

AN ACT concerning regulation.

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

Section 5. The Illinois Dental Practice Act is amended by adding Section 45.5 as follows:

(225 ILCS 25/45.5 new)

Sec. 45.5. Third-party financing for dental services.

(a) As used in this Section:

"Arrange for, broker, or establish" means submitting an application to a third-party creditor, lender, or creditor's intermediary for approval or rejection on behalf of a patient. Submitting an application to a third-party creditor, lender, or creditor's intermediary for approval or rejection includes patient or a patient's guardian's use of a third-party creditor's, lender's, or a creditor's intermediary's patient-facing software, weblink, URL, or QR code that is customized for with the branding of the dental practice. "Arrange for, broker, or establish" does not mean the use of third-party marketing or advertising materials that are not customized for the dental practice.

"Financing extended by a third party" includes, but is not limited to, an open end credit plan as defined under the federal Truth-in-Lending Act (15 U.S.C. 1602), a line of

credit, or a loan offered or extended by a third party.

(b) A dentist, employee of a dentist, or agent of a dentist may not arrange for, broker, or establish financing extended by a third party for a patient.

(c) A dentist, employee of a dentist, or agent of a dentist may not complete for a patient or patient's guardian any portion of an application for financing extended by a third party. A dentist, employee of a dentist, or agent of a dentist may not provide the patient or patient's guardian with an electronic device to apply for financing extended by a third party.

(d) A dentist, employee of a dentist, or agent of a dentist may not promote, advertise, or provide marketing or application materials for financing extended by a third party to a patient who:

(1) has been administered or is under the influence of general anesthesia, conscious sedation, moderate sedation, nitrous oxide;

(2) is being administered treatment; or

(3) is in a treatment area, including, but not limited to, an exam room, surgical room, or other area when medical treatment is administered, unless an area separated from the treatment area does not exist.

(e) A dentist, employee of a dentist, or agent of a dentist must provide the following written notice to a patient or patient's guardian in at least 14-point font when discussing

(except to state accepted forms of payment) or providing applications for financing extended by a third party:

"DENTAL SERVICES THIRD-PARTY FINANCING DISCLOSURE

This is an application for a CREDIT CARD, LINE OF CREDIT, OR LOAN to help you finance or pay for your dental treatment. This credit card, line of credit, or loan IS NOT A PAYMENT PLAN WITH THE DENTIST'S OFFICE. It is a credit card, line of credit, or loan from a third-party financing company. Your dentist does not work for this company. Your dentist may not complete or submit an application for third-party financing on your behalf.

You do not have to apply for a credit card, line of credit, or loan. You may pay your dentist for treatment in another manner. Your dentist's office may offer its own payment plan. You are encouraged to explore any public or private insurance options that may cover your dental treatment.

The lender or creditor may offer a "promotional period" to pay back the credit or loan without interest. After any promotional period ends, you may be charged interest on portions of the balance that have already been paid. If you miss a payment or do not pay on time, you may have to pay a penalty and a higher interest rate. If you do not pay the money that you owe the creditor or lender, then your missed payments can appear on your credit report and could hurt your credit score. You could also be sued by the creditor or lender.

If your dentist's office has completed or submitted an

application for third-party financing on your behalf, you may file a complaint by contacting the Illinois Department of Financial and Professional Regulation at [Department website] or by calling [telephone number for Department]."

The Department shall make the disclosure required under this subsection available on the Department's website in English and any other languages deemed necessary by the Department.

(f) The Department may adopt rules to implement this Section.

(g) A violation of this Section is punishable by a fine of up to \$500 for the first violation and a fine of up to \$1,000 for each subsequent violation. However, the Department may take other disciplinary action if the licensee's conduct also violates Section 23.

Section 99. Effective date. This Act takes effect January 1, 2025.