



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2492

Introduced 2/7/2025, by Sen. Suzy Glowiak Hilton

SYNOPSIS AS INTRODUCED:

See Index

Amends the Regulatory Sunset Act. Changes the repeal date of the Illinois Dental Practice Act from January 1, 2026 to January 1, 2031. Amends the Illinois Dental Practice Act. Adds a definition for "email address of record". Provides that all applicants and licensees shall provide a valid address and email address to the Department upon application for licensure or renewal of a license and inform the Department of any change in the applicant or licensee's address of record or email address of record within 14 days after such change. Adds Individual Taxpayer Identification Number to provisions concerning information that an applicant must include in an application to the Department. Adds concealment in the application for a license under the Act to causes that allow the Department to take action on a license. Provides that the Department may subpoena the dental records of individual patients of dentists and dental hygienists under the Act, upon a determination that reasonable cause exists, without patient consent. Removes provision that states that exhibits in a judicial review proceeding shall be certified without cost. Adds a definition of "agent of a dentist" to provisions concerning third-party financing for dental services. Makes conforming and other changes. Provides that the changes to the Regulatory Sunset Act are effective immediately.

LRB104 07527 AAS 17571 b

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 Regulatory Sunset Act is amended by
5 changing Section 4.36 and by adding Section 4.41 as follows:

6 (5 ILCS 80/4.36)

7 Sec. 4.36. Acts repealed on January 1, 2026. The following
8 Acts are repealed on January 1, 2026:

9 The Barber, Cosmetology, Esthetics, Hair Braiding, and
10 Nail Technology Act of 1985.

11 The Collection Agency Act.

12 The Hearing Instrument Consumer Protection Act.

13 The Illinois Athletic Trainers Practice Act.

14 ~~The Illinois Dental Practice Act.~~

15 The Illinois Roofing Industry Licensing Act.

16 The Illinois Physical Therapy Act.

17 The Professional Geologist Licensing Act.

18 The Respiratory Care Practice Act.

19 (Source: P.A. 99-26, eff. 7-10-15; 99-204, eff. 7-30-15;
20 99-227, eff. 8-3-15; 99-229, eff. 8-3-15; 99-230, eff. 8-3-15;
21 99-427, eff. 8-21-15; 99-469, eff. 8-26-15; 99-492, eff.
22 12-31-15; 99-642, eff. 7-28-16.)

1 (5 ILCS 80/4.41 new)

2 Sec. 4.41. Act repealed on January 1, 2031. The following
3 Act is repealed on January 1, 2031:

4 The Illinois Dental Practice Act.

5 Section 10. The Illinois Dental Practice Act is amended by
6 changing Sections 2, 4, 6, 8.05, 11, 13, 14, 16, 17, 18, 18.1,
7 19, 19.2, 20, 22, 23, 23a, 23b, 24, 25, 25.1, 26, 29, 30, 32,
8 34, 38.2, 40, 45, 45.5, 48, 49, 54, 54.2, 54.3, and 55 and by
9 adding Section 4.5 as follows:

10 (225 ILCS 25/2) (from Ch. 111, par. 2302)

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

12 Sec. 2. Legislative declaration of public policy. The
13 practice of dentistry in the State of Illinois is hereby
14 declared to affect the public health, safety and welfare and
15 to be subject to regulation and control in the public
16 interest. It is further declared to be a matter of public
17 interest and concern that the dental profession merit and
18 receive the confidence of the public and that only qualified
19 persons be permitted to practice dentistry in the State of
20 Illinois. Despite the authority granted under this Act
21 allowing dentists to delegate the performance of certain
22 procedures to dental hygienists and dental assistants, nothing
23 contained in this Act shall be construed in any way to relieve
24 the supervising dentist from ultimate responsibility for the

1 care of the ~~his or her~~ patient. This Act shall be liberally
2 construed to carry out these objects and purposes.

3 It is further declared to be the public policy of this
4 State, pursuant to subsections (h) and (i) of Section 6 of
5 Article VII of the Illinois Constitution of 1970, that any
6 power or function set forth in this Act to be exercised by the
7 State is an exclusive State power or function. Such power or
8 function shall not be exercised concurrently, either directly
9 or indirectly, by any unit of local government, including home
10 rule units, except as otherwise provided in this Act.

11 (Source: P.A. 89-80, eff. 6-30-95; 89-116, eff. 7-7-95.)

12 (225 ILCS 25/4)

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

14 Sec. 4. Definitions. As used in this Act:

15 "Address of record" means the designated address recorded
16 by the Department in the applicant's or licensee's application
17 file or license file as maintained by the Department's
18 licensure maintenance unit. It is the duty of the applicant or
19 licensee to inform the Department of any change of address and
20 those changes must be made either through the Department's
21 website or by contacting the Department.

22 "Email address of record" means the designated email
23 address recorded by the Department in the applicant's
24 application file or the licensee's license file, as maintained
25 by the Department's licensure maintenance unit.

1 "Department" means the Department of Financial and
2 Professional Regulation.

3 "Secretary" means the Secretary of Financial and
4 Professional Regulation.

5 "Board" means the Board of Dentistry.

6 "Dentist" means a person who has received a general
7 license pursuant to subsection ~~paragraph~~ (a) of Section 11 of
8 this Act and who may perform any intraoral and extraoral
9 procedure required in the practice of dentistry and to whom is
10 reserved the responsibilities specified in Section 17.

11 "Dental hygienist" means a person who holds a license
12 under this Act to perform dental services as authorized by
13 Section 18.

14 "Dental assistant" means an appropriately trained person
15 who, under the supervision of a dentist, provides dental
16 services as authorized by Section 17.

17 "Expanded function dental assistant" means a dental
18 assistant who has completed the training required by Section
19 17.1 of this Act.

20 "Dental laboratory" means a person, firm, or corporation
21 which:

22 (i) engages in making, providing, repairing, or
23 altering dental prosthetic appliances and other artificial
24 materials and devices which are returned to a dentist for
25 insertion into the human oral cavity or which come in
26 contact with its adjacent structures and tissues; and

1 (ii) utilizes or employs a dental technician to
2 provide such services; and

3 (iii) performs such functions only for a dentist or
4 dentists.

5 "Supervision" means supervision of a dental hygienist or a
6 dental assistant requiring that a dentist authorize the
7 procedure, remain in the dental facility while the procedure
8 is performed, and approve the work performed by the dental
9 hygienist or dental assistant before dismissal of the patient,
10 but does not mean that the dentist must be present at all times
11 in the treatment room.

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

22 "Public member" means a person who is not a health
23 professional. For purposes of board membership, any person
24 with a significant financial interest in a health service or
25 profession is not a public member.

26 "Dentistry" means the healing art which is concerned with

1 the examination, diagnosis, treatment planning, and care of
2 conditions within the human oral cavity and its adjacent
3 tissues and structures, as further specified in Section 17.

4 "Branches of dentistry" means the various specialties of
5 dentistry which, for purposes of this Act, shall be limited to
6 the following: endodontics, oral and maxillofacial surgery,
7 orthodontics and dentofacial orthopedics, pediatric dentistry,
8 periodontics, prosthodontics, oral and maxillofacial
9 radiology, and dental anesthesiology.

10 "Specialist" means a dentist who has received a specialty
11 license pursuant to subsection (b) of Section 11 ~~11(b)~~.

12 "Dental technician" means a person who owns, operates, or
13 is employed by a dental laboratory and engages in making,
14 providing, repairing, or altering dental prosthetic appliances
15 and other artificial materials and devices which are returned
16 to a dentist for insertion into the human oral cavity or which
17 come in contact with its adjacent structures and tissues.

18 "Informed consent" means legally valid consent that is
19 given by a patient or legal guardian, that is recorded in
20 writing or digitally, that authorizes intervention or
21 treatment services from the treating dentist, and that
22 documents agreement to participate in those services and
23 knowledge of the risks, benefits, and alternatives, including
24 the decision to withdraw from or decline treatment.

25 "Impaired dentist" or "impaired dental hygienist" means a
26 dentist or dental hygienist who is unable to practice with

1 reasonable skill and safety because of a physical or mental
2 disability as evidenced by a written determination or written
3 consent based on clinical evidence, including deterioration
4 through the aging process, loss of motor skills, abuse of
5 drugs or alcohol, or a psychiatric disorder, of sufficient
6 degree to diminish the person's ability to deliver competent
7 patient care.

8 "Nurse" means a registered professional nurse, a certified
9 registered nurse anesthetist licensed as an advanced practice
10 registered nurse, or a licensed practical nurse licensed under
11 the Nurse Practice Act.

12 "Patient of record", except as provided in Section 17.2,
13 means a patient for whom the patient's most recent dentist has
14 obtained a relevant medical and dental history and on whom the
15 dentist has performed a physical examination within the last
16 year and evaluated the condition to be treated, including a
17 review of the patient's most recent x-rays.

18 "Dental responder" means a dentist or dental hygienist who
19 is appropriately certified in disaster preparedness,
20 immunizations, and dental humanitarian medical response
21 consistent with the Society of Disaster Medicine and Public
22 Health and training certified by the National Incident
23 Management System or the National Disaster Life Support
24 Foundation.

25 "Mobile dental van or portable dental unit" means any
26 self-contained or portable dental unit in which dentistry is

1 practiced that can be moved, towed, or transported from one
2 location to another in order to establish a location where
3 dental services can be provided.

4 "Public health dental hygienist" means a hygienist who
5 holds a valid license to practice in the State, has 2 years of
6 full-time clinical experience or an equivalent of 4,000 hours
7 of clinical experience, and has completed at least 42 clock
8 hours of additional structured courses in dental education in
9 advanced areas specific to public health dentistry.

10 "Public health setting" means a federally qualified health
11 center; a federal, State, or local public health facility;
12 Head Start; a special supplemental nutrition program for
13 Women, Infants, and Children (WIC) facility; a certified
14 school-based health center or school-based oral health
15 program; a prison; or a long-term care facility.

16 "Public health supervision" means the supervision of a
17 public health dental hygienist by a licensed dentist who has a
18 written public health supervision agreement with that public
19 health dental hygienist while working in an approved facility
20 or program that allows the public health dental hygienist to
21 treat patients, without a dentist first examining the patient
22 and being present in the facility during treatment, (1) who
23 are eligible for Medicaid or (2) who are uninsured or whose
24 household income is not greater than 300% of the federal
25 poverty level.

26 "Teledentistry" means the use of telehealth systems and

1 methodologies in dentistry and includes patient diagnosis,
2 treatment planning, care, and education delivery for a patient
3 of record using synchronous and asynchronous communications
4 under an Illinois licensed dentist's authority as provided
5 under this Act.

6 "Moderate sedation" means a drug-induced depression of
7 consciousness during which: (1) patients respond purposefully
8 to verbal commands, either alone or accompanied by light
9 tactile stimulation; (2) no interventions are required to
10 maintain a patient's airway and spontaneous ventilation is
11 adequate; and (3) cardiovascular function is usually
12 maintained.

13 "Deep sedation" means a drug-induced depression of
14 consciousness during which: (1) patients cannot be easily
15 aroused, but respond purposefully following repeated or
16 painful stimulation; (2) the ability to independently maintain
17 ventilatory function may be impaired; (3) patients may require
18 assistance in maintaining airways and spontaneous ventilation
19 may be inadequate; and (4) cardiovascular function is usually
20 maintained.

21 "General anesthesia" means a drug-induced loss of
22 consciousness during which: (1) patients are not arousable,
23 even by painful stimulation; (2) the ability to independently
24 maintain ventilatory function is often impaired; (3) patients
25 often require assistance in maintaining airways and positive
26 pressure ventilation may be required because of depressed

1 spontaneous ventilation or drug-induced depression of
2 neuromuscular function; and (4) cardiovascular function may be
3 impaired.

4 "Venipuncture" means the puncture of a vein as part of a
5 medical procedure, typically to withdraw a blood sample or for
6 an intravenous catheter for the administration of medication
7 or fluids.

8 "Enteral route of administration" means administration of
9 a drug that is absorbed through the gastrointestinal tract or
10 through oral, rectal, or sublingual mucosa.

11 "Parenteral route of administration" means administration
12 of a drug by which the drug bypasses the gastrointestinal
13 tract through intramuscular, intravenous, intranasal,
14 submucosal, subcutaneous, or intraosseous methods.

15 (Source: P.A. 102-93, eff. 1-1-22; 102-588, eff. 8-20-21;
16 102-936, eff. 1-1-23; 103-425, eff. 1-1-24; 103-431, eff.
17 1-1-24; 103-605, eff. 7-1-24; 103-628, eff. 7-1-24; 103-902,
18 eff. 8-9-24; revised 10-10-24.)

19 (225 ILCS 25/4.5 new)

20 Sec. 4.5. Address of record; email address of record. All
21 applicants and licensees shall:

22 (1) provide a valid address and email address to the
23 Department, which shall serve as the address of record and
24 email address of record, respectively, upon application for
25 licensure or renewal of a license; and

1 (2) inform the Department of any change in the applicant
2 or licensee's address of record or email address of record
3 within 14 days after such change, either through the
4 Department's website or by contacting the Department's
5 licensure maintenance unit.

6 (225 ILCS 25/6) (from Ch. 111, par. 2306)

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

8 Sec. 6. Board of Dentistry; report ~~Dentistry—report~~ by
9 majority required. There is created a Board of Dentistry, to
10 be composed of persons designated from time to time by the
11 Secretary, as follows:

12 Eleven persons, 8 of whom have been dentists for a period
13 of 5 years or more; 2 of whom have been dental hygienists for a
14 period of 5 years or more, and one public member. None of the
15 members shall be an officer, dean, assistant dean, or
16 associate dean of a dental college or dental department of an
17 institute of learning, nor shall any member be the program
18 director of any dental hygiene program. A board member who
19 holds a faculty position in a dental school or dental hygiene
20 program shall not participate in the examination of applicants
21 for licenses from that school or program. The dental
22 hygienists shall not participate in the examination of
23 applicants for licenses to practice dentistry. The public
24 member shall not participate in the examination of applicants
25 for licenses to practice dentistry or dental hygiene. The

1 board shall annually elect a chairman and vice-chairman who
2 shall be dentists.

3 Terms for all members shall be for 4 years. Partial terms
4 over 2 years in length shall be considered as full terms. A
5 member may be reappointed for a successive term, but no member
6 shall serve more than 2 full terms in the member's ~~his or her~~
7 lifetime.

8 The membership of the Board shall include only residents
9 from various geographic areas of this State and shall include
10 at least some graduates from various institutions of dental
11 education in this State.

12 In making appointments to the Board the Secretary shall
13 give due consideration to recommendations by organizations of
14 the dental profession in Illinois, including the Illinois
15 State Dental Society and Illinois Dental Hygienists
16 Association, and shall promptly give due notice to such
17 organizations of any vacancy in the membership of the Board.
18 The Secretary may terminate the appointment of any member for
19 cause which in the opinion of the Secretary reasonably
20 justifies such termination.

21 A vacancy in the membership of the Board shall not impair
22 the right of a quorum to exercise all the rights and perform
23 all the duties of the Board. Any action to be taken by the
24 Board under this Act may be authorized by resolution at any
25 regular or special meeting, and each such resolution shall
26 take effect immediately. The Board shall meet at least

1 quarterly.

2 The members of the Board shall each receive as
3 compensation a reasonable sum as determined by the Secretary
4 for each day actually engaged in the duties of the office, and
5 all legitimate and necessary expense incurred in attending the
6 meetings of the Board.

7 Members of the Board shall be immune from suit in any
8 action based upon any disciplinary proceedings or other
9 activities performed in good faith as members of the Board.

10 (Source: P.A. 99-492, eff. 12-31-15.)

11 (225 ILCS 25/8.05)

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

13 Sec. 8.05. Social Security Number or Individual Taxpayer
14 Identification Number on license application. In addition to
15 any other information required to be contained in the
16 application, every application for an original license under
17 this Act shall include the applicant's Social Security Number
18 or Individual Taxpayer Identification Number, which shall be
19 retained in the agency's records pertaining to the license. As
20 soon as practical, the Department shall assign a customer's
21 identification number to each applicant for a license.

22 Every application for a renewal or restored license shall
23 require the applicant's customer identification number.

24 (Source: P.A. 97-400, eff. 1-1-12.)

1 (225 ILCS 25/11) (from Ch. 111, par. 2311)

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

3 Sec. 11. Types of dental licenses. The Department shall
4 have the authority to issue the following types of licenses,
5 to excuse the payment of fees for inactive status, to deliver
6 certificates of identification, and to extend pre-license
7 practice allowances as follows:

8 (a) General licenses. The Department shall issue a license
9 authorizing practice as a dentist to any person who qualifies
10 for a license under this Act.

11 (b) Specialty licenses. The Department shall issue a
12 license authorizing practice as a specialist in any particular
13 branch of dentistry to any dentist who has complied with the
14 requirements established for that particular branch of
15 dentistry at the time of making application. The Department
16 shall establish additional requirements of any dentist who
17 announces or holds himself or herself out to the public as a
18 specialist or as being specially qualified in any particular
19 branch of dentistry.

20 No dentist shall announce or hold himself or herself out
21 to the public as a specialist or as being specially qualified
22 in any particular branch of dentistry unless the dentist ~~he or~~
23 ~~she~~ is licensed to practice in that specialty of dentistry.

24 The fact that any dentist shall announce by card,
25 letterhead, or any other form of communication using terms as
26 "Specialist", "Practice Limited To", or "Limited to Specialty

1 of" with the name of the branch of dentistry practiced as a
2 specialty, or shall use equivalent words or phrases to
3 announce the same, shall be prima facie evidence that the
4 dentist is holding himself or herself out to the public as a
5 specialist.

6 (c) Temporary training licenses. Persons who wish to
7 pursue specialty or other advanced clinical educational
8 programs in an approved dental school or a hospital situated
9 in this State, or persons who wish to pursue programs of
10 specialty training in dental public health in public agencies
11 in this State, may receive without examination, in the
12 discretion of the Department, a temporary training license. In
13 order to receive a temporary training license under this
14 subsection, an applicant shall furnish satisfactory proof to
15 the Department that:

16 (1) The applicant is at least 21 years of age and is of
17 good moral character. In determining moral character under
18 this Section, the Department may take into consideration
19 any felony conviction of the applicant, but such a
20 conviction shall not operate as bar to licensure;

21 (2) The applicant has been accepted or appointed for
22 specialty or residency training by an approved hospital
23 situated in this State, by an approved dental school
24 situated in this State, or by a public health agency in
25 this State the training programs of which are recognized
26 and approved by the Department. The applicant shall

1 indicate the beginning and ending dates of the period for
2 which the applicant ~~he or she~~ has been accepted or
3 appointed;

4 (3) The applicant is a graduate of a dental school or
5 college approved and in good standing in the judgment of
6 the Department. The Department may consider diplomas or
7 certifications of education, or both, accompanied by
8 transcripts of course work and credits awarded to
9 determine if an applicant has graduated from a dental
10 school or college approved and in good standing. The
11 Department may also consider diplomas or certifications of
12 education, or both, accompanied by transcripts of course
13 work and credits awarded in determining whether a dental
14 school or college is approved and in good standing.

15 Temporary training licenses issued under this Section
16 shall be valid only for the duration of the period of residency
17 or specialty training and may be extended or renewed as
18 prescribed by rule. The holder of a valid temporary training
19 license shall be entitled thereby to perform acts as may be
20 prescribed by and incidental to the holder's ~~his or her~~
21 program of residency or specialty training; but the holder ~~he~~
22 ~~or she~~ shall not be entitled to engage in the practice of
23 dentistry in this State.

24 A temporary training license may be revoked by the
25 Department upon proof that the holder has engaged in the
26 practice of dentistry in this State outside of the holder's

1 ~~his or her~~ program of residency or specialty training, or if
2 the holder shall fail to supply the Department, within 10 days
3 of its request, with information as to the holder's ~~his or her~~
4 current status and activities in the holder's ~~his or her~~
5 specialty training program.

6 (d) Faculty limited licenses. Persons who have received
7 full-time appointments to teach dentistry at an approved
8 dental school or hospital situated in this State may receive
9 without examination, in the discretion of the Department, a
10 faculty limited license. In order to receive a faculty limited
11 license an applicant shall furnish satisfactory proof to the
12 Department that:

13 (1) The applicant is at least 21 years of age, is of
14 good moral character, and is licensed to practice
15 dentistry in another state or country; and

16 (2) The applicant has a full-time appointment to teach
17 dentistry at an approved dental school or hospital
18 situated in this State.

19 Faculty limited licenses issued under this Section shall
20 be valid for a period of 3 years and may be extended or
21 renewed. The holder of a valid faculty limited license may
22 perform acts as may be required by the holder's ~~his or her~~
23 teaching of dentistry. The holder of a faculty limited license
24 may practice general dentistry or in the holder's ~~his or her~~
25 area of specialty, but only in a clinic or office affiliated
26 with the dental school. The holder of a faculty limited

1 license may advertise a specialty degree as part of the
2 licensee's ability to practice in a faculty practice. Any
3 faculty limited license issued to a faculty member under this
4 Section shall terminate immediately and automatically, without
5 any further action by the Department, if the holder ceases to
6 be a faculty member at an approved dental school or hospital in
7 this State.

8 The Department may revoke a faculty limited license for a
9 violation of this Act or its rules, or if the holder fails to
10 supply the Department, within 10 days of its request, with
11 information as to the holder's ~~his or her~~ current status and
12 activities in the holder's ~~his or her~~ teaching program.

13 (e) Inactive status. Any person who holds one of the
14 licenses under subsection (a) or (b) of Section 11 or under
15 Section 12 of this Act may elect, upon payment of the required
16 fee, to place the ~~his or her~~ license on an inactive status and
17 shall, subject to the rules of the Department, be excused from
18 the payment of renewal fees until the holder ~~he or she~~ notifies
19 the Department in writing of the holder's ~~his or her~~ desire to
20 resume active status.

21 Any licensee requesting restoration from inactive status
22 shall be required to pay the current renewal fee, and, upon
23 payment, the Department shall be required to restore the ~~his~~
24 ~~or her~~ license, as provided in Section 16 of this Act.

25 Any licensee whose license is in an inactive status shall
26 not practice in the State of Illinois.

1 (f) Certificates of Identification. In addition to the
2 licenses authorized by this Section, the Department shall
3 deliver to each dentist a certificate of identification in a
4 form specified by the Department.

5 (g) Pre-license practice allowance. An applicant for a
6 general dental license or a temporary training license has a
7 pre-license practice allowance to practice dentistry in a
8 Commission on Dental Accreditation accredited specialty or
9 residency training program for a period of 3 months from the
10 starting date of the program. Upon a request from the
11 applicant, the Department may extend, in writing, the
12 pre-license practice allowance for the specialty or residency
13 training program. An applicant practicing dentistry under this
14 subsection may only perform acts as are prescribed by and
15 incidental to the applicant's program of residency or
16 specialty training. An applicant practicing dentistry under
17 this subsection must supply the specialty or residency
18 training program a copy of the applicant's general license
19 application or temporary training license application along
20 with proof of certified mail of sending that application to
21 the Department.

22 The applicant's authority to practice under this
23 subsection shall terminate immediately upon: (1) the decision
24 of the Department that the applicant failed the examination
25 for dental licensure; (2) denial of licensure by the
26 Department; or (3) withdrawal of the license application.

1 (Source: P.A. 103-425, eff. 1-1-24; 103-687, eff. 7-19-24.)

2 (225 ILCS 25/13) (from Ch. 111, par. 2313)

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

4 Sec. 13. Qualifications of applicants for dental
5 hygienists. Every person who desires to obtain a license as a
6 dental hygienist shall apply to the Department in writing,
7 upon forms prepared and furnished by the Department. Each
8 application shall contain proof of the particular
9 qualifications required of the applicant, shall be verified by
10 the applicant, under oath, and shall be accompanied by the
11 required examination fee.

12 The Department shall require that every applicant for a
13 license as a dental hygienist shall:

14 (1) (Blank).

15 (2) Be a graduate of high school or its equivalent.

16 (3) Present satisfactory evidence of having
17 successfully completed 2 academic years of credit at a
18 dental hygiene program accredited by the Commission on
19 Dental Accreditation of the American Dental Association.

20 (4) Submit evidence that the applicant ~~he or she~~ holds
21 a currently valid certification to perform cardiopulmonary
22 resuscitation. The Department shall adopt rules
23 establishing criteria for certification in cardiopulmonary
24 resuscitation. The rules of the Department shall provide
25 for variances only in instances where the applicant is a

1 person with a physical disability and therefore unable to
2 secure such certification.

3 (5) (Blank).

4 (6) Present satisfactory evidence that the applicant
5 has passed the National Board Dental Hygiene Examination
6 administered by the Joint Commission on National Dental
7 Examinations and has successfully completed an examination
8 conducted by one of the following regional testing
9 services: the Central Regional Dental Testing Service,
10 Inc. (CRDTS), the Southern Regional Testing Agency, Inc.
11 (SRTA), the Western Regional Examining Board (WREB), or
12 the North East Regional Board (NERB). For the purposes of
13 this Section, successful completion shall mean that the
14 applicant has achieved a minimum passing score as
15 determined by the applicable regional testing service. The
16 Secretary may suspend a regional testing service under
17 this item (6) if, after proper notice and hearing, it is
18 established that (i) the integrity of the examination has
19 been breached so as to make future test results unreliable
20 or (ii) the examination is fundamentally deficient in
21 testing clinical competency.

22 (Source: P.A. 99-143, eff. 7-27-15.)

23 (225 ILCS 25/14) (from Ch. 111, par. 2314)

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

25 Sec. 14. Examination for licensure as dental hygienists.

1 The Department shall conduct or authorize examinations of
2 applicants for licensure as dental hygienists at such times
3 and places as it may determine.

4 The examination of applicants for licensure as dental
5 hygienists may include both practical demonstrations and
6 written and oral tests and shall encompass the subjects
7 usually taught in programs of dental hygiene, approved by the
8 Department.

9 If an applicant fails to pass an examination for licensure
10 under this Act within 3 years after filing an ~~his or her~~
11 application, the application shall be denied. The applicant,
12 however, may thereafter make a new application for examination
13 accompanied by the required fee and provide evidence of
14 meeting the requirements in effect at the time of the new
15 application.

16 (Source: P.A. 89-80, eff. 6-30-95; 89-116, eff. 7-7-95.)

17 (225 ILCS 25/16) (from Ch. 111, par. 2316)

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

19 Sec. 16. Expiration, renewal and restoration of licenses.
20 The expiration date and renewal date for each license issued
21 under this Act shall be set by rule. The renewal period for
22 each license issued under this Act shall be 3 years. A dentist
23 or dental hygienist may renew a license during the month
24 preceding its expiration date by paying the required fee. All
25 initial licenses issued during an open renewal period shall

1 have the next expiration date. A dentist or dental hygienist
2 shall provide proof of current Basic Life Support (BLS)
3 certification intended for health care providers at the time
4 of renewal as provided by rule. Basic Life Support
5 certification training taken as a requirement of this Section
6 shall be counted for no more than 4 hours during each licensure
7 period towards the continuing education hours under Section
8 16.1 of this Act. The Department shall provide by rule for
9 exemptions from this requirement for a dentist or dental
10 hygienist with a physical disability that would preclude the
11 dentist or dental hygienist ~~him or her~~ from performing BLS.

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

18 Any person whose license has been expired for more than 5
19 years or who has had his license on inactive status for more
20 than 5 years may have his license restored by making
21 application to the Department and filing proof acceptable to
22 the Department of taking continuing education and of his
23 fitness to have the license restored, including sworn evidence
24 certifying to active practice in another jurisdiction, and by
25 paying the required restoration fee. A person practicing on an
26 expired license is deemed to be practicing without a license.

1 However, a holder of a license may renew the license within 90
2 days after its expiration by complying with the requirements
3 for renewal and payment of an additional fee. A license
4 renewal within 90 days after expiration shall be effective
5 retroactively to the expiration date.

6 If a person whose license has expired or who has had his
7 license on inactive status for more than 5 years has not
8 maintained an active practice satisfactory to the department,
9 the Department shall determine, by an evaluation process
10 established by rule, the person's ~~his or her~~ fitness to resume
11 active status and may require the person to complete a period
12 of evaluated clinical experience and may require successful
13 completion of a practical examination.

14 However, any person whose license expired while the person
15 ~~he or she~~ was (i) on active duty with the Armed Forces of the
16 United States or called into service or training by the State
17 militia or (ii) in training or education under the supervision
18 of the United States preliminary to induction into the
19 military service, may have the person's ~~his or her~~ license
20 renewed, reinstated, or restored without paying any lapsed
21 renewal or restoration fee, if within 2 years after
22 termination of such service, training, or education other than
23 by dishonorable discharge, the person ~~he or she~~ furnishes the
24 Department with satisfactory proof that the person ~~he or she~~
25 has been so engaged and that the person's ~~his or her~~ service,
26 training, or education has been so terminated.

1 (Source: P.A. 103-687, eff. 7-19-24.)

2 (225 ILCS 25/17)

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

4 Sec. 17. Acts constituting the practice of dentistry. A
5 person practices dentistry, within the meaning of this Act:

6 (1) Who represents himself or herself as being able to
7 diagnose or diagnoses, treats, prescribes, or operates for
8 any disease, pain, deformity, deficiency, injury, or
9 physical condition of the human tooth, teeth, alveolar
10 process, gums, or jaw; or

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

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

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

17 (5) Who extracts a human tooth or teeth, or corrects
18 or attempts to correct malpositions of the human teeth or
19 jaws; or

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

23 (7) Who uses or administers local or general
24 anesthetics in the treatment of dental or oral diseases or
25 in any preparation incident to a dental operation of any

1 kind or character; or

2 (8) Who takes material or digital scans for final
3 impressions of the human tooth, teeth, or jaws or performs
4 any phase of any operation incident to the replacement of
5 a part of a tooth, a tooth, teeth, or associated tissues by
6 means of a filling, a crown, a bridge, a denture, or other
7 appliance; or

8 (9) Who offers to furnish, supply, construct,
9 reproduce, or repair, or who furnishes, supplies,
10 constructs, reproduces, or repairs, prosthetic dentures,
11 bridges, or other substitutes for natural teeth to the
12 user or prospective user thereof; or

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

16 (11) Who takes material or digital scans for final
17 impressions of human teeth or places the person's ~~his or~~
18 ~~her~~ hands in the mouth of any person for the purpose of
19 applying teeth whitening materials, or who takes
20 impressions of human teeth or places the person's ~~his or~~
21 ~~her~~ hands in the mouth of any person for the purpose of
22 assisting in the application of teeth whitening materials.
23 A person does not practice dentistry when the person ~~he or~~
24 ~~she~~ discloses to the consumer that the person ~~he or she~~ is
25 not licensed as a dentist under this Act and (i) discusses
26 the use of teeth whitening materials with a consumer

1 purchasing these materials; (ii) provides instruction on
2 the use of teeth whitening materials with a consumer
3 purchasing these materials; or (iii) provides appropriate
4 equipment on-site to the consumer for the consumer to
5 self-apply teeth whitening materials.

6 The fact that any person engages in or performs, or offers
7 to engage in or perform, any of the practices, acts, or
8 operations set forth in this Section, shall be prima facie
9 evidence that such person is engaged in the practice of
10 dentistry.

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

13 (a) The rendering of dental relief in emergency cases
14 in the practice of the person's ~~his or her~~ profession by a
15 physician or surgeon, licensed as such under the laws of
16 this State, unless the person ~~he or she~~ undertakes to
17 reproduce or reproduces lost parts of the human teeth in
18 the mouth or to restore or replace lost or missing teeth in
19 the mouth; or

20 (b) The practice of dentistry in the discharge of
21 their official duties by dentists in any branch of the
22 Armed Services of the United States, the United States
23 Public Health Service, or the United States Veterans
24 Administration; or

25 (c) The practice of dentistry by students in their
26 course of study in dental schools or colleges approved by

1 the Department, when acting under the direction and
2 supervision of dentists acting as instructors; or

3 (d) The practice of dentistry by clinical instructors
4 in the course of their teaching duties in dental schools
5 or colleges approved by the Department:

6 (i) when acting under the direction and
7 supervision of dentists, provided that such clinical
8 instructors have instructed continuously in this State
9 since January 1, 1986; or

10 (ii) when holding the rank of full professor at
11 such approved dental school or college and possessing
12 a current valid license or authorization to practice
13 dentistry in another country; or

14 (e) The practice of dentistry by licensed dentists of
15 other states or countries at meetings of the Illinois
16 State Dental Society or component parts thereof, alumni
17 meetings of dental colleges, or any other like dental
18 organizations, while appearing as clinicians; or

19 (f) The use of X-Ray machines for exposing X-Ray films
20 of dental or oral tissues by dental hygienists or dental
21 assistants; or

22 (g) The performance of any dental service by a dental
23 assistant, if such service is performed under the
24 supervision and full responsibility of a dentist. In
25 addition, after being authorized by a dentist, a dental
26 assistant may, for the purpose of eliminating pain or

1 discomfort, remove loose, broken, or irritating
2 orthodontic appliances on a patient of record.

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

7 (1) Any and all diagnosis of or prescription for
8 treatment of disease, pain, deformity, deficiency,
9 injury, or physical condition of the human teeth or
10 jaws, or adjacent structures.

11 (2) Removal of, restoration of, or addition to the
12 hard or soft tissues of the oral cavity, except for the
13 placing, carving, and finishing of amalgam
14 restorations and placing, packing, and finishing
15 composite restorations by dental assistants who have
16 had additional formal education and certification.

17 A dental assistant may place, carve, and finish
18 amalgam restorations, place, pack, and finish
19 composite restorations, and place interim restorations
20 if the dental assistant ~~he or she~~ (A) has successfully
21 completed a structured training program as described
22 in item (2) of subsection (g) provided by an
23 educational institution accredited by the Commission
24 on Dental Accreditation, such as a dental school or
25 dental hygiene or dental assistant program, or (B) has
26 at least 4,000 hours of direct clinical patient care

1 experience and has successfully completed a structured
2 training program as described in item (2) of
3 subsection (g) provided by a statewide dental
4 association, approved by the Department to provide
5 continuing education, that has developed and conducted
6 training programs for expanded functions for dental
7 assistants or hygienists. The training program must:
8 (i) include a minimum of 16 hours of didactic study and
9 14 hours of clinical manikin instruction; all training
10 programs shall include areas of study in nomenclature,
11 caries classifications, oral anatomy, periodontium,
12 basic occlusion, instrumentations, pulp protection
13 liners and bases, dental materials, matrix and wedge
14 techniques, amalgam placement and carving, rubber dam
15 clamp placement, and rubber dam placement and removal;
16 (ii) include an outcome assessment examination that
17 demonstrates competency; (iii) require the supervising
18 dentist to observe and approve the completion of 8
19 amalgam or composite restorations; and (iv) issue a
20 certificate of completion of the training program,
21 which must be kept on file at the dental office and be
22 made available to the Department upon request. A
23 dental assistant must have successfully completed an
24 approved coronal polishing and dental sealant course
25 prior to taking the amalgam and composite restoration
26 course.

1 A dentist utilizing dental assistants shall not
2 supervise more than 4 dental assistants at any one
3 time for placing, carving, and finishing of amalgam
4 restorations or for placing, packing, and finishing
5 composite restorations.

6 (3) Any and all correction of malformation of
7 teeth or of the jaws.

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

17 (5) Removal of calculus from human teeth.

18 (6) Taking of material or digital scans for final
19 impressions for the fabrication of prosthetic
20 appliances, crowns, bridges, inlays, onlays, or other
21 restorative or replacement dentistry.

22 (7) The operative procedure of dental hygiene
23 consisting of oral prophylactic procedures, except for
24 coronal polishing and pit and fissure sealants, which
25 may be performed by a dental assistant who has
26 successfully completed a training program approved by

1 the Department. Dental assistants may perform coronal
2 polishing under the following circumstances: (i) the
3 coronal polishing shall be limited to polishing the
4 clinical crown of the tooth and existing restorations,
5 supragingivally; (ii) the dental assistant performing
6 the coronal polishing shall be limited to the use of
7 rotary instruments using a rubber cup or brush
8 polishing method (air polishing is not permitted); and
9 (iii) the supervising dentist shall not supervise more
10 than 4 dental assistants at any one time for the task
11 of coronal polishing or pit and fissure sealants.

12 In addition to coronal polishing and pit and
13 fissure sealants as described in this item (7), a
14 dental assistant who has at least 2,000 hours of
15 direct clinical patient care experience and who has
16 successfully completed a structured training program
17 provided by (1) an educational institution including,
18 but not limited to, a dental school or dental hygiene
19 or dental assistant program, (2) a continuing
20 education provider approved by the Department, or (3)
21 a statewide dental or dental hygienist association
22 that has developed and conducted a training program
23 for expanded functions for dental assistants or
24 hygienists may perform: (A) coronal scaling above the
25 gum line, supragingivally, on the clinical crown of
26 the tooth only on patients 17 years of age or younger

1 who have an absence of periodontal disease and who are
2 not medically compromised or individuals with special
3 needs and (B) intracoronal temporization of a tooth.
4 The training program must: (I) include a minimum of 32
5 hours of instruction in both didactic and clinical
6 manikin or human subject instruction; all training
7 programs shall include areas of study in dental
8 anatomy, public health dentistry, medical history,
9 dental emergencies, and managing the pediatric
10 patient; (II) include an outcome assessment
11 examination that demonstrates competency; (III)
12 require the supervising dentist to observe and approve
13 the completion of 6 full mouth supragingival scaling
14 procedures unless the training was received as part of
15 a Commission on Dental Accreditation approved dental
16 assistant program; and (IV) issue a certificate of
17 completion of the training program, which must be kept
18 on file at the dental office and be made available to
19 the Department upon request. A dental assistant must
20 have successfully completed an approved coronal
21 polishing course prior to taking the coronal scaling
22 course. A dental assistant performing these functions
23 shall be limited to the use of hand instruments only.
24 In addition, coronal scaling as described in this
25 paragraph shall only be utilized on patients who are
26 eligible for Medicaid, who are uninsured, or whose

1 household income is not greater than 300% of the
2 federal poverty level. A dentist may not supervise
3 more than 2 dental assistants at any one time for the
4 task of coronal scaling. ~~This paragraph is inoperative~~
5 ~~on and after January 1, 2026.~~

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

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 (e)
18 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
3 this 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
11 by the Department.

12 The applicant shall only be entitled to perform such
13 acts as may be prescribed by and incidental to the
14 applicant's ~~his or her~~ program of residency or specialty
15 training and shall not otherwise engage in the practice of
16 dentistry in this 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. 102-558, eff. 8-20-21; 102-936, eff. 1-1-23;
24 103-425, eff. 1-1-24; 103-431, eff. 1-1-24; 103-605, eff.
25 7-1-24; 103-628, eff. 7-1-24.)

1 (225 ILCS 25/18) (from Ch. 111, par. 2318)

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

3 Sec. 18. Acts constituting the practice of dental hygiene;
4 limitations.

5 (a) A person practices dental hygiene within the meaning
6 of this Act when the person ~~he or she~~ performs the following
7 acts under the supervision of a dentist:

8 (i) the operative procedure of dental hygiene,
9 consisting of oral prophylactic procedures;

10 (ii) the exposure and processing of X-Ray films of the
11 teeth and surrounding structures;

12 (iii) the application to the surfaces of the teeth or
13 gums of chemical compounds designed to be desensitizing
14 agents or effective agents in the prevention of dental
15 caries or periodontal disease;

16 (iv) all services which may be performed by a dental
17 assistant as specified by rule pursuant to Section 17, and
18 a dental hygienist may engage in the placing, carving, and
19 finishing of amalgam restorations only after obtaining
20 formal education and certification as determined by the
21 Department;

22 (v) administration and monitoring of nitrous oxide
23 upon successful completion of a training program approved
24 by the Department;

25 (vi) administration of local anesthetics upon
26 successful completion of a training program approved by

1 the Department; and

2 (vii) such other procedures and acts as shall be
3 prescribed by rule or regulation of the Department.

4 (b) A dental hygienist may be employed or engaged only:

5 (1) by a dentist;

6 (2) by a federal, State, county, or municipal agency
7 or institution;

8 (3) by a public or private school; or

9 (4) by a public clinic operating under the direction
10 of a hospital or federal, State, county, municipal, or
11 other public agency or institution.

12 (c) When employed or engaged in the office of a dentist, a
13 dental hygienist may perform, under general supervision, those
14 procedures found in items (i) through (iv) of subsection (a)
15 of this Section, provided the patient has been examined by the
16 dentist within one year of the provision of dental hygiene
17 services, the dentist has approved the dental hygiene services
18 by a notation in the patient's record and the patient has been
19 notified that the dentist may be out of the office during the
20 provision of dental hygiene services.

21 (d) If a patient of record is unable to travel to a dental
22 office because of illness, infirmity, or imprisonment, a
23 dental hygienist may perform, under the general supervision of
24 a dentist, those procedures found in items (i) through (iv) of
25 subsection (a) of this Section, provided the patient is
26 located in a long-term care facility licensed by the State of

1 Illinois, a mental health or developmental disability
2 facility, or a State or federal prison. The dentist shall
3 either personally examine and diagnose the patient or utilize
4 approved teledentistry communication methods and determine
5 which services are necessary to be performed, which shall be
6 contained in an order to the hygienist and a notation in the
7 patient's record. Such order must be implemented within 45
8 days of its issuance, and an updated medical history and
9 observation of oral conditions must be performed by the
10 hygienist immediately prior to beginning the procedures to
11 ensure that the patient's health has not changed in any manner
12 to warrant a reexamination by the dentist.

13 (e) School-based oral health care, consisting of and
14 limited to oral prophylactic procedures, sealants, and
15 fluoride treatments, may be provided by a dental hygienist
16 under the general supervision of a dentist. A dental hygienist
17 may not provide other dental hygiene treatment in a
18 school-based setting, including but not limited to
19 administration or monitoring of nitrous oxide or
20 administration of local anesthetics. The school-based
21 procedures may be performed provided the patient is located at
22 a public or private school and the program is being conducted
23 by a State, county or local public health department
24 initiative or in conjunction with a dental school or dental
25 hygiene program. The dentist shall personally examine and
26 diagnose the patient and determine which services are

1 necessary to be performed, which shall be contained in an
2 order to the hygienist and a notation in the patient's record.
3 Any such order for sealants must be implemented within 120
4 days after its issuance. Any such order for oral prophylactic
5 procedures or fluoride treatments must be implemented within
6 180 days after its issuance. An updated medical history and
7 observation of oral conditions must be performed by the
8 hygienist immediately prior to beginning the procedures to
9 ensure that the patient's health has not changed in any manner
10 to warrant a reexamination by the dentist.

11 (f) Without the supervision of a dentist, a dental
12 hygienist may perform dental health education functions,
13 including instruction in proper oral health care and dental
14 hygiene in, for example, a school setting, a long-term care
15 facility, and a health fair. In addition, a dental hygienist
16 may record case histories and oral conditions observed at any
17 time prior to a clinical exam by a dentist.

18 (g) The number of dental hygienists practicing in a dental
19 office shall not exceed, at any one time, 4 times the number of
20 dentists practicing in the office at the time.

21 (h) A dental hygienist who is certified as a public health
22 dental hygienist may provide services to patients: (1) who are
23 eligible for Medicaid or (2) who are uninsured and whose
24 household income is not greater than 300% of the federal
25 poverty level. A public health dental hygienist may perform
26 oral assessments, perform screenings, and provide educational

1 and preventative services as provided in subsection (b) of
2 Section 18.1 of this Act. The public health dental hygienist
3 may not administer local anesthesia or nitrous oxide, or
4 place, carve, or finish amalgam restorations or provide
5 periodontal therapy under this exception. Each patient must
6 sign a consent form that acknowledges that the care received
7 does not take the place of a regular dental examination. The
8 public health dental hygienist must provide the patient or
9 guardian a written referral to a dentist for assessment of the
10 need for further dental care at the time of treatment. Any
11 indication or observation of a condition that could warrant
12 the need for urgent attention must be reported immediately to
13 the supervising dentist for appropriate assessment and
14 treatment.

15 ~~This subsection (h) is inoperative on and after January 1,~~
16 ~~2026.~~

17 (i) A dental hygienist performing procedures listed in
18 paragraphs (1) through (4) of subsection (a) of Section 17.1
19 must be under the supervision of a dentist, requiring the
20 dentist authorizes the procedure, remains in the dental
21 facility while the procedure is performed, and approves the
22 work performed by the dental hygienist before dismissal of the
23 patient, but the dentist is not required to be present at all
24 times in the treatment room.

25 (j) A dental hygienist may perform actions described in
26 paragraph (5) of subsection (a) of Section 17.1 under the

1 general supervision of a dentist as described in this Section.

2 (Source: P.A. 102-936, eff. 1-1-23; 103-431, eff. 1-1-24.)

3 (225 ILCS 25/18.1)

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

5 Sec. 18.1. Public health dental supervision
6 responsibilities.

7 (a) When working together in a public health supervision
8 relationship, dentists and public health dental hygienists
9 shall enter into a public health supervision agreement. The
10 dentist providing public health supervision must:

11 (1) be available to provide an appropriate level of
12 contact, communication, collaboration, and consultation
13 with the public health dental hygienist and must meet
14 in-person with the public health dental hygienist at least
15 quarterly for review and consultation;

16 (2) have specific standing orders or policy guidelines
17 for procedures that are to be carried out for each
18 location or program, although the dentist need not be
19 present when the procedures are being performed;

20 (3) provide for the patient's additional necessary
21 care in consultation with the public health dental
22 hygienist;

23 (4) file agreements and notifications as required; and

24 (5) include procedures for creating and maintaining
25 dental records, including protocols for transmission of

1 all records between the public health dental hygienist and
2 the dentist following each treatment, which shall include
3 a notation regarding procedures authorized by the dentist
4 and performed by the public health dental hygienist and
5 the location where those records are to be kept.

6 Each dentist and hygienist who enters into a public health
7 supervision agreement must document and maintain a copy of any
8 change or termination of that agreement.

9 Dental records shall be owned and maintained by the
10 supervising dentist for all patients treated under public
11 health supervision, unless the supervising dentist is an
12 employee of a public health clinic or federally qualified
13 health center, in which case the public health clinic or
14 federally qualified health center shall maintain the records.

15 If a dentist ceases to be employed or contracted by the
16 facility, the dentist shall notify the facility administrator
17 that the public health supervision agreement is no longer in
18 effect. A new public health supervision agreement is required
19 for the public health dental hygienist to continue treating
20 patients under public health supervision.

21 A dentist entering into an agreement under this Section
22 may supervise and enter into agreements for public health
23 supervision with 4 public health dental hygienists. This shall
24 be in addition to the limit of 4 dental hygienists per dentist
25 set forth in subsection (g) of Section 18 of this Act.

26 (b) A public health dental hygienist providing services

1 under public health supervision may perform only those duties
2 within the accepted scope of practice of dental hygiene, as
3 follows:

4 (1) the operative procedures of dental hygiene,
5 consisting of oral prophylactic procedures, including
6 prophylactic cleanings, application of fluoride, and
7 placement of sealants;

8 (2) the exposure and processing of x-ray films of the
9 teeth and surrounding structures; and

10 (3) such other procedures and acts as shall be
11 prescribed by rule of the Department.

12 Any patient treated under this subsection (b) must be
13 examined by a dentist before additional services can be
14 provided by a public health dental hygienist. However, if the
15 supervising dentist, after consultation with the public health
16 hygienist, determines that time is needed to complete an
17 approved treatment plan on a patient eligible under this
18 Section, then the dentist may instruct the hygienist to
19 complete the remaining services prior to an oral examination
20 by the dentist. Such instruction by the dentist to the
21 hygienist shall be noted in the patient's records. Any
22 services performed under this exception must be scheduled in a
23 timely manner and shall not occur more than 30 days after the
24 first appointment date.

25 (c) A public health dental hygienist providing services
26 under public health supervision must:

1 (1) provide to the patient, parent, or guardian a
2 written plan for referral or an agreement for follow-up
3 that records all conditions observed that should be called
4 to the attention of a dentist for proper diagnosis;

5 (2) have each patient sign a permission slip or
6 consent form that informs them that the service to be
7 received does not take the place of regular dental
8 checkups at a dental office and is meant for people who
9 otherwise would not have access to the service;

10 (3) inform each patient who may require further dental
11 services of that need;

12 (4) maintain an appropriate level of contact and
13 communication with the dentist providing public health
14 supervision; and

15 (5) complete an additional 4 hours of continuing
16 education in areas specific to public health dentistry
17 yearly.

18 (d) Each public health dental hygienist who has rendered
19 services under subsections (c), (d), and (e) of this Section
20 must complete a summary report at the completion of a program
21 or, in the case of an ongoing program, at least annually. The
22 report must be completed in the manner specified by the
23 Department of Public Health Oral Health Section including
24 information about each location where the public health dental
25 hygienist has rendered these services. The public health
26 dental hygienist must submit the form to the dentist providing

1 supervision for the dentist's ~~his or her~~ signature before
2 sending it to the Division. The Department of Public Health
3 Oral Health Section shall compile and publicize public health
4 dental hygienist service data annually.

5 (e) Public health dental hygienists providing services
6 under public health supervision may be compensated for their
7 work by salary, honoraria, and other mechanisms by the
8 employing or sponsoring entity. Nothing in this Act shall
9 preclude the entity that employs or sponsors a public health
10 dental hygienist from seeking payment, reimbursement, or other
11 source of funding for the services provided.

12 (e-5) A patient who is provided services under a
13 supervision agreement by a public health dental hygienist as
14 described in this Section does not need to receive a physical
15 examination from a dentist prior to treatment if the public
16 health dental hygienist consults with the supervising dentist
17 prior to performing the teledentistry service.

18 ~~(f) This Section is repealed on January 1, 2026.~~

19 (Source: P.A. 103-431, eff. 1-1-24; 103-902, eff. 8-9-24.)

20 (225 ILCS 25/19) (from Ch. 111, par. 2319)

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

22 Sec. 19. Endorsement ~~Licensing applicants from other~~
23 ~~states~~. Any person who has been lawfully licensed to practice
24 dentistry, including the practice of a licensed dental
25 specialty, or dental hygiene in another state or territory or

1 as a member of the military service which has and maintains a
2 standard for the practice of dentistry, a dental specialty, or
3 dental hygiene at least equal to that now maintained in this
4 State, or if the requirements for licensure in such state or
5 territory in which the applicant was licensed were, at the
6 date of the applicant's ~~his or her~~ licensure, substantially
7 equivalent to the requirements then in force in this State,
8 and who has been lawfully engaged in the practice of dentistry
9 or dental hygiene for at least 2 years immediately preceding
10 the filing of the ~~his or her~~ application to practice in this
11 State and who shall deposit with the Department a duly
12 attested certificate from the Board of the state or territory
13 in which the person ~~he or she~~ is licensed, certifying to the
14 fact of the person's ~~his or her~~ licensing and of the person ~~his~~
15 ~~or her~~ being a person of good moral character may, upon payment
16 of the required fee, be granted a license to practice
17 dentistry, a dental specialty, or dental hygiene in this
18 State, as the case may be.

19 For the purposes of this Section, "substantially
20 equivalent" means that the applicant has presented evidence of
21 completion and graduation from an American Dental Association
22 accredited dental college or school in the United States or
23 Canada, presented evidence that the applicant has passed both
24 parts of the National Board Dental Examination, and
25 successfully completed an examination conducted by a regional
26 testing service.

1 Applicants have 3 years from the date of application to
2 complete the application process. If the process has not been
3 completed in 3 years, the application shall be denied, the fee
4 forfeited and the applicant must reapply and meet the
5 requirements in effect at the time of reapplication.

6 (Source: P.A. 103-425, eff. 1-1-24.)

7 (225 ILCS 25/19.2)

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

9 Sec. 19.2. Temporary permit for free dental care.

10 (a) Upon Board recommendation, the Department may issue a
11 temporary permit authorizing the practice in this State,
12 without compensation, of dentistry to an applicant who is
13 licensed to practice dentistry in another state, if all of the
14 following apply:

15 (1) the Department determines that the applicant's
16 services will improve the welfare of Illinois residents
17 who are eligible for Medicaid or who are uninsured and
18 whose household income is not greater than 200% of the
19 federal poverty level;

20 (2) the applicant has graduated from a dental program
21 approved by the American Dental Association's Commission
22 on Dental Accreditation and maintains an equivalent
23 authorization to practice dentistry in good standing in
24 the applicant's ~~his or her~~ native licensing jurisdiction
25 during the period of the temporary visiting dentist permit

1 and can furnish the Department a certified letter upon
2 request from that jurisdiction attesting to the fact that
3 the applicant has no pending action or violations against
4 the applicant's ~~his or her~~ license;

5 (3) the applicant has received an invitation to
6 perform dental care by a charitable organization or has
7 received an invitation to study or receive training on
8 specific dental or clinical subjects or techniques by a
9 licensed continuing education sponsor who is approved by
10 the Department to provide clinical training in the State
11 of Illinois on patients for the welfare of Illinois
12 residents pursuant to subsection (a-5) and is in
13 compliance with the provisions of this Act;

14 (4) the applicant will be working pursuant to a
15 collaborative agreement with and under the direct
16 supervision of an Illinois licensed dentist, who is in
17 good standing, during the duration of the program. The
18 supervising dentist must be physically present during all
19 clinical training courses; and

20 (5) payment of a fee established by rule.

21 The Department may adopt rules to implement this
22 subsection.

23 (a-5) Upon Board recommendation, after the filing of an
24 application, the Department may allow approved continuing
25 education sponsors to be licensed to provide live patient
26 continuing education clinical training courses if the

1 following requirements are met:

2 (1) the continuing education course provides services,
3 without compensation, that will improve the welfare of
4 Illinois residents as described in paragraph (1) of
5 subsection (a). The application to the Board must include
6 the following information for review and approval by the
7 Department:

8 (i) a plan of follow-up care and training models;

9 (ii) any and all documentation to be signed by the
10 patients, including, but not limited to, waivers,
11 consent forms, and releases;

12 (iii) information related to the facilities being
13 utilized, staffing plans, and emergency plans;

14 (iv) the process by which patients will be
15 contacted before, during, and after treatment;

16 (v) the intended population that will be receiving
17 treatment; and

18 (vi) proof of valid malpractice insurance for the
19 approved continuing education sponsor that extends
20 coverage to clinical staff, trainees, and out-of-state
21 permit holders that meet the requirements of
22 subsection (a);

23 (2) a valid written collaborative agreement must exist
24 between the temporary visiting dentist and the Illinois
25 licensed dentist co-treating patients under this Section.
26 The collaborative agreement must include a description of

1 the care to be provided and procedures to be performed by
2 the temporary visiting dentist. There shall be no more
3 than 5 trainees per supervising dentist. A copy of this
4 agreement shall become part of the patient's dental record
5 and shall be made available upon request to the
6 Department; and

7 (3) payment of a fee established by rule.

8 A continuing education sponsor license issued under this
9 Section shall be valid for a period of time as provided by
10 rule.

11 The Department shall adopt rules to implement this
12 subsection.

13 (b) (Blank).

14 (c) A temporary permit shall be valid for no longer than 5
15 consecutive clinical days within 6 months from the date of
16 issuance. The temporary permit may be issued once per year to a
17 visiting dentist. Temporary permits under subsection (a) may
18 be restored no more than one time within 5 years of the initial
19 permits issuance. The Department may require an applicant to
20 pay a fee for the issuance or restoration of a permit under
21 this Section.

22 (d) (Blank).

23 (e) The temporary permit shall only permit the holder to
24 practice dentistry within the scope of the dental studies and
25 in conjunction with one of the following:

26 (1) the charitable organization; or

1 (2) a continuing education program provided by a
2 continuing education sponsor approved by the Department
3 pursuant to this Section that the permit holder is
4 attending.

5 (f) The temporary visiting dentist may not administer
6 moderate sedation, deep sedation, or general anesthesia.

7 (g) A patient who seeks treatment from a temporary
8 visiting dentist must sign a consent form acknowledging that
9 the care the patient will receive will be provided by a dentist
10 not licensed in the State of Illinois and that the Illinois
11 licensed dentist who has the collaborative agreement with the
12 temporary visiting dentist will be responsible for all the
13 follow-up care associated with the treatment rendered to the
14 patient.

15 (h) An application for the temporary permit shall be made
16 to the Department in writing on forms prescribed by the
17 Department and shall be accompanied by a nonrefundable fee
18 established by rule.

19 (i) An applicant for a temporary permit may be requested
20 to appear before the Board to respond to questions concerning
21 the applicant's qualifications to receive the permit. An
22 applicant's refusal to appear before the Board may be grounds
23 for denial of the application by the Department.

24 (j) The Secretary may summarily cancel any permit or
25 license issued pursuant to this Section without a hearing if
26 the Secretary finds that evidence in the Secretary's ~~his or~~

1 ~~her~~ possession indicates that a continuing education sponsor
2 licensed under this Section or a temporary permit holder's
3 continuation in practice would constitute an imminent danger
4 to the public or violate any provision of this Act or its
5 rules. If the Secretary summarily cancels a permit or license
6 issued pursuant to this Section, the permit holder or licensee
7 may petition the Department for a hearing in accordance with
8 the provisions of subsection (b) of Section 26 of this Act to
9 reinstate the ~~his or her~~ permit or license.

10 (k) In addition to terminating any permit or license
11 issued pursuant to this Section, the Department may impose a
12 monetary penalty not to exceed \$10,000 upon the temporary
13 permit holder or licensee and may notify any state in which the
14 temporary permit holder or licensee has been issued a license
15 that the ~~his or her~~ Illinois permit or license has been
16 terminated and the reasons for the termination. The monetary
17 penalty shall be paid within 60 days after the effective date
18 of the order imposing the penalty. The order shall constitute
19 a judgment and may be filed and execution had thereon in the
20 same manner as any judgment from any court of record. It is the
21 intent of the General Assembly that a permit or license issued
22 pursuant to this Section shall be considered a privilege and
23 not a property right.

24 (Source: P.A. 102-582, eff. 1-1-22; 103-628, eff. 7-1-24.)

25 (225 ILCS 25/20) (from Ch. 111, par. 2320)

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

2 Sec. 20. Display of licenses. Any person licensed to
3 practice dentistry or dental hygiene in this State by the
4 Department as hereinbefore provided, shall at all times
5 display such license or duplicate original thereof in a
6 conspicuous place, in the person's ~~his or her~~ office wherein
7 the person ~~he or she~~ shall practice such profession, and shall
8 further, whenever requested, exhibit such license to any of
9 the members of the Department or its authorized agent. Upon
10 proof by affidavit, the Department shall provide a duplicate
11 if such person establishes that the person's ~~his or her~~
12 license is lost or stolen or that the person ~~he or she~~
13 practices at multiple locations.

14 (Source: P.A. 89-80, eff. 6-30-95; 89-116, eff. 7-7-95.)

15 (225 ILCS 25/22) (from Ch. 111, par. 2322)

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

17 Sec. 22. Returned checks; penalties. Any person who
18 delivers a check or other payment to the Department that is
19 returned to the Department unpaid by the financial institution
20 upon which it is drawn shall pay to the Department, in addition
21 to the amount already owed to the Department, a fine of \$50.
22 The fines imposed by this Section are in addition to any other
23 discipline provided under this Act for unlicensed practice or
24 practice on a nonrenewed license. The Department shall notify
25 the person that payment of fees and fines shall be paid to the

1 Department by certified check or money order within 30
2 calendar days of the notification. If, after the expiration of
3 30 days from the date of the notification, the person has
4 failed to submit the necessary remittance, the Department
5 shall automatically terminate the license or deny the
6 application, without hearing. If, after termination or denial,
7 the person seeks a license, the person ~~he or she~~ shall apply to
8 the Department for restoration or issuance of the license and
9 pay all fees and fines due to the Department. The Department
10 may establish a fee for the processing of an application for
11 restoration of a license to pay all expenses of processing
12 this application. The Secretary may waive the fines due under
13 this Section in individual cases where the Secretary finds
14 that the fines would be unreasonable or unnecessarily
15 burdensome.

16 (Source: P.A. 97-1013, eff. 8-17-12.)

17 (225 ILCS 25/23) (from Ch. 111, par. 2323)

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

19 Sec. 23. Refusal, revocation or suspension of dental
20 licenses. The Department may refuse to issue or renew, or may
21 revoke, suspend, place on probation, reprimand or take other
22 disciplinary or non-disciplinary action as the Department may
23 deem proper, including imposing fines not to exceed \$10,000
24 per violation, with regard to any license for any one or any
25 combination of the following causes:

1 1. Fraud, ~~or~~ misrepresentation, or concealment in
2 applying for or procuring a license under this Act, or in
3 connection with applying for renewal of a license under
4 this Act.

5 2. Inability to practice with reasonable judgment,
6 skill, or safety as a result of habitual or excessive use
7 or addiction to alcohol, narcotics, stimulants, or any
8 other chemical agent or drug.

9 3. Willful or repeated violations of the rules of the
10 Department of Public Health or Department of Nuclear
11 Safety.

12 4. Acceptance of a fee for service as a witness,
13 without the knowledge of the court, in addition to the fee
14 allowed by the court.

15 5. Division of fees or agreeing to split or divide the
16 fees received for dental services with any person for
17 bringing or referring a patient, except in regard to
18 referral services as provided for under Section 45, or
19 assisting in the care or treatment of a patient, without
20 the knowledge of the patient or the patient's ~~his or her~~
21 legal representative. Nothing in this item 5 affects any
22 bona fide independent contractor or employment
23 arrangements among health care professionals, health
24 facilities, health care providers, or other entities,
25 except as otherwise prohibited by law. Any employment
26 arrangements may include provisions for compensation,

1 health insurance, pension, or other employment benefits
2 for the provision of services within the scope of the
3 licensee's practice under this Act. Nothing in this item 5
4 shall be construed to require an employment arrangement to
5 receive professional fees for services rendered.

6 6. Employing, procuring, inducing, aiding or abetting
7 a person not licensed or registered as a dentist or dental
8 hygienist to engage in the practice of dentistry or dental
9 hygiene. The person practiced upon is not an accomplice,
10 employer, procurer, inducer, aider, or abetter within the
11 meaning of this Act.

12 7. Making any misrepresentations or false promises,
13 directly or indirectly, to influence, persuade or induce
14 dental patronage.

15 8. Professional connection or association with or
16 lending the licensee's ~~his or her~~ name to another for the
17 illegal practice of dentistry by another, or professional
18 connection or association with any person, firm or
19 corporation holding himself, herself, themselves, or
20 itself out in any manner contrary to this Act.

21 9. Obtaining or seeking to obtain practice, money, or
22 any other things of value by false or fraudulent
23 representations, but not limited to, engaging in such
24 fraudulent practice to defraud the medical assistance
25 program of the Department of Healthcare and Family
26 Services (formerly Department of Public Aid) under the

1 Illinois Public Aid Code.

2 10. Practicing under a false or, except as provided by
3 law, an assumed name.

4 11. Engaging in dishonorable, unethical, or
5 unprofessional conduct of a character likely to deceive,
6 defraud, or harm the public.

7 12. Conviction by plea of guilty or nolo contendere,
8 finding of guilt, jury verdict, or entry of judgment or by
9 sentencing for any crime, including, but not limited to,
10 convictions, preceding sentences of supervision,
11 conditional discharge, or first offender probation, under
12 the laws of any jurisdiction of the United States that (i)
13 is a felony under the laws of this State or (ii) is a
14 misdemeanor, an essential element of which is dishonesty,
15 or that is directly related to the practice of dentistry.

16 13. Permitting a dental hygienist, dental assistant or
17 other person under the licensee's ~~his or her~~ supervision
18 to perform any operation not authorized by this Act.

19 14. Permitting more than 4 dental hygienists to be
20 employed under the licensee's ~~his or her~~ supervision at
21 any one time.

22 15. A violation of any provision of this Act or any
23 rules promulgated under this Act.

24 16. Taking impressions for or using the services of
25 any person, firm or corporation violating this Act.

26 17. Violating any provision of Section 45 relating to

1 advertising.

2 18. Discipline by another U.S. jurisdiction or foreign
3 nation, if at least one of the grounds for the discipline
4 is the same or substantially equivalent to those set forth
5 within this Act.

6 19. Willfully failing to report an instance of
7 suspected child abuse or neglect as required by the Abused
8 and Neglected Child Reporting Act.

9 20. Gross negligence in practice under this Act.

10 21. The use or prescription for use of narcotics or
11 controlled substances or designated products as listed in
12 the Illinois Controlled Substances Act, in any way other
13 than for therapeutic purposes.

14 22. Willfully making or filing false records or
15 reports in the licensee's ~~his or her~~ practice as a
16 dentist, including, but not limited to, false records to
17 support claims against the dental assistance program of
18 the Department of Healthcare and Family Services (formerly
19 Illinois Department of Public Aid).

20 23. Professional incompetence as manifested by poor
21 standards of care.

22 24. Physical or mental illness, including, but not
23 limited to, deterioration through the aging process, or
24 loss of motor skills which results in a dentist's
25 inability to practice dentistry with reasonable judgment,
26 skill or safety. In enforcing this paragraph, the

1 Department may compel a person licensed to practice under
2 this Act to submit to a mental or physical examination
3 pursuant to the terms and conditions of Section 23b.

4 25. Gross or repeated irregularities in billing for
5 services rendered to a patient. For purposes of this
6 paragraph 25, "irregularities in billing" shall include:

7 (a) Reporting excessive charges for the purpose of
8 obtaining a total payment in excess of that usually
9 received by the dentist for the services rendered.

10 (b) Reporting charges for services not rendered.

11 (c) Incorrectly reporting services rendered for
12 the purpose of obtaining payment not earned.

13 26. Continuing the active practice of dentistry while
14 knowingly having any infectious, communicable, or
15 contagious disease proscribed by rule or regulation of the
16 Department.

17 27. Being named as a perpetrator in an indicated
18 report by the Department of Children and Family Services
19 pursuant to the Abused and Neglected Child Reporting Act,
20 and upon proof by clear and convincing evidence that the
21 licensee has caused a child to be an abused child or
22 neglected child as defined in the Abused and Neglected
23 Child Reporting Act.

24 28. Violating the Health Care Worker Self-Referral
25 Act.

26 29. Abandonment of a patient.

1 30. Mental incompetency as declared by a court of
2 competent jurisdiction.

3 31. A finding by the Department that the licensee,
4 after having the licensee's ~~his or her~~ license placed on
5 probationary status, has violated the terms of probation.

6 32. Material misstatement in furnishing information to
7 the Department.

8 33. Failing, within 60 days, to provide information in
9 response to a written request by the Department in the
10 course of an investigation.

11 34. Immoral conduct in the commission of any act,
12 including, but not limited to, commission of an act of
13 sexual misconduct related to the licensee's practice.

14 35. Cheating on or attempting to subvert the licensing
15 examination administered under this Act.

16 36. A pattern of practice or other behavior that
17 demonstrates incapacity or incompetence to practice under
18 this Act.

19 37. Failure to establish and maintain records of
20 patient care and treatment as required under this Act.

21 38. Failure to provide copies of dental records as
22 required by law.

23 39. Failure of a licensed dentist who owns or is
24 employed at a dental office to give notice of an office
25 closure to the dentist's ~~his or her~~ patients at least 30
26 days prior to the office closure pursuant to Section 50.1.

1 40. Failure to maintain a sanitary work environment.

2 41. Failure to comply with the provisions of Section
3 17.2 of this Act.

4 All proceedings to suspend, revoke, place on probationary
5 status, or take any other disciplinary action as the
6 Department may deem proper, with regard to a license on any of
7 the foregoing grounds, must be commenced within 5 years after
8 receipt by the Department of a complaint alleging the
9 commission of or notice of the conviction order for any of the
10 acts described herein. Except for fraud in procuring a
11 license, no action shall be commenced more than 7 years after
12 the date of the incident or act alleged to have violated this
13 Section. The time during which the holder of the license was
14 outside the State of Illinois shall not be included within any
15 period of time limiting the commencement of disciplinary
16 action by the Department.

17 All fines imposed under this Section shall be paid within
18 60 days after the effective date of the order imposing the fine
19 or in accordance with the terms set forth in the order imposing
20 the fine.

21 The Department may refuse to issue or may suspend the
22 license of any person who fails to file a return, or to pay the
23 tax, penalty or interest shown in a filed return, or to pay any
24 final assessment of tax, penalty or interest, as required by
25 any tax Act administered by the Illinois Department of
26 Revenue, until such time as the requirements of any such tax

1 Act are satisfied.

2 Any dentist who has had a a ~~his or her~~ license suspended or
3 revoked for more than 5 years must comply with the
4 requirements for restoration set forth in Section 16 prior to
5 being eligible for reinstatement from the suspension or
6 revocation.

7 (Source: P.A. 103-425, eff. 1-1-24; 103-902, eff. 8-9-24.)

8 (225 ILCS 25/23a) (from Ch. 111, par. 2323a)

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

10 Sec. 23a. The Secretary may, upon receipt of a written
11 communication from the Secretary of Human Services or the
12 Director of the Department of Healthcare and Family Services
13 (formerly Department of Public Aid) or Department of Public
14 Health, that continuation of practice of a person licensed
15 under this Act constitutes an immediate danger to the public,
16 immediately suspend the license of such person without a
17 hearing. In instances in which the Secretary immediately
18 suspends a license under this Section, a hearing upon such
19 person's license must be convened by the Board within 15 days
20 after such suspension and completed without appreciable delay,
21 such hearing held to determine whether to recommend to the
22 Secretary that the person's license be revoked, suspended,
23 placed on probationary status or reinstated, or such person be
24 subject to other disciplinary action. In such hearing, the
25 written communication and any other evidence submitted

1 therewith may be introduced as evidence against such person;
2 provided however, the person, or the person's ~~his or her~~
3 counsel, shall have the opportunity to discredit or impeach
4 such evidence and submit evidence rebutting same.

5 (Source: P.A. 97-1013, eff. 8-17-12.)

6 (225 ILCS 25/23b)

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

8 Sec. 23b. Requirement for mental and physical examinations
9 under certain conditions.

10 (a) In enforcing paragraph 24 of Section 23 of this Act,
11 the Department may compel any individual who is licensed to
12 practice under this Act or who has applied for licensure under
13 this Act, to submit to a mental or physical examination and
14 evaluation, or both, which may include a substance abuse or
15 sexual offender evaluation, as required by and at the expense
16 of the Department. The Department shall specifically designate
17 the examining physician licensed to practice medicine in all
18 of its branches or, if applicable, the multidisciplinary team
19 involved in providing the mental or physical examination and
20 evaluation, or both. The multidisciplinary team shall be led
21 by a physician licensed to practice medicine in all of its
22 branches and may consist of one or more or a combination of
23 physicians licensed to practice medicine in all of its
24 branches, licensed clinical psychologists, licensed clinical
25 social workers, licensed clinical professional counselors, and

1 other professional and administrative staff. Any examining
2 physician or member of the multidisciplinary team may require
3 any person ordered to submit to an examination and evaluation
4 pursuant to this Section to submit to any additional
5 supplemental testing deemed necessary to complete any
6 examination or evaluation process, including, but not limited
7 to, blood testing, urinalysis, psychological testing, or
8 neuropsychological testing. The Department may order the
9 examining physician or any member of the multidisciplinary
10 team to provide to the Department any and all records,
11 including business records, that relate to the examination and
12 evaluation, including any supplemental testing performed. The
13 Department may order the examining physician or any member of
14 the multidisciplinary team to present testimony concerning the
15 examination and evaluation of the licensee or applicant,
16 including testimony concerning any supplemental testing or
17 documents relating to the examination and evaluation. No
18 information, report, record, or other documents in any way
19 related to the examination and evaluation shall be excluded by
20 reason of any common law or statutory privilege relating to
21 communications between the licensee or applicant and the
22 examining physician or any member of the multidisciplinary
23 team. No authorization is necessary from the licensee or
24 applicant ordered to undergo an examination and evaluation for
25 the examining physician or any member of the multidisciplinary
26 team to provide information, reports, records, or other

1 documents or to provide any testimony regarding the
2 examination and evaluation. The individual to be examined may
3 have, at the individual's ~~his or her~~ own expense, another
4 physician of the individual's ~~his or her~~ choice present during
5 all aspects of this examination. Failure of an individual to
6 submit to a mental or physical examination and evaluation, or
7 both, when directed shall result in the automatic suspension
8 of the individual's ~~his or her~~ license, without hearing, until
9 the individual submits to the examination. ~~if the Department~~
10 ~~finds, after notice and hearing, that the refusal to submit to~~
11 ~~the examination.~~

12 (b) If the Department finds an individual unable to
13 practice because of the reasons set forth in paragraph 24 of
14 Section 23, the Department may require that individual to
15 submit to care, counseling, or treatment by physicians
16 approved or designated by the Department as a condition, term,
17 or restriction for continued, reinstated, or renewed licensure
18 to practice, or in lieu of care, counseling, or treatment, the
19 Department may file a complaint to immediately suspend,
20 revoke, or otherwise discipline the license of the individual.
21 An individual whose license was granted, continued,
22 reinstated, renewed, disciplined, or supervised subject to
23 such terms, conditions, or restrictions, and who fails to
24 comply with such terms, conditions, or restrictions, shall be
25 referred to the Secretary for a determination as to whether
26 the individual shall have the ~~his or her~~ license suspended

1 immediately, pending a hearing by the Department.

2 (Source: P.A. 97-1013, eff. 8-17-12.)

3 (225 ILCS 25/24) (from Ch. 111, par. 2324)

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

5 Sec. 24. Refusal, suspension or revocation of dental
6 hygienist license. The Department may refuse to issue or renew
7 or may revoke, suspend, place on probation, reprimand or take
8 other disciplinary or non-disciplinary action as the
9 Department may deem proper, including imposing fines not to
10 exceed \$10,000 per violation, with regard to any dental
11 hygienist license for any one or any combination of the
12 following causes:

13 1. Fraud or misrepresentation in applying for or
14 procuring a license under this Act, or in connection with
15 applying for renewal of a license under this Act.

16 2. Performing any operation not authorized by this
17 Act.

18 3. Practicing dental hygiene other than under the
19 supervision of a licensed dentist as provided by this Act.

20 4. The willful ~~wilful~~ violation of, or the willful
21 ~~wilful~~ procuring of, or knowingly assisting in the
22 violation of, any Act which is now or which hereafter may
23 be in force in this State relating to the use of
24 habit-forming drugs.

25 5. The obtaining of, or an attempt to obtain a

1 license, or practice in the profession, or money, or any
2 other thing of value by fraudulent representation.

3 6. Gross negligence in performing the operative
4 procedure of dental hygiene.

5 7. Active practice of dental hygiene while knowingly
6 having any infectious, communicable, or contagious disease
7 proscribed by rule or regulation of the Department.

8 8. Inability to practice with reasonable judgment,
9 skill, or safety as a result of habitual or excessive use
10 or addiction to alcohol, narcotics, stimulants, or any
11 other chemical agent or drug.

12 9. Conviction by plea of guilty or nolo contendere,
13 finding of guilt, jury verdict, or entry of judgment or by
14 sentencing of any crime, including, but not limited to,
15 convictions, preceding sentences of supervision,
16 conditional discharge, or first offender probation, under
17 the laws of any jurisdiction of the United States that (i)
18 is a felony or (ii) is a misdemeanor, an essential element
19 of which is dishonesty, or that is directly related to the
20 practice of dental hygiene.

21 10. Aiding or abetting the unlicensed practice of
22 dentistry or dental hygiene.

23 11. Discipline by another U.S. jurisdiction or a
24 foreign nation, if at least one of the grounds for the
25 discipline is the same or substantially equivalent to
26 those set forth in this Act.

1 12. Violating the Health Care Worker Self-Referral
2 Act.

3 13. Violating the prohibitions of Section 38.1 of this
4 Act.

5 14. Engaging in dishonorable, unethical, or
6 unprofessional conduct of a character likely to deceive,
7 defraud, or harm the public.

8 15. A finding by the Department that the licensee,
9 after having the licensee's ~~his or her~~ license placed on
10 probationary status, has violated the terms of probation.

11 16. Material misstatement in furnishing information to
12 the Department.

13 17. Failing, within 60 days, to provide information in
14 response to a written request by the Department in the
15 course of an investigation.

16 18. Immoral conduct in the commission of any act,
17 including, but not limited to, commission of an act of
18 sexual misconduct related to the licensee's practice.

19 19. Cheating on or attempting to subvert the licensing
20 examination administered under this Act.

21 20. Violations of this Act or of the rules promulgated
22 under this Act.

23 21. Practicing under a false or, except as provided by
24 law, an assumed name.

25 The provisions of this Act relating to proceedings for the
26 suspension and revocation of a license to practice dentistry

1 shall apply to proceedings for the suspension or revocation of
2 a license as a dental hygienist.

3 All proceedings to suspend, revoke, place on probationary
4 status, or take any other disciplinary action as the
5 Department may deem proper with regard to a license on any of
6 the grounds contained in this Section, must be commenced
7 within 5 years after receipt by the Department of a complaint
8 alleging the commission of or notice of the conviction order
9 for any of the acts described in this Section. Except for fraud
10 in procuring a license, no action shall be commenced more than
11 7 years after the date of the incident or act alleged to have
12 violated this Section. The time during which the holder of the
13 license was outside the State of Illinois shall not be
14 included within any period of time limiting the commencement
15 of disciplinary action by the Department.

16 All fines imposed under this Section shall be paid within
17 60 days after the effective date of the order imposing the fine
18 or in accordance with the terms set forth in the order imposing
19 the fine.

20 Any dental hygienist who has had a ~~his or her~~ license
21 suspended or revoked for more than 5 years must comply with the
22 requirements for restoration set forth in Section 16 prior to
23 being eligible for reinstatement from the suspension or
24 revocation.

25 (Source: P.A. 99-492, eff. 12-31-15.)

1 (225 ILCS 25/25) (from Ch. 111, par. 2325)

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

3 Sec. 25. Notice of hearing; investigations and informal
4 conferences.

5 (a) Upon the motion of either the Department or the Board
6 or upon the verified complaint in writing of any person
7 setting forth facts which if proven would constitute grounds
8 for refusal, suspension or revocation of license under this
9 Act, the Board shall investigate the actions of any person,
10 hereinafter called the respondent, who holds or represents
11 that the person ~~he or she~~ holds a license. All such motions or
12 complaints shall be brought to the Board.

13 (b) Prior to taking an in-person statement from a dentist
14 or dental hygienist who is the subject of a complaint, the
15 investigator shall inform the dentist or the dental hygienist
16 in writing:

17 (1) that the dentist or dental hygienist is the
18 subject of a complaint;

19 (2) that the dentist or dental hygienist need not
20 immediately proceed with the interview and may seek
21 appropriate consultation prior to consenting to the
22 interview; and

23 (3) that failure of the dentist or dental hygienist to
24 proceed with the interview shall not prohibit the
25 Department from conducting a visual inspection of the
26 facility.

1 A Department investigator's failure to comply with this
2 subsection may not be the sole ground for dismissal of any
3 order of the Department filed upon a finding of a violation or
4 for dismissal of a pending investigation.

5 (b-5) The duly authorized dental investigators of the
6 Department shall have the right to enter and inspect, during
7 business hours, the business premises of a dentist licensed
8 under this Act or of a person who holds himself or herself out
9 as practicing dentistry, with due consideration for patient
10 care of the subject of the investigation, so as to inspect the
11 physical premises and equipment and furnishings therein. This
12 right of inspection shall not include inspection of business,
13 medical, or personnel records located on the premises without
14 a Department subpoena issued in accordance with Section 25.1
15 of this Act or Section 2105-105 of the Department of
16 Professional Regulation Law of the Civil Administrative Code
17 of Illinois. For the purposes of this Section, "business
18 premises" means the office or offices where the dentist
19 conducts the practice of dentistry.

20 (c) If the Department concludes on the basis of a
21 complaint or its initial investigation that there is a
22 possible violation of the Act, the Department may:

- 23 (1) schedule a hearing pursuant to this Act; or
24 (2) request in writing that the dentist or dental
25 hygienist being investigated attend an informal conference
26 with representatives of the Department.

1 The request for an informal conference shall contain the
2 nature of the alleged actions or inactions that constitute the
3 possible violations.

4 A dentist or dental hygienist shall be allowed to have
5 legal counsel at the informal conference. If the informal
6 conference results in a consent order between the accused
7 dentist or dental hygienist and the Department, the consent
8 order must be approved by the Secretary. However, if the
9 consent order would result in a fine exceeding \$10,000 or the
10 suspension or revocation of the dentist or dental hygienist
11 license, the consent order must be approved by the Board and
12 the Secretary. Participation in the informal conference by a
13 dentist, a dental hygienist, or the Department and any
14 admissions or stipulations made by a dentist, a dental
15 hygienist, or the Department at the informal conference,
16 including any agreements in a consent order that is
17 subsequently disapproved by either the Board or the Secretary,
18 shall not be used against the dentist, dental hygienist, or
19 Department at any subsequent hearing and shall not become a
20 part of the record of the hearing.

21 (d) The Secretary shall, before suspending, revoking,
22 placing on probationary status, or taking any other
23 disciplinary action as the Secretary may deem proper with
24 regard to any license, at least 30 days prior to the date set
25 for the hearing, notify the respondent in writing of any
26 charges made and the time and place for a hearing of the

1 charges before the Board, direct the respondent ~~him or her~~ to
2 file the ~~his or her~~ written answer thereto to the Board under
3 oath within 20 days after the service on the respondent ~~him or~~
4 ~~her~~ of such notice and inform the respondent ~~him or her~~ that if
5 the respondent ~~he or she~~ fails to file such answer, default
6 will be taken against the respondent ~~him or her~~ and the
7 respondent's ~~his or her~~ license may be suspended, revoked,
8 placed on probationary status, or other disciplinary action
9 may be taken with regard thereto, including limiting the
10 scope, nature or extent of the respondent's ~~his or her~~
11 practice, as the Secretary may deem proper.

12 (e) Such written notice and any notice in such proceedings
13 thereafter may be served by delivery personally to the
14 respondent, or by ~~registered or certified~~ mail to the
15 licensee's address of record or email address of record. ~~to~~
16 ~~the address last theretofore specified by the respondent in~~
17 ~~his or her last notification to the Secretary.~~

18 (Source: P.A. 99-492, eff. 12-31-15.)

19 (225 ILCS 25/25.1)

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

21 Sec. 25.1. Subpoena powers.

22 (a) The Department, upon a determination by the
23 chairperson of the Board that reasonable cause exists that a
24 violation of one or more of the grounds for discipline set
25 forth in Section 23 or Section 24 of this Act has occurred or

1 is occurring, may subpoena, without patient consent, the
2 dental records of individual patients of dentists and dental
3 hygienists licensed under this Act.

4 (b) Notwithstanding subsection (a) of this Section, the
5 Board and the Department may subpoena copies of hospital,
6 medical, or dental records in mandatory report cases alleging
7 death or permanent bodily injury when consent to obtain the
8 records has not been provided by a patient or a patient's legal
9 representative. All records and other information received
10 pursuant to a subpoena shall be confidential and shall be
11 afforded the same status as information concerning medical
12 studies under Part 21 of Article VIII of the Code of Civil
13 Procedure. The use of these records shall be restricted to
14 members of the Board, the dental coordinator, and appropriate
15 Department staff designated by the Secretary for the purpose
16 of determining the existence of one or more grounds for
17 discipline of the dentist or dental hygienist as provided for
18 in Section 23 or Section 24 of this Act.

19 (c) Any review of an individual patient's records shall be
20 conducted by the Department in strict confidentiality,
21 provided that the patient records shall be admissible in a
22 disciplinary hearing before the Secretary, the Board, or a
23 hearing officer designated by the Department when necessary to
24 substantiate the grounds for discipline alleged against the
25 dentist or dental hygienist licensed under this Act.

26 (d) The Department may provide reimbursement for fees and

1 mileage associated with its subpoena power in the same manner
2 prescribed by law for judicial procedure in a civil case.

3 (e) Nothing in this Section shall be deemed to supersede
4 the provisions of Part 21 of Article VIII of the Code of Civil
5 Procedure, now or hereafter amended, to the extent applicable.

6 (f) All information gathered by the Department during any
7 investigation, including information subpoenaed under this Act
8 and the investigative file, shall be kept for the confidential
9 use of the Secretary, the dental coordinator, the Board's
10 attorneys, the dental investigative staff, authorized clerical
11 staff, and persons employed by contract to advise the dental
12 coordinator or the Department as provided in this Act, except
13 that the Department may disclose information and documents to
14 (i) a federal, State, or local law enforcement agency pursuant
15 to a subpoena in an ongoing criminal investigation or (ii) a
16 dental licensing authority of another state or jurisdiction
17 pursuant to an official request made by that authority. Any
18 information or documents disclosed by the Department to a
19 federal, State, or local law enforcement agency may only be
20 used by that agency for the investigation and prosecution of a
21 criminal offense. Any information or documents disclosed by
22 the Department to a dental licensing authority of another
23 state or jurisdiction may only be used by that authority for
24 investigations and disciplinary proceedings with regards to a
25 license.

26 This subsection (f) applies only to causes of action

1 accruing on or after the effective date of this amendatory Act
2 of the 96th General Assembly.

3 (Source: P.A. 96-1221, eff. 7-23-10.)

4 (225 ILCS 25/26) (from Ch. 111, par. 2326)

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

6 Sec. 26. Disciplinary actions.

7 (a) In case the respondent, after receiving notice, fails
8 to file an answer, the respondent's ~~his or her~~ license may, in
9 the discretion of the Secretary, having first received the
10 recommendation of the Board, be suspended, revoked, placed on
11 probationary status, or the Secretary may take whatever
12 disciplinary or non-disciplinary action the Secretary ~~he or~~
13 ~~she~~ may deem proper, including limiting the scope, nature, or
14 extent of the person's practice or the imposition of a fine,
15 without a hearing, if the act or acts charged constitute
16 sufficient grounds for such action under this Act.

17 (b) The Secretary may temporarily suspend the license of a
18 dentist or dental hygienist without a hearing, simultaneous to
19 the institution of proceedings for a hearing under this Act,
20 if the Secretary finds that evidence in the Secretary's ~~his or~~
21 ~~her~~ possession indicates that a dentist's or dental
22 hygienist's continuation in practice would constitute an
23 immediate danger to the public. In the event that the
24 Secretary temporarily suspends the license of a dentist or a
25 dental hygienist without a hearing, a hearing by the Board

1 must be held within 15 days after such suspension has
2 occurred.

3 (c) The entry of a judgment by any circuit court
4 establishing that any person holding a license under this Act
5 is a person subject to involuntary admission under the Mental
6 Health and Developmental Disabilities Code shall operate as a
7 suspension of that license. That person may resume the
8 person's ~~his or her~~ practice only upon a finding by the Board
9 that the person ~~he or she~~ has been determined to be no longer
10 subject to involuntary admission by the court and upon the
11 Board's recommendation to the Secretary that the person ~~he or~~
12 ~~she~~ be permitted to resume the person's ~~his or her~~ practice.

13 (Source: P.A. 99-492, eff. 12-31-15.)

14 (225 ILCS 25/29) (from Ch. 111, par. 2329)

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

16 Sec. 29. Recommendations for disciplinary action; action
17 ~~action~~ ~~action~~ by Secretary. The Board may advise the
18 Secretary that probation be granted or that other disciplinary
19 action, including the limitation of the scope, nature or
20 extent of a person's practice, be taken, as it deems proper. If
21 disciplinary action other than suspension or revocation is
22 taken, the Board may advise that the Secretary impose
23 reasonable limitations and requirements upon the respondent to
24 insure compliance with the terms of the probation or other
25 disciplinary action, including, but not limited to, regular

1 reporting by the respondent to the Secretary of the
2 respondent's ~~his or her~~ actions, or the respondent's placing
3 himself or herself under the care of a qualified physician for
4 treatment or limiting the respondent's ~~his or her~~ practice in
5 such manner as the Secretary may require.

6 The Board shall present to the Secretary a written report
7 of its findings and recommendations. A copy of such report
8 shall be served upon the respondent, either personally, ~~or~~ by
9 ~~registered or certified~~ mail to the licensee's address of
10 record, or by email to the licensee's email address of record.
11 Within 20 days after such service, the respondent may present
12 to the Department a ~~his or her~~ motion in writing for a
13 rehearing, specifying the particular ground therefor. If the
14 respondent orders from the reporting service and pays for a
15 transcript of the record, the time elapsing thereafter and
16 before such transcript is ready for delivery to the respondent
17 ~~him or her~~ shall not be counted as part of such 20 days.

18 At the expiration of the time allowed for filing a motion
19 for rehearing the Secretary may take the action recommended by
20 the Board. Upon suspension, revocation, placement on
21 probationary status, or the taking of any other disciplinary
22 action, including the limiting of the scope, nature, or extent
23 of one's practice, deemed proper by the Secretary, with regard
24 to the license, the respondent shall surrender the
25 respondent's ~~his or her~~ license to the Department, if ordered
26 to do so by the Department, and upon the respondent's ~~his or~~

1 ~~her~~ failure or refusal to do so, the Department may seize the
2 same.

3 In all instances under this Act in which the Board has
4 rendered a recommendation to the Secretary with respect to a
5 particular person, the Secretary shall, to the extent that the
6 Secretary ~~he or she~~ disagrees with or takes action contrary to
7 the recommendation of the Board, file with the Board the ~~his or~~
8 ~~her~~ specific written reasons of disagreement. Such reasons
9 shall be filed within 30 days after the Secretary has taken the
10 contrary position.

11 Each order of revocation, suspension, or other
12 disciplinary action shall contain a brief, concise statement
13 of the ground or grounds upon which the Department's action is
14 based, as well as the specific terms and conditions of such
15 action. The original of this document shall be retained as a
16 permanent record by the Board and the Department. In those
17 instances where an order of revocation, suspension, or other
18 disciplinary action has been rendered by virtue of a dentist's
19 or dental hygienist's physical illness, including, but not
20 limited to, deterioration through the aging process, or loss
21 of motor skill which results in an inability to practice with
22 reasonable judgment, skill, or safety, the Department shall
23 permit only this document and the record of the hearing
24 incident thereto to be observed, inspected, viewed, or copied
25 pursuant to court order.

26 (Source: P.A. 99-492, eff. 12-31-15.)

1 (225 ILCS 25/30) (from Ch. 111, par. 2330)

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

3 Sec. 30. Appointment of a hearing officer. The Secretary
4 shall have the authority to appoint any attorney duly licensed
5 to practice law in the State of Illinois to serve as the
6 hearing officer if any action for refusal to issue, renew or
7 discipline of a license. The hearing officer shall have full
8 authority to conduct the hearing. The hearing officer shall
9 report ~~his or her~~ findings and recommendations to the Board
10 ~~and the Secretary~~. The Board shall have 60 days from receipt of
11 the report to review the report of the hearing officer and
12 present its findings of fact, conclusions of law and
13 recommendations to the Secretary. If the Board fails to
14 present its report within the 60 day period, the Secretary
15 shall issue an order based on the report of the hearing
16 officer.

17 Whenever the Secretary is satisfied that substantial
18 justice has not been done in a formal disciplinary action or
19 refusal to restore a license, the Secretary ~~he or she~~ may order
20 a reexamination or rehearing by the same or other hearing
21 officer.

22 (Source: P.A. 99-492, eff. 12-31-15.)

23 (225 ILCS 25/32) (from Ch. 111, par. 2332)

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

1 Sec. 32. Administrative Review Law; application. All final
2 administrative decisions of the Department are subject to
3 judicial review pursuant to the provisions of the
4 Administrative Review Law, and the rules adopted pursuant
5 thereto. The term "administrative decision" is defined as in
6 Section 3-101 of the Code of Civil Procedure.

7 Proceedings for judicial review shall be commenced in the
8 circuit court of the county in which the party applying for
9 review resides, but if the party is not a resident of this
10 State, the venue shall be in Sangamon County.

11 The Department shall not be required to certify any record
12 to the court or file any answer in court or otherwise appear in
13 any court in a judicial review proceeding, unless and until
14 the Department has received from the plaintiff payment of the
15 costs of furnishing and certifying the record, which costs
16 shall be determined by the Department. ~~Exhibits shall be~~
17 ~~certified without cost.~~ Failure on the part of the plaintiff
18 to file a receipt in court shall be grounds for dismissal of
19 the action. During the pendency and hearing of any and all
20 judicial proceedings incident to a disciplinary action any
21 sanctions imposed upon the respondent by the Department
22 because of acts or omissions related to the delivery of direct
23 patient care as specified in the Department's final
24 administrative decision, shall as a matter of public policy
25 remain in full force and effect in order to protect the public
26 pending final resolution of any of the proceedings.

1 (Source: P.A. 97-1013, eff. 8-17-12.)

2 (225 ILCS 25/34) (from Ch. 111, par. 2334)

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

4 Sec. 34. Confidential information; disclosure ~~information~~
5 ~~—disclosure~~. In all hearings conducted under this Act,
6 information received, pursuant to law, relating to any
7 information acquired by a dentist or dental hygienist in
8 attending any patient in a professional character, and
9 necessary to professionally serve such patient, shall be
10 deemed strictly confidential and shall only be made available,
11 either as part of the record of a hearing hereunder or
12 otherwise: (1) when such record is required, in its entirety,
13 for purposes of judicial review pursuant to this Act; or (2)
14 upon the express, written consent of the patient, or in the
15 case of the patient's ~~his or her~~ death or disability, the
16 patient's ~~his or her~~ personal representative.

17 (Source: P.A. 84-365.)

18 (225 ILCS 25/38.2)

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

20 Sec. 38.2. Death or incapacitation of dentist.

21 (a) The executor or administrator of a dentist's estate or
22 the legal guardian or authorized representative of a dentist
23 who has become incapacitated may contract with another dentist
24 or dentists to continue the operations of the deceased or

1 incapacitated dentist's practice (if the practice of the
2 deceased or incapacitated dentist is a sole proprietorship, a
3 corporation where the deceased or incapacitated dentist is the
4 sole shareholder, or a limited liability company where the
5 deceased or incapacitated dentist is the sole member) for a
6 period of one year from the time of death or incapacitation of
7 the dentist or until the practice is sold, whichever occurs
8 first, if all the following conditions are met:

9 (1) The executor, administrator, guardian, or
10 authorized representative executes and files with the
11 Department a notification of death or incapacitation on a
12 form provided by the Department, which notification shall
13 include the following:

14 (A) the name and license number of the deceased or
15 incapacitated dentist;

16 (B) the name and address of the dental practice;

17 (C) the name, address, and tax identification
18 number of the estate;

19 (D) the name and license number of each dentist
20 who will operate the dental practice; and

21 (E) an affirmation, under penalty of perjury, that
22 the information provided is true and correct and that
23 the executor, administrator, guardian, or authorized
24 representative understands that any interference by
25 the executor, administrator, guardian, or authorized
26 representative or any agent or assignee of the

1 executor, administrator, guardian, or authorized
2 representative with the contracting dentist's or
3 dentists' practice of dentistry or professional
4 judgment or any other violation of this Section is
5 grounds for an immediate termination of the operations
6 of the dental practice.

7 (2) Within 30 days after the death or incapacitation
8 of a dentist, the executor, administrator, guardian, or
9 authorized representative shall send notification of the
10 death or incapacitation by mail to the last known address
11 of each patient of record that has seen the deceased or
12 incapacitated dentist within the previous 12 months, with
13 an explanation of how copies of the practitioner's records
14 may be obtained. This notice may also contain any other
15 relevant information concerning the continuation of the
16 dental practice.

17 Continuation of the operations of the dental practice of a
18 deceased or incapacitated dentist shall not begin until the
19 provisions of this subsection (a) have been met.

20 If the practice is not sold within the initial one-year
21 period, the provision described in subsection (a) may be
22 extended for additional 12-month periods by the Department.
23 However, if the extension is approved, the extension shall not
24 exceed 3 additional 12-month periods. Each extension must be
25 granted prior to the expiration date of the prior extension
26 and must be accompanied by a petition detailing the reasons

1 for the extension that must be kept on file by the Department.

2 (b) The Secretary may terminate the operations of a dental
3 practice operating pursuant to this Section if the Department
4 has evidence of a violation of this Section or Section 23 or 24
5 of this Act. The Secretary must conduct a hearing before
6 terminating the operations of a dental practice operating
7 pursuant to this Section. At least 15 days before the hearing
8 date, the Department (i) must notify, in writing, the
9 executor, administrator, guardian, or authorized
10 representative at the address provided, pursuant to item (C)
11 of subdivision (1) of subsection (a) of this Section, and to
12 the contracting dentist or dentists at the address of the
13 dental practice provided pursuant to item (B) of subdivision
14 (1) of subsection (a) of this Section, of any charges made and
15 of the time and place of the hearing on the charges before the
16 Secretary or hearing officer, as provided in Section 30 of
17 this Act, (ii) direct the executor, administrator, guardian,
18 or authorized representative to file a ~~his or her~~ written
19 answer to such charges with the Secretary under oath within 10
20 days after the service on the executor, administrator,
21 guardian, or authorized representative of the notice, and
22 (iii) inform the executor, administrator, guardian, or
23 authorized representative that if there is a failure ~~he or she~~
24 ~~fails~~ to file such answer, a default judgment will be entered
25 against the executor, administrator, guardian, or authorized
26 representative ~~him or her~~ and the operations of the dental

1 practice shall be terminated.

2 (c) If the Secretary finds that evidence in the
3 Secretary's ~~his or her~~ possession indicates that a violation
4 of this Section or Section 23 or 24 of this Act constitutes an
5 immediate threat to the public health, safety, or welfare, the
6 Secretary may immediately terminate the operations of the
7 dental practice without a hearing. Upon service by ~~certified~~
8 mail to the executor, administrator, guardian, or authorized
9 representative, at the address provided pursuant to item (C)
10 of subdivision (1) of subsection (a) of this Section, and the
11 contracting dentist or dentists, at the address of the dental
12 practice provided pursuant to item (B) of subdivision (1) of
13 subsection (a) of this Section, of notice of an order
14 immediately terminating the operations of the dental practice,
15 the executor, administrator, guardian, or authorized
16 representative may petition the Department within 30 days for
17 a hearing to take place within 30 days after the petition is
18 filed.

19 (d) The Department may require, by rule, the submission to
20 the Department of any additional information necessary for the
21 administration of this Section.

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

23 (225 ILCS 25/40) (from Ch. 111, par. 2340)

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

25 Sec. 40. Filing license or diploma of another. Any person

1 filing or attempting to file as the person's ~~his or her~~ own the
2 diploma or license of another, or a forged affidavit of
3 identification or qualification, shall be deemed guilty of a
4 Class 3 felony, and upon conviction thereof, shall be subject
5 to such fine and imprisonment as is made and provided by the
6 statutes of this State for the crime of forgery.

7 (Source: P.A. 84-365.)

8 (225 ILCS 25/45) (from Ch. 111, par. 2345)

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

10 Sec. 45. Advertising. The purpose of this Section is to
11 authorize and regulate the advertisement by dentists of
12 information which is intended to provide the public with a
13 sufficient basis upon which to make an informed selection of
14 dentists while protecting the public from false or misleading
15 advertisements which would detract from the fair and rational
16 selection process.

17 Any dentist may advertise the availability of dental
18 services in the public media or on the premises where such
19 dental services are rendered. Such advertising shall be
20 limited to the following information:

21 (a) The dental services available;

22 (b) Publication of the dentist's name, title, office
23 hours, address and telephone;

24 (c) Information pertaining to the dentist's ~~his or her~~
25 area of specialization, including appropriate board

1 certification or limitation of professional practice;

2 (d) Information on usual and customary fees for
3 routine dental services offered, which information shall
4 include notification that fees may be adjusted due to
5 complications or unforeseen circumstances;

6 (e) Announcement of the opening of, change of, absence
7 from, or return to business;

8 (f) Announcement of additions to or deletions from
9 professional dental staff;

10 (g) The issuance of business or appointment cards;

11 (h) Other information about the dentist, dentist's
12 practice or the types of dental services which the dentist
13 offers to perform which a reasonable person might regard
14 as relevant in determining whether to seek the dentist's
15 services. However, any advertisement which announces the
16 availability of endodontics, pediatric dentistry,
17 periodontics, prosthodontics, orthodontics and
18 dentofacial orthopedics, oral and maxillofacial surgery,
19 or oral and maxillofacial radiology by a general dentist
20 or by a licensed specialist who is not licensed in that
21 specialty shall include a disclaimer stating that the
22 dentist does not hold a license in that specialty.

23 Any dental practice with more than one location that
24 enrolls its dentist as a participating provider in a managed
25 care plan's network must verify electronically or in writing
26 to the managed care plan whether the provider is accepting new

1 patients at each of the specific locations listing the
2 provider. The health plan shall remove the provider from the
3 directory in accordance with standard practices within 10
4 business days after being notified of the changes by the
5 provider. Nothing in this paragraph shall void any contractual
6 relationship between the provider and the plan.

7 It is unlawful for any dentist licensed under this Act to
8 do any of the following:

9 (1) Use claims of superior quality of care to entice
10 the public.

11 (2) Advertise in any way to practice dentistry without
12 causing pain.

13 (3) Pay a fee to any dental referral service or other
14 third party who advertises a dental referral service,
15 unless all advertising of the dental referral service
16 makes it clear that dentists are paying a fee for that
17 referral service.

18 (4) Advertise or offer gifts as an inducement to
19 secure dental patronage. Dentists may advertise or offer
20 free examinations or free dental services; it shall be
21 unlawful, however, for any dentist to charge a fee to any
22 new patient for any dental service provided at the time
23 that such free examination or free dental services are
24 provided.

25 (5) Use the term "sedation dentistry" or similar terms
26 in advertising unless the advertising dentist holds a

1 valid and current permit issued by the Department to
2 administer either general anesthesia, deep sedation, or
3 moderate sedation as required under Section 8.1 of this
4 Act.

5 This Act does not authorize the advertising of dental
6 services when the offeror of such services is not a dentist.
7 Nor shall the dentist use statements which contain false,
8 fraudulent, deceptive or misleading material or guarantees of
9 success, statements which play upon the vanity or fears of the
10 public, or statements which promote or produce unfair
11 competition.

12 A dentist shall be required to keep a copy of all
13 advertisements for a period of 3 years. All advertisements in
14 the dentist's possession shall indicate the accurate date and
15 place of publication.

16 The Department shall adopt rules to carry out the intent
17 of this Section.

18 (Source: P.A. 103-628, eff. 7-1-24.)

19 (225 ILCS 25/45.5)

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

21 (a) As used in this Section:

22 "Agent of a dentist" means a person or company that is
23 permitted, authorized, or contracted to act on behalf of or
24 with a dentist or dental office.

25 "Arrange for, broker, or establish" means submitting an

1 application to a third-party creditor, lender, or creditor's
2 intermediary for approval or rejection on behalf of a patient.
3 Submitting an application to a third-party creditor, lender,
4 or creditor's intermediary for approval or rejection includes
5 patient or a patient's guardian's use of a third-party
6 creditor's, lender's, or a creditor's intermediary's
7 patient-facing software, weblink, URL, or QR code that is
8 customized for with the branding of the dental practice.
9 "Arrange for, broker, or establish" does not mean the use of
10 third-party marketing or advertising materials that are not
11 customized for the dental practice.

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

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

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

26 (d) A dentist, employee of a dentist, or agent of a dentist

1 may not promote, advertise, or provide marketing or
2 application materials for financing extended by a third party
3 to a patient who:

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

7 (2) is being administered treatment; or

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

12 (e) A dentist, employee of a dentist, or agent of a dentist
13 must provide the following written notice to a patient or
14 patient's guardian in at least 14-point font when discussing
15 (except to state accepted forms of payment) or providing
16 applications for financing extended by a third party:

17 "DENTAL SERVICES THIRD-PARTY FINANCING DISCLOSURE

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

26 You do not have to apply for a credit card, line of credit,

1 or loan. You may pay your dentist for treatment in another
2 manner. Your dentist's office may offer its own payment plan.
3 You are encouraged to explore any public or private insurance
4 options that may cover your dental treatment.

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

14 If your dentist's office has completed or submitted an
15 application for third-party financing on your behalf, you may
16 file a complaint by contacting the Illinois Department of
17 Financial and Professional Regulation at [Department website]
18 or by calling [telephone number for Department]."

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

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

25 (g) A violation of this Section is punishable by a fine of
26 up to \$500 for the first violation and a fine of up to \$1,000

1 for each subsequent violation. However, the Department may
2 take other disciplinary action if the licensee's conduct also
3 violates Section 23.

4 (Source: P.A. 103-733, eff. 1-1-25.)

5 (225 ILCS 25/48) (from Ch. 111, par. 2348)

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

7 Sec. 48. Manufacture of dentures, bridges or replacements
8 for dentists; prescriptions; order; penalties.

9 (a) Any dentist who employs or engages the services of any
10 dental laboratory to construct or repair, extraorally,
11 prosthetic dentures, bridges, or other replacements for a part
12 of a tooth, a tooth, or teeth, or who directs a dental
13 laboratory to participate in shade selection for a prosthetic
14 appliance, shall furnish such dental laboratory with a written
15 prescription on forms prescribed by the Department which shall
16 contain:

17 (1) The name and address of the dental laboratory to
18 which the prescription is directed.

19 (2) The patient's name or identification number. If a
20 number is used, the patient's name shall be written upon
21 the duplicate copy of the prescription retained by the
22 dentist.

23 (3) The date on which the prescription was written.

24 (4) A description of the work to be done, including
25 diagrams if necessary.

1 (5) A specification of the type and quality of
2 materials to be used.

3 (6) The signature of the dentist and the number of the
4 dentist's ~~his or her~~ license to practice dentistry.

5 (b) The dental laboratory receiving a prescription from a
6 dentist shall retain the original prescription and the dentist
7 shall retain a duplicate copy thereof for inspection at any
8 reasonable time by the Department or its duly authorized
9 agents, for a period of 3 years in both cases.

10 (c) If the dental laboratory receiving a written
11 prescription from a dentist engages another dental laboratory
12 (hereinafter referred to as "subcontractor") to perform some
13 of the services relative to such prescription, it shall
14 furnish a written order with respect thereto on forms
15 prescribed by the Department which shall contain:

16 (1) The name and address of the subcontractor.

17 (2) A number identifying the order with the original
18 prescription, which number shall be endorsed on the
19 prescription received from the dentist.

20 (3) The date on which the order was written.

21 (4) A description of the work to be done by the
22 subcontractor, including diagrams if necessary.

23 (5) A specification of the type and quality of
24 materials to be used.

25 (6) The signature of an agent of the dental laboratory
26 issuing the order. The subcontractor shall retain the

1 order and the issuer thereof shall retain a duplicate
2 copy, attached to the prescription received from the
3 dentist, for inspection by the Department or its duly
4 authorized agents, for a period of 3 years in both cases.

5 (7) A copy of the order to the subcontractor shall be
6 furnished to the dentist.

7 (c-5) Regardless of whether the dental laboratory
8 manufactures the dental appliance or has it manufactured by a
9 subcontractor, the laboratory shall provide to the prescribing
10 dentist the (i) location where the work was done and (ii)
11 source and original location where the materials were
12 obtained.

13 (d) Any dentist who:

14 (1) employs or engages the services of any dental
15 laboratory to construct or repair, extraorally, prosthetic
16 dentures, bridges, or other dental appliances without
17 first providing such dental laboratory with a written
18 prescription;

19 (2) fails to retain a duplicate copy of the
20 prescription for 3 years; or

21 (3) refuses to allow the Department or its duly
22 authorized agents to inspect the dentist's ~~his or her~~
23 files of prescriptions;

24 is guilty of a Class A misdemeanor and the Department may
25 revoke or suspend the dentist's ~~his or her~~ license therefor.

26 (e) Any dental laboratory which:

1 (1) furnishes such services to any dentist without
2 first obtaining a written prescription therefor from such
3 dentist;

4 (2) acting as a subcontractor as described in (c)
5 above, furnishes such services to any dental laboratory
6 without first obtaining a written order from such dental
7 laboratory;

8 (3) fails to retain the original prescription or
9 order, as the case may be, for 3 years;

10 (4) refuses to allow the Department or its duly
11 authorized agents to inspect its files of prescriptions or
12 orders; or

13 (5) fails to provide any information required under
14 this Section to the prescribing dentist;

15 is guilty of a Class A misdemeanor.

16 (Source: P.A. 94-1014, eff. 7-7-06.)

17 (225 ILCS 25/49) (from Ch. 111, par. 2349)

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

19 Sec. 49. Identification of dentures.

20 (a) Every complete upper and lower denture and removable
21 dental prosthesis fabricated by a dentist, or fabricated
22 pursuant to a dentist's ~~his or her~~ prescription, shall be
23 marked with the name of the patient for whom the prosthesis is
24 intended. The markings shall be done during fabrication and
25 shall be permanent, legible and cosmetically acceptable. The

1 exact location of the markings and the methods used to apply or
2 implant them shall be determined by the dentist or dental
3 laboratory fabricating the prosthesis. If in the professional
4 judgment of the dentist, this full identification is not
5 possible, the name may be omitted.

6 (b) Any removable dental prosthesis in existence which was
7 not marked in accordance with paragraph (a) of this Section at
8 the time of fabrication, shall be so marked at the time of any
9 subsequent rebasing or duplication.

10 (Source: P.A. 96-617, eff. 8-24-09.)

11 (225 ILCS 25/54) (from Ch. 111, par. 2354)

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

13 Sec. 54. Exemption from civil liability for Peer Review
14 Committees. While serving upon any Peer Review Committee, any
15 dentist shall not be liable for civil damages as a result of
16 the dentist's ~~his or her~~ decisions, findings or
17 recommendations in connection with the dentist's ~~his or her~~
18 duties on such committee, except decisions, findings or
19 recommendations involving the dentist's willful ~~his or her~~
20 ~~wilful~~ or wanton misconduct. Furthermore, any professional
21 organization, association or society of dentists, or component
22 thereof, which sponsors, sanctions or otherwise operates or
23 participates in peer review activities is hereby afforded the
24 same privileges and immunities afforded to any member of the
25 peer review committee.

1 (Source: P.A. 85-946.)

2 (225 ILCS 25/54.2)

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

4 Sec. 54.2. Dental responders. A dentist or dental
5 hygienist who is a dental responder is deemed to be acting
6 within the bounds of the dentist or dental hygienist's ~~his or~~
7 ~~her~~ license when providing disaster, immunizations, mobile,
8 and humanitarian care during a declared local, State, or
9 national emergency.

10 (Source: P.A. 99-25, eff. 1-1-16.)

11 (225 ILCS 25/54.3)

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

13 Sec. 54.3. Vaccinations.

14 (a) Notwithstanding Section 54.2 of this Act, a dentist
15 may administer vaccinations upon completion of appropriate
16 training set forth by rule and approved by the Department on
17 appropriate vaccine storage, proper administration, and
18 addressing contraindications and adverse reactions.
19 Vaccinations shall be limited to patients 18 years of age and
20 older pursuant to a valid prescription or standing order by a
21 physician licensed to practice medicine in all its branches
22 who, in the course of professional practice, administers
23 vaccines to patients. Methods of communication shall be
24 established for consultation with the physician in person or

1 by telecommunications.

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

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

26 (d) The Department shall adopt any rules necessary to

1 implement this Section.

2 ~~(c) This Section is repealed on January 1, 2026.~~

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

4 (225 ILCS 25/55) (from Ch. 111, par. 2355)

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

6 Sec. 55. Administrative Procedure Act. The Illinois
7 Administrative Procedure Act is hereby expressly adopted and
8 incorporated herein as if all of the provisions of that Act
9 were included in this Act, except that the provision of
10 subsection (d) of Section 10-65 of the Illinois Administrative
11 Procedure Act that provides that at hearings the dentist or
12 dental hygienist has the right to show compliance with all
13 lawful requirements for retention, continuation or renewal of
14 the license is specifically excluded. For the purposes of this
15 Act the notice required under Section 10-25 of the
16 Administrative Procedure Act is deemed sufficient when mailed
17 or emailed to the last known address or email address of a
18 party.

19 (Source: P.A. 88-45; 89-80, eff. 6-30-95; 89-116, eff.
20 7-7-95.)

21 Section 99. Effective date. This Section and Section 5
22 take effect upon becoming law.

1	INDEX	
2	Statutes amended in order of appearance	
3	5 ILCS 80/4.36	
4	5 ILCS 80/4.41 new	
5	225 ILCS 25/2	from Ch. 111, par. 2302
6	225 ILCS 25/4	
7	225 ILCS 25/4.5 new	
8	225 ILCS 25/6	from Ch. 111, par. 2306
9	225 ILCS 25/8.05	
10	225 ILCS 25/11	from Ch. 111, par. 2311
11	225 ILCS 25/13	from Ch. 111, par. 2313
12	225 ILCS 25/14	from Ch. 111, par. 2314
13	225 ILCS 25/16	from Ch. 111, par. 2316
14	225 ILCS 25/17	
15	225 ILCS 25/18	from Ch. 111, par. 2318
16	225 ILCS 25/18.1	
17	225 ILCS 25/19	from Ch. 111, par. 2319
18	225 ILCS 25/19.2	
19	225 ILCS 25/20	from Ch. 111, par. 2320
20	225 ILCS 25/22	from Ch. 111, par. 2322
21	225 ILCS 25/23	from Ch. 111, par. 2323
22	225 ILCS 25/23a	from Ch. 111, par. 2323a
23	225 ILCS 25/23b	
24	225 ILCS 25/24	from Ch. 111, par. 2324
25	225 ILCS 25/25	from Ch. 111, par. 2325

1	225 ILCS 25/25.1	
2	225 ILCS 25/26	from Ch. 111, par. 2326
3	225 ILCS 25/29	from Ch. 111, par. 2329
4	225 ILCS 25/30	from Ch. 111, par. 2330
5	225 ILCS 25/32	from Ch. 111, par. 2332
6	225 ILCS 25/34	from Ch. 111, par. 2334
7	225 ILCS 25/38.2	
8	225 ILCS 25/40	from Ch. 111, par. 2340
9	225 ILCS 25/45	from Ch. 111, par. 2345
10	225 ILCS 25/45.5	
11	225 ILCS 25/48	from Ch. 111, par. 2348
12	225 ILCS 25/49	from Ch. 111, par. 2349
13	225 ILCS 25/54	from Ch. 111, par. 2354
14	225 ILCS 25/54.2	
15	225 ILCS 25/54.3	
16	225 ILCS 25/55	from Ch. 111, par. 2355