

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Regulatory Sunset Act is amended by changing
5 Section 4.16 and by adding Section 4.26 as follows:

6 (5 ILCS 80/4.16)

7 Sec. 4.16. Acts repealed January 1, 2006. The following
8 Acts are repealed January 1, 2006:

9 The Respiratory Care Practice Act.

10 The Hearing Instrument Consumer Protection Act.

11 ~~The Illinois Dental Practice Act.~~

12 The Professional Geologist Licensing Act.

13 The Illinois Athletic Trainers Practice Act.

14 The Barber, Cosmetology, Esthetics, and Nail Technology
15 Act of 1985.

16 The Collection Agency Act.

17 The Illinois Roofing Industry Licensing Act.

18 The Illinois Physical Therapy Act.

19 (Source: P.A. 89-33, eff. 1-1-96; 89-72, eff. 12-31-95; 89-80,
20 eff. 6-30-95; 89-116, eff. 7-7-95; 89-366, eff. 7-1-96; 89-387,
21 eff. 8-20-95; 89-626, eff. 8-9-96.)

22 (5 ILCS 80/4.26 new)

23 Sec. 4.26. Act repealed on January 1, 2016. The following
24 Act is repealed on January 1, 2016:

25 The Illinois Dental Practice Act.

26 Section 10. The Illinois Dental Practice Act is amended by
27 changing Sections 4, 7, 9, 11, 16, 16.1, 19, 25, and 50 and by
28 adding Section 54.2 as follows:

29 (225 ILCS 25/4) (from Ch. 111, par. 2304)

1 (Section scheduled to be repealed on January 1, 2006)

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

3 (a) "Department" means the Illinois Department of
4 Professional Regulation.

5 (b) "Director" means the Director of Professional
6 Regulation.

7 (c) "Board" means the Board of Dentistry established by
8 Section 6 of this Act.

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

14 (e) "Dental hygienist" means a person who holds a license
15 under this Act to perform dental services as authorized by
16 Section 18.

17 (f) "Dental assistant" means an appropriately trained
18 person who, under the supervision of a dentist, provides dental
19 services as authorized by Section 17.

20 (g) "Dental laboratory" means a person, firm or corporation
21 which:

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

27 (ii) utilizes or employs a dental technician to provide
28 such services; and

29 (iii) performs such functions only for a dentist or
30 dentists.

31 (h) "Supervision" means supervision of a dental hygienist
32 or a dental assistant requiring that a dentist authorize the
33 procedure, remain in the dental facility while the procedure is
34 performed, and approve the work performed by the dental
35 hygienist or dental assistant before dismissal of the patient,
36 but does not mean that the dentist must be present at all times

1 in the treatment room.

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

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

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

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

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

28 (n) "Dental technician" means a person who owns, operates
29 or is employed by a dental laboratory and engages in making,
30 providing, repairing or altering dental prosthetic appliances
31 and other artificial materials and devices which are returned
32 to a dentist for insertion into the human oral cavity or which
33 come in contact with its adjacent structures and tissues.

34 (o) "Impaired dentist" or "impaired dental hygienist"
35 means a dentist or dental hygienist who is unable to practice
36 with reasonable skill and safety because of a physical or

1 mental disability as evidenced by a written determination or
2 written consent based on clinical evidence, including
3 deterioration through the aging process, loss of motor skills,
4 abuse of drugs or alcohol, or a psychiatric disorder, of
5 sufficient degree to diminish the person's ability to deliver
6 competent patient care.

7 (p) "Nurse" means a registered professional nurse, a
8 certified registered nurse anesthetist licensed as an advanced
9 practice nurse, or a licensed practical nurse licensed under
10 the Nursing and Advanced Practice Nursing Act.

11 (q) "Patient of record" means a patient for whom the
12 patient's most recent dentist has obtained a relevant medical
13 and dental history and on whom the dentist has performed an
14 examination and evaluated the condition to be treated.

15 (r) "Dental emergency responder" means a dentist or dental
16 hygienist who is appropriately certified in emergency medical
17 response, as defined by the Department of Public Health.

18 (Source: P.A. 92-280, eff. 1-1-02; 92-651, eff. 7-11-02;
19 93-821, eff. 7-28-04.)

20 (225 ILCS 25/7) (from Ch. 111, par. 2307)

21 (Section scheduled to be repealed on January 1, 2006)

22 Sec. 7. Recommendations by Board of Dentistry. The Director
23 shall consider the recommendations of the Board in establishing
24 guidelines for professional conduct, for the conduct of formal
25 disciplinary proceedings brought under this Act, and for
26 establishing guidelines for qualifications of applicants.
27 Notice of proposed rulemaking shall be transmitted to the Board
28 and the Department shall review the response of the Board and
29 any recommendations made therein. ~~Upon the vote of at least~~
30 ~~7/10 of the members of the Board, the Department shall adopt~~
31 ~~the recommendations of the Board in any rulemaking under this~~
32 ~~Act.~~ The Department may, at any time, seek the expert advice
33 and knowledge of the Board on any matter relating to the
34 administration or enforcement of this Act. The action or report
35 in writing of a majority of the Board shall be sufficient

1 authority upon which the Director may act.

2 Whenever the Director is satisfied that substantial
3 justice has not been done either in an examination or in the
4 revocation, suspension or refusal to issue a license, the
5 Director may order a reexamination or rehearing.

6 (Source: P.A. 84-1308.)

7 (225 ILCS 25/9) (from Ch. 111, par. 2309)

8 (Section scheduled to be repealed on January 1, 2006)

9 Sec. 9. Qualifications of Applicants for Dental Licenses.

10 The Department shall require that each applicant for a license
11 to practice dentistry shall:

12 (a) (Blank).

13 (b) Be at least 21 years of age and of good moral
14 character.

15 (c) (1) Present satisfactory evidence of completion of
16 dental education by graduation from a dental college or school
17 in the United States or Canada approved by the Department. The
18 Department shall not approve any dental college or school which
19 does not require at least (A) 60 semester hours of collegiate
20 credit or the equivalent in acceptable subjects from a college
21 or university before admission, and (B) completion of at least
22 4 academic years of instruction or the equivalent in an
23 approved dental college or school before graduation; or

24 (2) Present satisfactory evidence of completion of dental
25 education by graduation from a dental college or school outside
26 the United States or Canada and provide satisfactory evidence
27 that:

28 (A) (blank) ~~the completion of a dental education~~
29 ~~outside the United States or Canada authorized the~~
30 ~~applicant to practice dentistry in the country in which he~~
31 ~~or she completed the dental education;~~

32 (B) the applicant has completed a minimum of 2 academic
33 years of general dental clinical training at a dental
34 college or school in the United States or Canada approved
35 by the Department, except that an applicant who was

1 enrolled for not less than one year in an approved clinical
2 program prior to January 1, 1993 at an Illinois dental
3 college or school shall be required to complete only that
4 program; and

5 (C) the applicant has received certification from the
6 dean of an approved dental college or school in the United
7 States or Canada stating that the applicant has achieved
8 the same level of scientific knowledge and clinical
9 competence as required of all graduates of the college or
10 school.

11 Nothing in this Act shall be construed to prevent either
12 the Department or any dental college or school from
13 establishing higher standards than specified in this Act.

14 (d) In determining professional capacity under this
15 Section, any individual who has not been actively engaged in
16 the practice of dentistry, has not been a dental student, or
17 has not been engaged in a formal program of dental education
18 during the 5 years immediately preceding the filing of an
19 application may be required to complete such additional
20 testing, training, or remedial education as the Board may deem
21 necessary in order to establish the applicant's present
22 capacity to practice dentistry with reasonable judgment,
23 skill, and safety.

24 (e) Pass an examination authorized or given by the
25 Department in the theory and practice of the science of
26 dentistry; provided, that the Department (1) may recognize a
27 certificate granted by the National Board of Dental Examiners
28 in lieu of, or subject to, such examination as may be required
29 and (2) may recognize successful completion of the ~~preclinical~~
30 ~~and~~ clinical examination ~~examinations~~ conducted by approved
31 regional testing services in lieu of such examinations as may
32 be required. For purposes of this Section, successful
33 completion shall mean that the applicant has achieved a minimum
34 passing score on the regional examinations as determined by
35 each approved regional testing service.

36 (Source: P.A. 88-45; 88-635, eff. 1-1-95; 89-80, eff. 6-30-95;

1 89-116, eff. 7-7-95; 89-387, eff. 8-20-95; 89-626, eff.
2 8-9-96.)

3 (225 ILCS 25/11) (from Ch. 111, par. 2311)

4 (Section scheduled to be repealed on January 1, 2006)

5 Sec. 11. Types of Dental Licenses. The Department shall
6 have the authority to issue the following types of licenses:

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

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

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

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

30 (c) Temporary training licenses. Persons who wish to pursue
31 specialty or other advanced clinical educational programs in an
32 approved dental school or a hospital situated in this State, or
33 persons who wish to pursue programs of specialty training in
34 dental public health in public agencies in this State, may
35 receive without examination, in the discretion of the

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

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

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

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

28 Temporary training licenses issued under this Section
29 shall be valid only for the duration of the period of residency
30 or specialty training and may be extended or renewed as
31 prescribed by rule. The holder of a valid temporary training
32 license shall be entitled thereby to perform acts as may be
33 prescribed by and incidental to his or her program of residency
34 or specialty training; but he or she shall not be entitled to
35 engage in the practice of dentistry in this State.

36 A temporary training license may be revoked by the

1 Department upon proof that the holder has engaged in the
2 practice of dentistry in this State outside of his or her
3 program of residency or specialty training, or if the holder
4 shall fail to supply the Department, within 10 days of its
5 request, with information as to his or her current status and
6 activities in his or her specialty training program.

7 (d) Restricted faculty licenses. Persons who have received
8 full-time appointments to teach dentistry at an approved dental
9 school or hospital situated in this State may receive without
10 examination, in the discretion of the Department, a restricted
11 faculty license. In order to receive a restricted faculty
12 license an applicant shall furnish satisfactory proof to the
13 Department that:

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

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

20 Restricted faculty licenses issued under this Section
21 shall be valid for a period of 3 ~~2~~ years and may be extended or
22 renewed. The holder of a valid restricted faculty license may
23 perform acts as may be required by his or her teaching of
24 dentistry. In addition, the holder of a restricted faculty
25 license may practice general dentistry or in his or her area of
26 specialty, but only in a clinic or office affiliated with the
27 dental school. Any restricted faculty license issued to a
28 faculty member under this Section shall terminate immediately
29 and automatically, without any further action by the
30 Department, if the holder ceases to be a faculty member at an
31 approved dental school or hospital in this State.

32 The Department may revoke a restricted faculty license for
33 a violation of this Act or its rules, or if the holder fails to
34 supply the Department, within 10 days of its request, with
35 information as to his current status and activities in his
36 teaching program.

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

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

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

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

19 (Source: P.A. 92-280, eff. 1-1-02.)

20 (225 ILCS 25/16) (from Ch. 111, par. 2316)

21 (Section scheduled to be repealed on January 1, 2006)

22 Sec. 16. Expiration, renewal and restoration of licenses. A
23 ~~The expiration date and renewal period for each~~ license issued
24 under this Act shall be valid for a period of 3 years and may be
25 renewed or restored for additional 3-year periods, as provided
26 ~~be set~~ by rule. A dentist or dental hygienist may renew a
27 license during the month preceding its expiration date by
28 paying the required fee. A dental hygienist shall provide proof
29 of current cardiopulmonary resuscitation certification at the
30 time of renewal.

31 Any dentist or dental hygienist whose license has expired
32 or whose license is on inactive status may have his license
33 restored at any time within 5 years after the expiration
34 thereof, upon payment of the required fee and a showing of
35 proof of compliance with current continuing education

1 requirements, as provided by rule.

2 Any person whose license has been expired for more than 5
3 years or who has had his license on inactive status for more
4 than 5 years may have his license restored by making
5 application to the Department and filing proof acceptable to
6 the Department of taking continuing education and of his
7 fitness to have the license restored, including sworn evidence
8 certifying to active practice in another jurisdiction, and by
9 paying the required restoration fee. A person practicing on an
10 expired license is deemed to be practicing without a license.
11 However, a holder of a license may renew the license within 90
12 days after its expiration by complying with the requirements
13 for renewal and payment of an additional fee. A license renewal
14 within 90 days after expiration shall be effective
15 retroactively to the expiration date.

16 If a person whose license has expired or who has had his
17 license on inactive status for more than 5 years has not
18 maintained an active practice satisfactory to the department,
19 the Department shall determine, by an evaluation process
20 established by rule, his or her fitness to resume active status
21 and may require the person to complete a period of evaluated
22 clinical experience and may require successful completion of a
23 practical examination.

24 However, any person whose license has expired while he has
25 been engaged (1) in federal or state service active duty, or
26 (2) in training or education under the supervision of the
27 United States preliminary to induction into the military
28 service, may have his license restored without paying any
29 lapsed renewal or restoration fee, if within 2 years after
30 termination of such service, training or education other than
31 by dishonorable discharge, he furnishes the Department with
32 satisfactory proof that he has been so engaged and that his
33 service, training or education has been so terminated.

34 (Source: P.A. 89-80, eff. 6-30-95; 89-116, eff. 7-7-95.)

35 (225 ILCS 25/16.1) (from Ch. 111, par. 2316.1)

1 (Section scheduled to be repealed on January 1, 2006)

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 ~~32~~ hours of study in approved courses
6 for dentists during each 3-year ~~2-year~~ licensing period and a
7 minimum of 36 ~~24~~ hours of study in approved courses for dental
8 hygienists during each 3-year ~~2-year~~ licensing period. ~~These~~
9 ~~continuing education rules shall only apply to licenses renewed~~
10 ~~after November 1, 1992.~~

11 The Department shall approve only courses that are relevant
12 to the treatment and care of patients, including, but not
13 limited to, clinical courses in dentistry and dental hygiene
14 and nonclinical courses such as patient management, legal and
15 ethical responsibilities, and stress management. Courses shall
16 not be approved in such subjects as estate and financial
17 planning, investments, or personal health. Approved courses
18 may include, but shall not be limited to, courses that are
19 offered or sponsored by approved colleges, universities, and
20 hospitals and by recognized national, State, and local dental
21 and dental hygiene organizations.

22 No license shall be renewed unless the renewal application
23 is accompanied by an affidavit indicating that the applicant
24 has completed the required minimum number of hours of
25 continuing education in approved courses as required by this
26 Section. The affidavit shall not require a listing of courses.
27 The affidavit shall be a prima facie evidence that the
28 applicant has obtained the minimum number of required
29 continuing education hours in approved courses. The Department
30 shall not be obligated to conduct random audits or otherwise
31 independently verify that an applicant has met the continuing
32 education requirement. The Department, however, may not
33 conduct random audits of more than 10% of the licensed dentists
34 and dental hygienists in any one licensing cycle to verify
35 compliance with continuing education requirements. If the
36 Department, however, receives a complaint that a licensee has

1 not completed the required continuing education or if the
2 Department is investigating another alleged violation of this
3 Act by a licensee, the Department may demand and shall be
4 entitled to receive evidence from any licensee of completion of
5 required continuing education courses for the most recently
6 completed 3-year ~~2-year~~ licensing period. Evidence of
7 continuing education may include, but is not limited to,
8 canceled checks, official verification forms of attendance,
9 and continuing education recording forms, that demonstrate a
10 reasonable record of attendance. The Illinois State Board of
11 Dentistry shall determine, in accordance with rules adopted by
12 the Department, whether a licensee or applicant has met the
13 continuing education requirements. Any dentist who holds more
14 than one license under this Act shall be required to complete
15 only the minimum number of hours of continuing education
16 required for renewal of a single license. The Department may
17 provide exemptions from continuing education requirements. The
18 exemptions shall include, but shall not be limited to, dentists
19 and dental hygienists who agree not to practice within the
20 State during the licensing period because they are retired from
21 practice.

22 (Source: P.A. 89-80, eff. 6-30-95; 89-116, eff. 7-7-95; 90-544,
23 eff. 1-1-98.)

24 (225 ILCS 25/19) (from Ch. 111, par. 2319)

25 (Section scheduled to be repealed on January 1, 2006)

26 Sec. 19. Licensing Applicants from other States. Any person
27 who has been lawfully licensed to practice dentistry, including
28 the practice of a licensed dental specialty, or dental hygiene
29 in another state or territory which has and maintains a
30 standard for the practice of dentistry, a dental specialty, or
31 dental hygiene at least equal to that now maintained in this
32 State, or if the requirements for licensure in such state or
33 territory in which the applicant was licensed were, at the date
34 of his licensure, substantially equivalent to the requirements
35 then in force in this State, and who has been lawfully engaged

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

11 For the purposes of this Section, in computing 3 of the
12 immediately preceding 5 years of practice in another state or
13 territory, any person who left the practice of dentistry to
14 enter the military service and who practiced dentistry while in
15 the military service may count as a part of such period the
16 time spent by him in such service.

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

22 (Source: P.A. 89-80, eff. 6-30-95; 89-116, eff. 7-7-95.)

23 (225 ILCS 25/25) (from Ch. 111, par. 2325)

24 (Section scheduled to be repealed on January 1, 2006)

25 Sec. 25. Notice of hearing; investigations and informal
26 conferences.

27 (a) Upon the motion of either the Department or the Board
28 or upon the verified complaint in writing of any person setting
29 forth facts which if proven would constitute grounds for
30 refusal, suspension or revocation of license under this Act,
31 the Board shall investigate the actions of any person,
32 hereinafter called the respondent, who holds or represents that
33 he holds a license. All such motions or complaints shall be
34 brought to the Board.

35 (b) Prior to taking an in-person statement from a dentist

1 or dental hygienist who is the subject of a complaint, the
2 investigator shall inform the dentist or the dental hygienist
3 in writing:

4 (1) that the dentist or dental hygienist is the subject
5 of a complaint; ~~and~~

6 (2) that the dentist or dental hygienist need not
7 immediately proceed with the interview and may seek
8 appropriate consultation prior to consenting to the
9 interview; and .

10 (3) that failure of the dentist or dental hygienist to
11 proceed with the interview shall not prohibit the
12 Department from conducting a visual inspection of the
13 facility.

14 A Department investigator's failure to comply with this
15 subsection may not be the sole ground for dismissal of any
16 order of the Department filed upon a finding of a violation or
17 for dismissal of a pending investigation.

18 (c) If the Department concludes on the basis of a complaint
19 or its initial investigation that there is a possible violation
20 of the Act, the Department may:

21 (1) schedule a hearing pursuant to this Act; or

22 (2) request in writing that the dentist or dental
23 hygienist being investigated attend an informal conference
24 with representatives of the Department.

25 The request for an informal conference shall contain the
26 nature of the alleged actions or inactions that constitute the
27 possible violations.

28 A dentist or dental hygienist shall be allowed to have
29 legal counsel at the informal conference. If the informal
30 conference results in a consent order between the accused
31 dentist or dental hygienist and the Department, the consent
32 order must be approved by the Board and the Director.
33 Participation in the informal conference by a dentist, a dental
34 hygienist, or the Department and any admissions or stipulations
35 made by a dentist, a dental hygienist, or the Department at the
36 informal conference, including any agreements in a consent

1 order that is subsequently disapproved by either the Board or
2 the Director, shall not be used against the dentist, dental
3 hygienist, or Department at any subsequent hearing and shall
4 not become a part of the record of the hearing.

5 (d) The Director shall, before suspending, revoking,
6 placing on probationary status, or taking any other
7 disciplinary action as the Director may deem proper with regard
8 to any license, at least 30 days prior to the date set for the
9 hearing, notify the respondent in writing of any charges made
10 and the time and place for a hearing of the charges before the
11 Board, direct him or her to file his or her written answer
12 thereto to the Board under oath within 20 days after the
13 service on him or her of such notice and inform him or her that
14 if he or she fails to file such answer default will be taken
15 against him or her and his or her license may be suspended,
16 revoked, placed on probationary status, or other disciplinary
17 action may be taken with regard thereto, including limiting the
18 scope, nature or extent of his or her practice, as the Director
19 may deem proper.

20 (e) Such written notice and any notice in such proceedings
21 thereafter may be served by delivery personally to the
22 respondent, or by registered or certified mail to the address
23 last theretofore specified by the respondent in his or her last
24 notification to the Director.

25 (Source: P.A. 91-689, eff. 1-1-01.)

26 (225 ILCS 25/50) (from Ch. 111, par. 2350)

27 (Section scheduled to be repealed on January 1, 2006)

28 Sec. 50. Patient Records. Every dentist shall make a record
29 of all dental work performed for each patient. The record shall
30 be made in a manner and in sufficient detail that it may be
31 used for identification purposes.

32 Dental records required by this Section shall be maintained
33 for 10 years. Dental records required to be maintained under
34 this Section, or copies of those dental records, shall be made
35 available upon request to the patient or the patient's

1 guardian. A dentist shall be entitled to reasonable
2 reimbursement for the cost of reproducing these records, which
3 shall not exceed the cost allowed under Section 8-2003 of the
4 Code of Civil Procedure, ~~provided that the reasonable cost of~~
5 ~~reproducing the records has been paid by the patient or the~~
6 ~~patient's guardian.~~

7 (Source: P.A. 87-576.)

8 (225 ILCS 25/54.2 new)

9 Sec. 54.2. Dental emergency responders. A dentist or dental
10 hygienist who is a dental emergency responder is deemed to be
11 acting within the bounds of his or her license when providing
12 care during a declared local, State, or national emergency.

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