Moderate sedation" means a drug-induced depression of
22 consciousness during which: (1) patients respond purposefully
23 to verbal commands, either alone or accompanied by light
24 tactile stimulation; (2) no interventions are required to
25 maintain a patient's airway and spontaneous ventilation is
26 adequate; and (3) cardiovascular function is usually

1 maintained.

2 "Deep sedation" means a drug-induced depression of
3 consciousness during which: (1) patients cannot be easily
4 aroused, but respond purposefully following repeated or
5 painful stimulation; (2) the ability to independently maintain
6 ventilatory function may be impaired; (3) patients may require
7 assistance in maintaining airways and spontaneous ventilation
8 may be inadequate; and (4) cardiovascular function is usually
9 maintained.

10 "General anesthesia" means a drug-induced loss of
11 consciousness during which: (1) patients are not arousable,
12 even by painful stimulation; (2) the ability to independently
13 maintain ventilatory function is often impaired; (3) patients
14 often require assistance in maintaining airways and positive
15 pressure ventilation may be required because of depressed
16 spontaneous ventilation or drug-induced depression of
17 neuromuscular function; and (4) cardiovascular function may be
18 impaired.

19 "Enteral route of administration" means administration of
20 a drug that is absorbed through the gastrointestinal tract or
21 through oral, rectal, or sublingual mucosa.

22 "Parenteral route of administration" means administration
23 of a drug by which the drug bypasses the gastrointestinal
24 tract through intramuscular, intravenous, intranasal,
25 submucosal, subcutaneous, or intraosseous methods.

26 (Source: P.A. 102-93, eff. 1-1-22; 102-588, eff. 8-20-21;

1 102-936, eff. 1-1-23; 103-425, eff. 1-1-24; 103-431, eff.
2 1-1-24; revised 12-15-23.)

3 (225 ILCS 25/8.1) (from Ch. 111, par. 2308.1)

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

5 Sec. 8.1. Permit for the administration of anesthesia and
6 sedation.

7 (a) No licensed dentist shall administer general
8 anesthesia, deep sedation, or moderate ~~conscious~~ sedation
9 without first applying for and obtaining a permit for such
10 purpose from the Department. The Department shall issue such
11 permit only after ascertaining that the applicant possesses
12 the minimum qualifications necessary to protect public safety.
13 A person with a dental degree who administers anesthesia, deep
14 sedation, or moderate ~~conscious~~ sedation in an approved
15 hospital training program under the supervision of either a
16 licensed dentist holding such permit or a physician licensed
17 to practice medicine in all its branches shall not be required
18 to obtain such permit.

19 (b) The minimum requirements for a permit to administer
20 moderate sedation issued after the effective date of this
21 amendatory Act of the 103rd General Assembly shall include the
22 completion of a minimum of 75 hours of didactic and supervised
23 clinical study in either:

24 (1) an American Dental Association Commission on
25 Dental Accreditation accredited dental specialty program,

1 general practice residency, or advanced education in
2 general dentistry residency that includes training and
3 documentation in moderate sedation techniques appropriate
4 for each specialty or an American Dental Association
5 Commission on Dental Accreditation accredited dental
6 anesthesiology residency program and proof of completion
7 of up to 20 sedation cases; or

8 (2) a structured course of study provided by an
9 approved continuing education provider that includes
10 training and documentation in moderate sedation, physical
11 evaluation, venipuncture, advanced airway management,
12 technical administration, recognition and management of
13 complications and emergencies and monitoring with
14 additional supervised experience and documentation
15 demonstrating competence in providing moderate sedation to
16 20 individual patient experiences utilizing enteral and
17 parenteral routes of administration of drugs to
18 competency, over a continuous time frame as set by the
19 Department and as provided in the American Dental
20 Association's Guidelines for Teaching Pain Control and
21 Sedation to Dentists and Dental Students.

22 (b-5) The minimum requirements for a permit to administer
23 deep sedation and general anesthesia issued after the
24 effective date of this amendatory Act of the 103rd General
25 Assembly shall include:

26 (1) the completion of a minimum of 2 years of advanced

1 training in anesthesiology beyond the pre-doctoral level
2 in a training program approved by the American Dental
3 Association's Council on Dental Education and Licensure,
4 as outlined in Guidelines for Teaching Pain Control and
5 Sedation to Dentists and Dental Students, as published by
6 the American Dental Association's Council on Dental
7 Education and Licensure;

8 (2) a specialty license in oral and maxillofacial
9 surgery;

10 (3) completion of an accredited oral or maxillofacial
11 surgery residency program; or

12 (4) the completion of an American Dental Association
13 Commission on Dental Accreditation accredited dental
14 anesthesiology residency program.

15 (b-10) The Department may establish, by rule, additional
16 training programs and training requirements consistent with
17 this Section to ensure patient safety in dental offices
18 administering anesthesia, which shall include, but not be
19 limited to the following ~~In determining the minimum permit~~
20 ~~qualifications that are necessary to protect public safety,~~
21 ~~the Department, by rule, shall:~~

22 (1) (blank); ~~establish the minimum educational and~~
23 ~~training requirements necessary for a dentist to be issued~~
24 ~~an appropriate permit;~~

25 (2) establish the standards for properly equipped
26 dental facilities (other than licensed hospitals and

1 ambulatory surgical treatment centers) in which general
2 anesthesia, deep sedation, or moderate ~~conscious~~ sedation
3 is administered, as necessary to protect public safety;

4 (3) establish minimum requirements for all persons who
5 assist the dentist in the administration of general
6 anesthesia, deep sedation, or moderate ~~conscious~~ sedation,
7 including minimum training requirements for each member of
8 the dental team, monitoring requirements, recordkeeping
9 requirements, and emergency procedures;

10 (4) ensure that the dentist has completed and
11 maintains current certification in advanced cardiac life
12 support or pediatric advanced life support and all persons
13 assisting the dentist or monitoring the administration of
14 general anesthesia, deep sedation, or moderate ~~conscious~~
15 sedation maintain current certification in Basic Life
16 Support (BLS); and

17 (5) establish continuing education requirements in
18 sedation techniques and airway management for dentists who
19 possess a permit under this Section.

20 The Department shall adopt rules that ensure that a
21 continuing education course designed to meet the permit
22 requirements for moderate sedation training is reviewed and
23 certified by the Department if the course is not affiliated
24 with the American Dental Association Commission on Dental
25 Accreditation.

26 When establishing requirements under this Section, the

1 Department shall consider the current American Dental
2 Association guidelines on sedation and general anesthesia, the
3 current "Guidelines for Monitoring and Management of Pediatric
4 Patients During and After Sedation for Diagnostic and
5 Therapeutic Procedures" established by the American Academy of
6 Pediatrics and the American Academy of Pediatric Dentistry,
7 and the current parameters of care and Office Anesthesia
8 Evaluation (OAE) Manual established by the American
9 Association of Oral and Maxillofacial Surgeons.

10 (c) A licensed dentist must hold an appropriate permit
11 issued under this Section in order to perform dentistry while
12 a nurse anesthetist administers moderate ~~conscious~~ sedation,
13 and a valid written collaborative agreement must exist between
14 the dentist and the nurse anesthetist, in accordance with the
15 Nurse Practice Act.

16 A licensed dentist must hold an appropriate permit issued
17 under this Section in order to perform dentistry while a nurse
18 anesthetist administers deep sedation or general anesthesia,
19 and a valid written collaborative agreement must exist between
20 the dentist and the nurse anesthetist, in accordance with the
21 Nurse Practice Act.

22 For the purposes of this subsection (c), "nurse
23 anesthetist" means a licensed certified registered nurse
24 anesthetist who holds a license as an advanced practice
25 registered nurse.

26 (Source: P.A. 100-201, eff. 8-18-17; 100-513, eff. 1-1-18;

1 101-162, eff. 7-26-19.)

2 (225 ILCS 25/17)

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

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

6 (1) Who represents himself or herself as being able to
7 diagnose or diagnoses, treats, prescribes, or operates for
8 any disease, pain, deformity, deficiency, injury, or
9 physical condition of the human tooth, teeth, alveolar
10 process, gums, or jaw; or

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

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

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

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

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

23 (7) Who uses or administers local or general
24 anesthetics in the treatment of dental or oral diseases or
25 in any preparation incident to a dental operation of any

1 kind or character; or

2 (8) Who takes material or digital scans for final
3 impressions of the human tooth, teeth, or jaws or performs
4 any phase of any operation incident to the replacement of
5 a part of a tooth, a tooth, teeth, or associated tissues by
6 means of a filling, a crown, a bridge, a denture, or other
7 appliance; or

8 (9) Who offers to furnish, supply, construct,
9 reproduce, or repair, or who furnishes, supplies,
10 constructs, reproduces, or repairs, prosthetic dentures,
11 bridges, or other substitutes for natural teeth, to the
12 user or prospective user thereof; or

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

16 (11) Who takes material or digital scans for final
17 impressions of human teeth or places his or her hands in
18 the mouth of any person for the purpose of applying teeth
19 whitening materials, or who takes impressions of human
20 teeth or places his or her hands in the mouth of any person
21 for the purpose of assisting in the application of teeth
22 whitening materials. A person does not practice dentistry
23 when he or she discloses to the consumer that he or she is
24 not licensed as a dentist under this Act and (i) discusses
25 the use of teeth whitening materials with a consumer
26 purchasing these materials; (ii) provides instruction on

1 the use of teeth whitening materials with a consumer
2 purchasing these materials; or (iii) provides appropriate
3 equipment on-site to the consumer for the consumer to
4 self-apply teeth whitening materials.

5 The fact that any person engages in or performs, or offers
6 to engage in or perform, any of the practices, acts, or
7 operations set forth in this Section, shall be prima facie
8 evidence that such person is engaged in the practice of
9 dentistry.

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

12 (a) The rendering of dental relief in emergency cases
13 in the practice of his or her profession by a physician or
14 surgeon, licensed as such under the laws of this State,
15 unless he or she undertakes to reproduce or reproduces
16 lost parts of the human teeth in the mouth or to restore or
17 replace lost or missing teeth in the mouth; or

18 (b) The practice of dentistry in the discharge of
19 their official duties by dentists in any branch of the
20 Armed Services of the United States, the United States
21 Public Health Service, or the United States Veterans
22 Administration; or

23 (c) The practice of dentistry by students in their
24 course of study in dental schools or colleges approved by
25 the Department, when acting under the direction and
26 supervision of dentists acting as instructors; or

1 (d) The practice of dentistry by clinical instructors
2 in the course of their teaching duties in dental schools
3 or colleges approved by the Department:

4 (i) when acting under the direction and
5 supervision of dentists, provided that such clinical
6 instructors have instructed continuously in this State
7 since January 1, 1986; or

8 (ii) when holding the rank of full professor at
9 such approved dental school or college and possessing
10 a current valid license or authorization to practice
11 dentistry in another country; or

12 (e) The practice of dentistry by licensed dentists of
13 other states or countries at meetings of the Illinois
14 State Dental Society or component parts thereof, alumni
15 meetings of dental colleges, or any other like dental
16 organizations, while appearing as clinicians; or

17 (f) The use of X-Ray machines for exposing X-Ray films
18 of dental or oral tissues by dental hygienists or dental
19 assistants; or

20 (g) The performance of any dental service by a dental
21 assistant, if such service is performed under the
22 supervision and full responsibility of a dentist. In
23 addition, after being authorized by a dentist, a dental
24 assistant may, for the purpose of eliminating pain or
25 discomfort, remove loose, broken, or irritating
26 orthodontic appliances on a patient of record.

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

5 (1) Any and all diagnosis of or prescription for
6 treatment of disease, pain, deformity, deficiency,
7 injury, or physical condition of the human teeth or
8 jaws, or adjacent structures.

9 (2) Removal of, restoration of, or addition to the
10 hard or soft tissues of the oral cavity, except for the
11 placing, carving, and finishing of amalgam
12 restorations and placing, packing, and finishing
13 composite restorations by dental assistants who have
14 had additional formal education and certification.

15 A dental assistant may place, carve, and finish
16 amalgam restorations, place, pack, and finish
17 composite restorations, and place interim restorations
18 if he or she (A) has successfully completed a
19 structured training program as described in item (2)
20 of subsection (g) provided by an educational
21 institution accredited by the Commission on Dental
22 Accreditation, such as a dental school or dental
23 hygiene or dental assistant program, or (B) has at
24 least 4,000 hours of direct clinical patient care
25 experience and has successfully completed a structured
26 training program as described in item (2) of

1 subsection (g) provided by a statewide dental
2 association, approved by the Department to provide
3 continuing education, that has developed and conducted
4 training programs for expanded functions for dental
5 assistants or hygienists. The training program must:
6 (i) include a minimum of 16 hours of didactic study and
7 14 hours of clinical manikin instruction; all training
8 programs shall include areas of study in nomenclature,
9 caries classifications, oral anatomy, periodontium,
10 basic occlusion, instrumentations, pulp protection
11 liners and bases, dental materials, matrix and wedge
12 techniques, amalgam placement and carving, rubber dam
13 clamp placement, and rubber dam placement and removal;
14 (ii) include an outcome assessment examination that
15 demonstrates competency; (iii) require the supervising
16 dentist to observe and approve the completion of 8
17 amalgam or composite restorations; and (iv) issue a
18 certificate of completion of the training program,
19 which must be kept on file at the dental office and be
20 made available to the Department upon request. A
21 dental assistant must have successfully completed an
22 approved coronal polishing and dental sealant course
23 prior to taking the amalgam and composite restoration
24 course.

25 A dentist utilizing dental assistants shall not
26 supervise more than 4 dental assistants at any one

1 time for placing, carving, and finishing of amalgam
2 restorations or for placing, packing, and finishing
3 composite restorations.

4 (3) Any and all correction of malformation of
5 teeth or of the jaws.

6 (4) Administration of anesthetics, except for
7 monitoring of nitrous oxide, moderate ~~conscious~~
8 sedation, deep sedation, and general anesthetic as
9 provided in Section 8.1 of this Act, that may be
10 performed only after successful completion of a
11 training program approved by the Department. A dentist
12 utilizing dental assistants shall not supervise more
13 than 4 dental assistants at any one time for the
14 monitoring of nitrous oxide.

15 (5) Removal of calculus from human teeth.

16 (6) Taking of material or digital scans for final
17 impressions for the fabrication of prosthetic
18 appliances, crowns, bridges, inlays, onlays, or other
19 restorative or replacement dentistry.

20 (7) The operative procedure of dental hygiene
21 consisting of oral prophylactic procedures, except for
22 coronal polishing and pit and fissure sealants, which
23 may be performed by a dental assistant who has
24 successfully completed a training program approved by
25 the Department. Dental assistants may perform coronal
26 polishing under the following circumstances: (i) the

1 coronal polishing shall be limited to polishing the
2 clinical crown of the tooth and existing restorations,
3 supragingivally; (ii) the dental assistant performing
4 the coronal polishing shall be limited to the use of
5 rotary instruments using a rubber cup or brush
6 polishing method (air polishing is not permitted); and
7 (iii) the supervising dentist shall not supervise more
8 than 4 dental assistants at any one time for the task
9 of coronal polishing or pit and fissure sealants.

10 In addition to coronal polishing and pit and
11 fissure sealants as described in this item (7), a
12 dental assistant who has at least 2,000 hours of
13 direct clinical patient care experience and who has
14 successfully completed a structured training program
15 provided by (1) an educational institution including,
16 but not limited to, a dental school or dental hygiene
17 or dental assistant program, (2) a continuing
18 education provider approved by the Department, or (3)
19 a statewide dental or dental hygienist association
20 that has developed and conducted a training program
21 for expanded functions for dental assistants or
22 hygienists may perform: (A) coronal scaling above the
23 gum line, supragingivally, on the clinical crown of
24 the tooth only on patients 17 years of age or younger
25 who have an absence of periodontal disease and who are
26 not medically compromised or individuals with special

1 needs and (B) intracoronal temporization of a tooth.
2 The training program must: (I) include a minimum of 32
3 hours of instruction in both didactic and clinical
4 manikin or human subject instruction; all training
5 programs shall include areas of study in dental
6 anatomy, public health dentistry, medical history,
7 dental emergencies, and managing the pediatric
8 patient; (II) include an outcome assessment
9 examination that demonstrates competency; (III)
10 require the supervising dentist to observe and approve
11 the completion of 6 full mouth supragingival scaling
12 procedures unless the training was received as part of
13 a Commission on Dental Accreditation approved dental
14 assistant program; and (IV) issue a certificate of
15 completion of the training program, which must be kept
16 on file at the dental office and be made available to
17 the Department upon request. A dental assistant must
18 have successfully completed an approved coronal
19 polishing course prior to taking the coronal scaling
20 course. A dental assistant performing these functions
21 shall be limited to the use of hand instruments only.
22 In addition, coronal scaling as described in this
23 paragraph shall only be utilized on patients who are
24 eligible for Medicaid, who are uninsured, or whose
25 household income is not greater than 300% of the
26 federal poverty level. A dentist may not supervise

1 more than 2 dental assistants at any one time for the
2 task of coronal scaling. This paragraph is inoperative
3 on and after January 1, 2026.

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

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

11 (i) has applied in writing to the Department, in
12 form and substance satisfactory to the Department, for
13 a general dental license and has complied with all
14 provisions of Section 9 of this Act, except for the
15 passage of the examination specified in subsection (e)
16 of Section 9 of this Act; or

17 (ii) has applied in writing to the Department, in
18 form and substance satisfactory to the Department, for
19 a temporary dental license and has complied with all
20 provisions of subsection (c) of Section 11 of this
21 Act; and

22 (iii) has been accepted or appointed for specialty
23 or residency training by a hospital situated in this
24 State; or

25 (iv) has been accepted or appointed for specialty
26 training in an approved dental program situated in

1 this State; or

2 (v) has been accepted or appointed for specialty
3 training in a dental public health agency situated in
4 this State.

5 The applicant shall be permitted to practice dentistry
6 for a period of 3 months from the starting date of the
7 program, unless authorized in writing by the Department to
8 continue such practice for a period specified in writing
9 by the Department.

10 The applicant shall only be entitled to perform such
11 acts as may be prescribed by and incidental to his or her
12 program of residency or specialty training and shall not
13 otherwise engage in the practice of dentistry in this
14 State.

15 The authority to practice shall terminate immediately
16 upon:

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

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

20 (3) withdrawal of the application.

21 (Source: P.A. 102-558, eff. 8-20-21; 102-936, eff. 1-1-23;
22 103-425, eff. 1-1-24; 103-431, eff. 1-1-24; revised 12-15-23.)

23 (225 ILCS 25/19.2)

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

25 Sec. 19.2. Temporary permit for free dental care.

1 (a) Upon Board recommendation, the Department may issue a
2 temporary permit authorizing the practice in this State,
3 without compensation, of dentistry to an applicant who is
4 licensed to practice dentistry in another state, if all of the
5 following apply:

6 (1) the Department determines that the applicant's
7 services will improve the welfare of Illinois residents
8 who are eligible for Medicaid or who are uninsured and
9 whose household income is not greater than 200% of the
10 federal poverty level;

11 (2) the applicant has graduated from a dental program
12 approved by the American Dental Association's Commission
13 on Dental Accreditation and maintains an equivalent
14 authorization to practice dentistry in good standing in
15 his or her native licensing jurisdiction during the period
16 of the temporary visiting dentist permit and can furnish
17 the Department a certified letter upon request from that
18 jurisdiction attesting to the fact that the applicant has
19 no pending action or violations against his or her
20 license;

21 (3) the applicant has received an invitation to
22 perform dental care by a charitable organization or has
23 received an invitation to study or receive training on
24 specific dental or clinical subjects or techniques by a
25 licensed continuing education sponsor who is approved by
26 the Department to provide clinical training in the State

1 of Illinois on patients for the welfare of Illinois
2 residents pursuant to subsection (a-5) and is in
3 compliance with the provisions of this Act;

4 (4) the applicant will be working pursuant to a
5 collaborative agreement with and under the direct
6 supervision of an Illinois licensed dentist, who is in
7 good standing, during the duration of the program. The
8 supervising dentist must be physically present during all
9 clinical training courses; and

10 (5) payment of a fee established by rule.

11 The Department may adopt rules to implement this
12 subsection.

13 (a-5) Upon Board recommendation, after the filing of an
14 application, the Department may allow approved continuing
15 education sponsors to be licensed to provide live patient
16 continuing education clinical training courses if the
17 following requirements are met:

18 (1) the continuing education course provides services,
19 without compensation, that will improve the welfare of
20 Illinois residents as described in paragraph (1) of
21 subsection (a). The application to the Board must include
22 the following information for review and approval by the
23 Department:

24 (i) a plan of follow-up care and training models;

25 (ii) any and all documentation to be signed by the
26 patients, including, but not limited to, waivers,

1 consent forms, and releases;

2 (iii) information related to the facilities being
3 utilized, staffing plans, and emergency plans;

4 (iv) the process by which patients will be
5 contacted before, during, and after treatment;

6 (v) the intended population that will be receiving
7 treatment; and

8 (vi) proof of valid malpractice insurance for the
9 approved continuing education sponsor that extends
10 coverage to clinical staff, trainees, and out-of-state
11 permit holders that meet the requirements of
12 subsection (a);

13 (2) a valid written collaborative agreement must exist
14 between the temporary visiting dentist and the Illinois
15 licensed dentist co-treating patients under this Section.
16 The collaborative agreement must include a description of
17 the care to be provided and procedures to be performed by
18 the temporary visiting dentist. There shall be no more
19 than 5 trainees per supervising dentist. A copy of this
20 agreement shall become part of the patient's dental record
21 and shall be made available upon request to the
22 Department; and

23 (3) payment of a fee established by rule.

24 A continuing education sponsor license issued under this
25 Section shall be valid for a period of time as provided by
26 rule.

1 The Department shall adopt rules to implement this
2 subsection.

3 (b) (Blank).

4 (c) A temporary permit shall be valid for no longer than 5
5 consecutive clinical days within 6 months from the date of
6 issuance. The temporary permit may be issued once per year to a
7 visiting dentist. Temporary permits under subsection (a) may
8 be restored no more than one time within 5 years of the initial
9 permits issuance. The Department may require an applicant to
10 pay a fee for the issuance or restoration of a permit under
11 this Section.

12 (d) (Blank).

13 (e) The temporary permit shall only permit the holder to
14 practice dentistry within the scope of the dental studies and
15 in conjunction with one of the following:

16 (1) the charitable organization; or

17 (2) a continuing education program provided by a
18 continuing education sponsor approved by the Department
19 pursuant to this Section that the permit holder is
20 attending.

21 (f) The temporary visiting dentist may not administer
22 moderate ~~conscious~~ sedation, deep sedation, or general
23 anesthesia.

24 (g) A patient who seeks treatment from a temporary
25 visiting dentist must sign a consent form acknowledging that
26 the care the patient will receive will be provided by a dentist

1 not licensed in the State of Illinois and that the Illinois
2 licensed dentist who has the collaborative agreement with the
3 temporary visiting dentist will be responsible for all the
4 follow-up care associated with the treatment rendered to the
5 patient.

6 (h) An application for the temporary permit shall be made
7 to the Department in writing on forms prescribed by the
8 Department and shall be accompanied by a nonrefundable fee
9 established by rule.

10 (i) An applicant for a temporary permit may be requested
11 to appear before the Board to respond to questions concerning
12 the applicant's qualifications to receive the permit. An
13 applicant's refusal to appear before the Board may be grounds
14 for denial of the application by the Department.

15 (j) The Secretary may summarily cancel any permit or
16 license issued pursuant to this Section without a hearing if
17 the Secretary finds that evidence in his or her possession
18 indicates that a continuing education sponsor licensed under
19 this Section or a temporary permit holder's continuation in
20 practice would constitute an imminent danger to the public or
21 violate any provision of this Act or its rules. If the
22 Secretary summarily cancels a permit or license issued
23 pursuant to this Section, the permit holder or licensee may
24 petition the Department for a hearing in accordance with the
25 provisions of subsection (b) of Section 26 of this Act to
26 reinstate his or her permit or license.

1 (k) In addition to terminating any permit or license
2 issued pursuant to this Section, the Department may impose a
3 monetary penalty not to exceed \$10,000 upon the temporary
4 permit holder or licensee and may notify any state in which the
5 temporary permit holder or licensee has been issued a license
6 that his or her Illinois permit or license has been terminated
7 and the reasons for the termination. The monetary penalty
8 shall be paid within 60 days after the effective date of the
9 order imposing the penalty. The order shall constitute a
10 judgment and may be filed and execution had thereon in the same
11 manner as any judgment from any court of record. It is the
12 intent of the General Assembly that a permit or license issued
13 pursuant to this Section shall be considered a privilege and
14 not a property right.

15 (Source: P.A. 102-582, eff. 1-1-22.)

16 (225 ILCS 25/45) (from Ch. 111, par. 2345)

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

18 Sec. 45. Advertising. The purpose of this Section is to
19 authorize and regulate the advertisement by dentists of
20 information which is intended to provide the public with a
21 sufficient basis upon which to make an informed selection of
22 dentists while protecting the public from false or misleading
23 advertisements which would detract from the fair and rational
24 selection process.

25 Any dentist may advertise the availability of dental

1 services in the public media or on the premises where such
2 dental services are rendered. Such advertising shall be
3 limited to the following information:

4 (a) The dental services available;

5 (b) Publication of the dentist's name, title, office
6 hours, address and telephone;

7 (c) Information pertaining to his or her area of
8 specialization, including appropriate board certification
9 or limitation of professional practice;

10 (d) Information on usual and customary fees for
11 routine dental services offered, which information shall
12 include notification that fees may be adjusted due to
13 complications or unforeseen circumstances;

14 (e) Announcement of the opening of, change of, absence
15 from, or return to business;

16 (f) Announcement of additions to or deletions from
17 professional dental staff;

18 (g) The issuance of business or appointment cards;

19 (h) Other information about the dentist, dentist's
20 practice or the types of dental services which the dentist
21 offers to perform which a reasonable person might regard
22 as relevant in determining whether to seek the dentist's
23 services. However, any advertisement which announces the
24 availability of endodontics, pediatric dentistry,
25 periodontics, prosthodontics, orthodontics and
26 dentofacial orthopedics, oral and maxillofacial surgery,

1 or oral and maxillofacial radiology by a general dentist
2 or by a licensed specialist who is not licensed in that
3 specialty shall include a disclaimer stating that the
4 dentist does not hold a license in that specialty.

5 Any dental practice with more than one location that
6 enrolls its dentist as a participating provider in a managed
7 care plan's network must verify electronically or in writing
8 to the managed care plan whether the provider is accepting new
9 patients at each of the specific locations listing the
10 provider. The health plan shall remove the provider from the
11 directory in accordance with standard practices within 10
12 business days after being notified of the changes by the
13 provider. Nothing in this paragraph shall void any contractual
14 relationship between the provider and the plan.

15 It is unlawful for any dentist licensed under this Act to
16 do any of the following:

17 (1) Use claims of superior quality of care to entice
18 the public.

19 (2) Advertise in any way to practice dentistry without
20 causing pain.

21 (3) Pay a fee to any dental referral service or other
22 third party who advertises a dental referral service,
23 unless all advertising of the dental referral service
24 makes it clear that dentists are paying a fee for that
25 referral service.

26 (4) Advertise or offer gifts as an inducement to

1 secure dental patronage. Dentists may advertise or offer
2 free examinations or free dental services; it shall be
3 unlawful, however, for any dentist to charge a fee to any
4 new patient for any dental service provided at the time
5 that such free examination or free dental services are
6 provided.

7 (5) Use the term "sedation dentistry" or similar terms
8 in advertising unless the advertising dentist holds a
9 valid and current permit issued by the Department to
10 administer either general anesthesia, deep sedation, or
11 moderate ~~conscious~~ sedation as required under Section 8.1
12 of this Act.

13 This Act does not authorize the advertising of dental
14 services when the offeror of such services is not a dentist.
15 Nor shall the dentist use statements which contain false,
16 fraudulent, deceptive or misleading material or guarantees of
17 success, statements which play upon the vanity or fears of the
18 public, or statements which promote or produce unfair
19 competition.

20 A dentist shall be required to keep a copy of all
21 advertisements for a period of 3 years. All advertisements in
22 the dentist's possession shall indicate the accurate date and
23 place of publication.

24 The Department shall adopt rules to carry out the intent
25 of this Section.

26 (Source: P.A. 99-329, eff. 1-1-16.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.".