

1 AN ACT concerning regulation.

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

4 Section 5. The Illinois Dental Practice Act is amended by  
5 changing Sections 16 and 17 as follows:

6 (225 ILCS 25/16) (from Ch. 111, par. 2316)

7 (Section scheduled to be repealed on January 1, 2016)

8 Sec. 16. Expiration, renewal and restoration of licenses.  
9 The expiration date and renewal date for each license issued  
10 under this Act shall be set by rule. The renewal period for  
11 each license issued under this Act shall be 3 years. A dentist  
12 or dental hygienist may renew a license during the month  
13 preceding its expiration date by paying the required fee. A  
14 dentist or dental hygienist shall provide proof of current  
15 Basic Life Support (BLS) certification ~~by an organization that~~  
16 ~~has adopted the American Heart Association's guidelines on BLS~~  
17 intended for health care providers at the time of renewal as  
18 provided by rule. Basic Life Support certification training  
19 taken as a requirement of this Section shall be counted for no  
20 more than 4 hours during each licensure period towards the  
21 continuing education hours under Section 16.1 of this Act. The  
22 Department shall provide by rule for exemptions from this  
23 requirement for a dentist or dental hygienist with a physical

1 disability that would preclude him or her from performing BLS.

2 Any dentist or dental hygienist whose license has expired  
3 or whose license is on inactive status may have his license  
4 restored at any time within 5 years after the expiration  
5 thereof, upon payment of the required fee and a showing of  
6 proof of compliance with current continuing education  
7 requirements, as provided by rule.

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

22 If a person whose license has expired or who has had his  
23 license on inactive status for more than 5 years has not  
24 maintained an active practice satisfactory to the department,  
25 the Department shall determine, by an evaluation process  
26 established by rule, his or her fitness to resume active status

1 and may require the person to complete a period of evaluated  
2 clinical experience and may require successful completion of a  
3 practical examination.

4       However, any person whose license expired while he or she  
5 was (i) on active duty with the Armed Forces of the United  
6 States or called into service or training by the State militia  
7 or (ii) in training or education under the supervision of the  
8 United States preliminary to induction into the military  
9 service, may have his or her license renewed, reinstated, or  
10 restored without paying any lapsed renewal or restoration fee,  
11 if within 2 years after termination of such service, training,  
12 or education other than by dishonorable discharge, he or she  
13 furnishes the Department with satisfactory proof that he or she  
14 has been so engaged and that his or her service, training, or  
15 education has been so terminated.

16       (Source: P.A. 96-617, eff. 8-24-09; 97-526, eff. 1-1-12;  
17 97-1013, eff. 8-17-12.)

18       (225 ILCS 25/17) (from Ch. 111, par. 2317)

19       (Section scheduled to be repealed on January 1, 2016)

20       Sec. 17. Acts Constituting the Practice of Dentistry. A  
21 person practices dentistry, within the meaning of this Act:

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

1 process, gums or jaw; or

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

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

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

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

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

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

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

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

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

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

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

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

25           (a) The rendering of dental relief in emergency cases  
26 in the practice of his or her profession by a physician or

1 surgeon, licensed as such under the laws of this State,  
2 unless he or she undertakes to reproduce or reproduces lost  
3 parts of the human teeth in the mouth or to restore or  
4 replace lost or missing teeth in the mouth; or

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

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

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

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

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

25 (e) The practice of dentistry by licensed dentists of  
26 other states or countries at meetings of the Illinois State

1 Dental Society or component parts thereof, alumni meetings  
2 of dental colleges, or any other like dental organizations,  
3 while appearing as clinicians; or

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

7 (g) The performance of any dental service by a dental  
8 assistant, if such service is performed under the  
9 supervision and full responsibility of a dentist.

10 For purposes of this paragraph (g), "dental service" is  
11 defined to mean any intraoral procedure or act which shall  
12 be prescribed by rule or regulation of the Department.  
13 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 by dental assistants who have had  
22 additional formal education and certification as  
23 determined by the Department. A dentist utilizing  
24 dental assistants shall not supervise more than 4  
25 dental assistants at any one time for placing, carving,  
26 and finishing of amalgam restorations.

1           (3) Any and all correction of malformation of teeth  
2 or of the jaws.

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

13           (5) Removal of calculus from human teeth.

14           (6) Taking of impressions for the fabrication of  
15 prosthetic appliances, crowns, bridges, inlays,  
16 onlays, or other restorative or replacement dentistry.

17           (7) The operative procedure of dental hygiene  
18 consisting of oral prophylactic procedures, except for  
19 coronal polishing and pit and fissure sealants, which  
20 may be performed by a dental assistant who has  
21 successfully completed a training program approved by  
22 the Department. Dental assistants may perform coronal  
23 polishing under the following circumstances: (i) the  
24 coronal polishing shall be limited to polishing the  
25 clinical crown of the tooth and existing restorations,  
26 supragingivally; (ii) the dental assistant performing



1 the coronal polishing shall be limited to the use of  
2 rotary instruments using a rubber cup or brush  
3 polishing method (air polishing is not permitted); and  
4 (iii) the supervising dentist shall not supervise more  
5 than 4 dental assistants at any one time for the task  
6 of coronal polishing or pit and fissure sealants.

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

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

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

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

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

1 (iv) has been accepted or appointed for specialty  
2 training in an approved dental program situated in this  
3 State; or

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

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

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

17 The authority to practice shall terminate immediately  
18 upon:

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

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

22 (3) withdrawal of the application.

23 (Source: P.A. 96-617, eff. 8-24-09; 97-526, eff. 1-1-12;  
24 97-886, eff. 8-2-12; 97-1013, eff. 8-17-12; revised 8-23-12.)