

AN ACT concerning civil law.

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

Section 5. The Good Samaritan Act is amended by changing Section 20 as follows:

(745 ILCS 49/20)

Sec. 20. Free dental clinic; exemption from civil liability for services performed without compensation.

(a) Any person licensed under the Illinois Dental Practice Act to practice dentistry or to practice as a dental hygienist who, in good faith, provides dental treatment, dental services, diagnoses, or advice as part of the services of an established free dental clinic providing care to medically indigent patients which is limited to care which does not require the services of a licensed hospital or ambulatory surgical treatment center, and who receives no fee or compensation from that source shall not, as a result of any acts or omissions, except for willful or wanton misconduct on the part of the licensee, in providing dental treatment, dental services, diagnoses or advice, be liable for civil damages. For purposes of this Section, a "free dental clinic" is an organized program providing, without charge, dental care to individuals unable to pay for their care. For purposes of this Section, an "organized

program" is a program sponsored by a community, public health, charitable, voluntary, or organized dental organization. Free dental services provided under this Section may be provided at a clinic or private dental office. A free dental clinic may receive reimbursement from the Department of Healthcare and Family Services or may receive partial reimbursement from a patient based upon ability to pay, provided any such reimbursements shall be used only to pay overhead expenses of operating the free dental clinic and may not be used, in whole or in part, to provide a fee, reimbursement, or other compensation to any person licensed under the Illinois Dental Practice Act who is receiving an exemption under this Section or to any entity that the person owns or controls or in which the person has an ownership interest or from which the person receives a fee, reimbursement, or compensation of any kind. Dental care shall not include the use of general anesthesia or require an overnight stay in a health care facility.

(b) A dentist who administers vaccinations as provided in Section 54.3 of the Illinois Dental Practice Act at a public health clinic operated pursuant to the Public Health District Act, without charge to the patient or the receipt of a fee or compensation from that clinic or for that service in any way, shall not be liable for civil damages as a result of his or her acts or omissions in providing vaccinations, except for willful or wanton misconduct.

(c) The provisions of this Section shall not apply in any

case unless the free dental clinic or public health clinic has posted in a conspicuous place on its premises an explanation of the immunity from civil liability provided in this Section.

(d) The changes to this Section made by this amendatory Act of the 99th General Assembly apply only to causes of action accruing on or after the effective date of this amendatory Act of the 99th General Assembly.

(Source: P.A. 94-83, eff. 1-1-06; 95-331, eff. 8-21-07.)