



Sen. Rachelle Crowe

Filed: 3/10/2020

10100SB2965sam001

LRB101 19598 SPS 70964 a

1 AMENDMENT TO SENATE BILL 2965

2 AMENDMENT NO. _____. Amend Senate Bill 2965 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 and 54.3 as follows:

6 (225 ILCS 25/4) (from Ch. 111, par. 2304)

7 (Section scheduled to be repealed on January 1, 2026)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 license
6 pursuant to paragraph (a) of Section 11 of this Act and who may
7 perform any intraoral and extraoral procedure required in the
8 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 under
11 this Act to perform dental services as authorized by Section
12 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 provide

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

21 "Public member" means a person who is not a health
22 professional. For purposes of board membership, any person with
23 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, ~~and~~ 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 is
12 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 drugs
23 or alcohol, or a psychiatric disorder, of sufficient degree to
24 diminish the person's ability to deliver competent patient
25 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; Head
2 Start; a special supplemental nutrition program for Women,
3 Infants, and Children (WIC) facility; or a certified
4 school-based health center or school-based oral health
5 program.

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 are
13 eligible for Medicaid or (2) who are uninsured and whose
14 household income is not greater than 200% of the federal
15 poverty level.

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

22 (Source: P.A. 100-215, eff. 1-1-18; 100-513, eff. 1-1-18;
23 100-863, eff. 8-14-18; 101-64, eff. 7-12-19; 101-162, eff.
24 7-26-19; revised 9-27-19.)

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

2 Sec. 54.3. Vaccinations.

3 (a) Notwithstanding Section 54.2 of this Act, a dentist may
4 administer vaccinations upon completion of appropriate
5 training set forth by rule and approved by the Department on
6 appropriate vaccine storage, proper administration, and
7 addressing contraindications and adverse reactions.
8 Vaccinations shall be limited to patients 18 years of age and
9 older pursuant to a recommendation published by the Centers for
10 Disease Control establishing a general policy on influenza
11 vaccines or a general policy statement from the Director of
12 Public Health regarding the administration of influenza
13 vaccines. If a public health emergency as defined in Section 4
14 of the Illinois Emergency Management Agency Act is declared, a
15 licensed dentist or licensed dental hygienist who has completed
16 the necessary prescribed just-in-time training shall be
17 allowed to administer any vaccine approved for patient use
18 regardless of age during the period of the declared public
19 health emergency and under the direction of and in coordination
20 with the appropriate federal or State authority ~~valid~~
21 ~~prescription or standing order by a physician licensed to~~
22 ~~practice medicine in all its branches who, in the course of~~
23 ~~professional practice, administers vaccines to patients.~~
24 ~~Methods of communication shall be established for consultation~~
25 ~~with the physician in person or by telecommunications.~~

26 (b) Vaccinations administered by a dentist shall be limited

1 to influenza (inactivated influenza vaccine and live
2 attenuated influenza intranasal vaccine). Vaccines shall only
3 be administered by the dentist and shall not be delegated to an
4 assistant or any other person. Vaccination of a patient by a
5 dentist shall be documented in the patient's dental record and
6 the record shall be retained in accordance with current dental
7 recordkeeping standards. The dentist shall notify the
8 patient's primary care physician of each dose of vaccine
9 administered to the patient and shall enter all patient level
10 data or update the patient's current record. The dentist may
11 provide this notice to the patient's physician electronically.
12 In addition, the dentist shall enter all patient level data on
13 vaccines administered in the immunization data registry
14 maintained by the Department of Public Health.

15 (c) A dentist shall only provide vaccinations under this
16 Section if contracted with and credentialed by the patient's
17 health insurance, health maintenance organization, or other
18 health plan to specifically provide the vaccinations allowed
19 under this Section. Persons enrolled in Medicare or Medicaid
20 may only receive the vaccinations allowed for under this
21 Section from dentists who are authorized to do so by the
22 federal Centers for Medicare and Medicaid Services or the
23 Department of Healthcare and Family Services.

24 (d) The Department shall adopt any rules necessary to
25 implement this Section.

26 (e) This Section is repealed on January 1, 2026.

1 (Source: P.A. 101-162, eff. 7-26-19.)".