



Rep. Dan Reitz

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1 AMENDMENT TO SENATE BILL 290

2 AMENDMENT NO. _____. Amend Senate Bill 290, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 1, on page 1, line 5, immediately after "16", by inserting "
5 17,"; and

6 on page 4, immediately below line 3, by inserting the
7 following:

8 "(225 ILCS 25/17) (from Ch. 111, par. 2317)

9 (Section scheduled to be repealed on January 1, 2016)

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

12 (1) Who represents himself as being able to diagnose or
13 diagnoses, treats, prescribes, or operates for any
14 disease, pain, deformity, deficiency, injury, or physical
15 condition of the human tooth, teeth, alveolar process, gums
16 or jaw; or

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

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

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

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

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

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

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

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

26 (10) Who instructs students on clinical matters or

1 performs any clinical operation included in the curricula
2 of recognized dental schools and colleges; or -

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

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

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

23 (a) The rendering of dental relief in emergency cases
24 in the practice of his or her profession by a physician or
25 surgeon, licensed as such under the laws of this State,
26 unless he undertakes to reproduce or reproduces lost parts

1 of the human teeth in the mouth or to restore or replace
2 lost or missing teeth in the mouth; or

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

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

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

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

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

23 (e) The practice of dentistry by licensed dentists of
24 other states or countries at meetings of the Illinois State
25 Dental Society or component parts thereof, alumni meetings
26 of dental colleges, or any other like dental organizations,

1 while appearing as clinicians; or

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

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

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

12 (1) Any and all diagnosis of or prescription for
13 treatment of disease, pain, deformity, deficiency,
14 injury or physical condition of the human teeth or
15 jaws, or adjacent structures.

16 (2) Removal of, or restoration of, or addition to
17 the hard or soft tissues of the oral cavity.

18 (3) Any and all correction of malformation of teeth
19 or of the jaws.

20 (4) Administration of anesthetics, except for
21 application of topical anesthetics and monitoring of
22 nitrous oxide. Monitoring of nitrous oxide may be
23 performed after successful completion of a training
24 program approved by the Department.

25 (5) Removal of calculus from human teeth.

26 (6) Taking of impressions for the fabrication of

1 prosthetic appliances, crowns, bridges, inlays,
2 onlays, or other restorative or replacement dentistry.

3 (7) The operative procedure of dental hygiene
4 consisting of oral prophylactic procedures, except for
5 coronal polishing, which may be performed by a dental
6 assistant who has successfully completed a training
7 program approved by the Department. Dental assistants
8 may perform coronal polishing under the following
9 circumstances: (i) the coronal polishing shall be
10 limited to polishing the clinical crown of the tooth
11 and existing restorations, supragingivally; (ii) the
12 dental assistant performing the coronal polishing
13 shall be limited to the use of rotary instruments using
14 a rubber cup or brush polishing method (air polishing
15 is not permitted); and (iii) the supervising dentist
16 shall not supervise more than 4 dental assistants at
17 any one time for the task of coronal polishing.

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

19 (i) has applied in writing to the Department, in
20 form and substance satisfactory to the Department, for
21 a general dental license and has complied with all
22 provisions of Section 9 of this Act, except for the
23 passage of the examination specified in subsection
24 (e), of Section 9, of this Act; or

25 (ii) has applied in writing to the Department, in
26 form and substance satisfactory to the Department, for

1 a temporary dental license and has complied with all
2 provisions of subsection (c), of Section 11, of this
3 Act; and

4 (iii) has been accepted or appointed for specialty
5 or residency training by a hospital situated in this
6 State; or

7 (iv) has been accepted or appointed for specialty
8 training in an approved dental program situated in this
9 State; or

10 (v) has been accepted or appointed for specialty
11 training in a dental public health agency situated in
12 this State.

13 The applicant shall be permitted to practice dentistry
14 for a period of 3 months from the starting date of the
15 program, unless authorized in writing by the Department to
16 continue such practice for a period specified in writing by
17 the Department.

18 The applicant shall only be entitled to perform such
19 acts as may be prescribed by and incidental to their
20 program of residency or specialty training and shall not
21 otherwise engage in the practice of dentistry in this
22 State.

23 The authority to practice shall terminate immediately
24 upon:

25 (1) the decision of the Department that the
26 applicant has failed the examination; or

- 1 (2) denial of licensure by the Department; or
- 2 (3) withdrawal of the application.
- 3 (Source: P.A. 91-594, eff. 1-1-00.)".