



Sen. Suzy Glowiak Hilton

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10400SB2492sam001

LRB104 07527 AAS 23499 a

1 AMENDMENT TO SENATE BILL 2492

2 AMENDMENT NO. _____. Amend Senate Bill 2492 by replacing
3 everything after the enacting clause with the following:

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 Acts repealed on January 1, 2026.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8 Acts are repealed on January 1, 2026: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.

1 The Professional Geologist Licensing Act.

2 The Respiratory Care Practice Act.

3 (Source: P.A. 99-26, eff. 7-10-15; 99-204, eff. 7-30-15;
4 99-227, eff. 8-3-15; 99-229, eff. 8-3-15; 99-230, eff. 8-3-15;
5 99-427, eff. 8-21-15; 99-469, eff. 8-26-15; 99-492, eff.
6 12-31-15; 99-642, eff. 7-28-16.)

7 (5 ILCS 80/4.41 new)

8 Sec. 4.41. Act repealed on January 1, 2031. The following
9 Act is repealed on January 1, 2031:

10 The Illinois Dental Practice Act.

11 Section 10. The Illinois Dental Practice Act is amended by
12 changing Sections 2, 4, 6, 8, 8.05, 11, 13, 14, 16, 17, 18,
13 18.1, 19, 19.2, 20, 22, 23, 23a, 23b, 24, 25, 25.1, 26, 29, 30,
14 32, 34, 38.2, 40, 45, 45.5, 48, 49, 51, 54, 54.2, 54.3, and 55
15 and by adding Section 4.5 as follows:

16 (225 ILCS 25/2) (from Ch. 111, par. 2302)

17 (Section scheduled to be repealed on January 1, 2026)

18 Sec. 2. Legislative declaration of public policy. The
19 practice of dentistry in the State of Illinois is hereby
20 declared to affect the public health, safety and welfare and
21 to be subject to regulation and control in the public
22 interest. It is further declared to be a matter of public
23 interest and concern that the dental profession merit and

1 receive the confidence of the public and that only qualified
2 persons be permitted to practice dentistry in the State of
3 Illinois. Despite the authority granted under this Act
4 allowing dentists to delegate the performance of certain
5 procedures to dental hygienists and dental assistants, nothing
6 contained in this Act shall be construed in any way to relieve
7 the supervising dentist from ultimate responsibility for the
8 care of the ~~his or her~~ patient. This Act shall be liberally
9 construed to carry out these objects and purposes.

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

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

19 (225 ILCS 25/4)

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

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

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

1 licensee to inform the Department of any change of address and
2 those changes must be made either through the Department's
3 website or by contacting the Department.

4 "Email address of record" means the designated email
5 address recorded by the Department in the applicant's
6 application file or the licensee's license file, as maintained
7 by the Department's licensure maintenance unit.

8 "Department" means the Department of Financial and
9 Professional Regulation.

10 "Secretary" means the Secretary of Financial and
11 Professional Regulation.

12 "Board" means the Board of Dentistry.

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

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

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

24 "Expanded function dental assistant" means a dental
25 assistant who has completed the training required by Section
26 17.1 of this Act.

1 "Dental laboratory" means a person, firm, or corporation
2 which:

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

8 (ii) utilizes or employs a dental technician to
9 provide such services; and

10 (iii) performs such functions only for a dentist or
11 dentists.

12 "Supervision" means supervision of a dental hygienist or a
13 dental assistant requiring that a dentist authorize the
14 procedure, remain in the dental facility while the procedure
15 is performed, and approve the work performed by the dental
16 hygienist or dental assistant before dismissal of the patient,
17 but does not mean that the dentist must be present at all times
18 in the treatment room.

19 "General supervision" means supervision of a dental
20 hygienist requiring that the patient be a patient of record,
21 that the dentist examine the patient in accordance with
22 Section 18 prior to treatment by the dental hygienist, and
23 that the dentist authorize the procedures which are being
24 carried out by a notation in the patient's record, but not
25 requiring that a dentist be present when the authorized
26 procedures are being performed. The issuance of a prescription

1 to a dental laboratory by a dentist does not constitute
2 general supervision.

3 "Public member" means a person who is not a health
4 professional. For purposes of board membership, any person
5 with a significant financial interest in a health service or
6 profession is not a public member.

7 "Dentistry" means the healing art which is concerned with
8 the examination, diagnosis, treatment planning, and care of
9 conditions within the human oral cavity and its adjacent
10 tissues and structures, as further specified in Section 17.

11 "Branches of dentistry" means the various specialties of
12 dentistry which, for purposes of this Act, shall be limited to
13 the following: endodontics, oral and maxillofacial surgery,
14 orthodontics and dentofacial orthopedics, pediatric dentistry,
15 periodontics, prosthodontics, oral and maxillofacial
16 radiology, and dental anesthesiology.

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

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

25 "Informed consent" means legally valid consent that is
26 given by a patient or legal guardian, that is recorded in

1 writing or digitally, that authorizes intervention or
2 treatment services from the treating dentist, and that
3 documents agreement to participate in those services and
4 knowledge of the risks, benefits, and alternatives, including
5 the decision to withdraw from or decline treatment.

6 "Impaired dentist" or "impaired dental hygienist" means a
7 dentist or dental hygienist who is unable to practice with
8 reasonable skill and safety because of a physical or mental
9 disability as evidenced by a written determination or written
10 consent based on clinical evidence, including deterioration
11 through the aging process, loss of motor skills, abuse of
12 drugs or alcohol, or a psychiatric disorder, of sufficient
13 degree to diminish the person's ability to deliver competent
14 patient care.

15 "Nurse" means a registered professional nurse, a certified
16 registered nurse anesthetist licensed as an advanced practice
17 registered nurse, or a licensed practical nurse licensed under
18 the Nurse Practice Act.

19 "Patient of record", except as provided in Section 17.2,
20 means a patient for whom the patient's most recent dentist has
21 obtained a relevant medical and dental history and on whom the
22 dentist has performed a physical examination within the last
23 year and evaluated the condition to be treated, including a
24 review of the patient's most recent x-rays.

25 "Dental responder" means a dentist or dental hygienist who
26 is appropriately certified in disaster preparedness,

1 immunizations, and dental humanitarian medical response
2 consistent with the Society of Disaster Medicine and Public
3 Health and training certified by the National Incident
4 Management System or the National Disaster Life Support
5 Foundation.

6 "Mobile dental van or portable dental unit" means any
7 self-contained or portable dental unit in which dentistry is
8 practiced that can be moved, towed, or transported from one
9 location to another in order to establish a location where
10 dental services can be provided.

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

17 "Public health setting" means a federally qualified health
18 center; a federal, State, or local public health facility;
19 Head Start; a special supplemental nutrition program for
20 Women, Infants, and Children (WIC) facility; a certified
21 school-based health center or school-based oral health
22 program; a prison; or a long-term care facility.

23 "Public health supervision" means the supervision of a
24 public health dental hygienist by a licensed dentist who has a
25 written public health supervision agreement with that public
26 health dental hygienist while working in an approved facility

1 or program that allows the public health dental hygienist to
2 treat patients, without a dentist first examining the patient
3 and being present in the facility during treatment, (1) who
4 are eligible for Medicaid or (2) who are uninsured or whose
5 household income is not greater than 300% of the federal
6 poverty level.

7 "Teledentistry" means the use of telehealth systems and
8 methodologies in dentistry and includes patient diagnosis,
9 treatment planning, care, and education delivery for a patient
10 of record using synchronous and asynchronous communications
11 under an Illinois licensed dentist's authority as provided
12 under this Act.

13 "Moderate sedation" means a drug-induced depression of
14 consciousness during which: (1) patients respond purposefully
15 to verbal commands, either alone or accompanied by light
16 tactile stimulation; (2) no interventions are required to
17 maintain a patient's airway and spontaneous ventilation is
18 adequate; and (3) cardiovascular function is usually
19 maintained.

20 "Deep sedation" means a drug-induced depression of
21 consciousness during which: (1) patients cannot be easily
22 aroused, but respond purposefully following repeated or
23 painful stimulation; (2) the ability to independently maintain
24 ventilatory function may be impaired; (3) patients may require
25 assistance in maintaining airways and spontaneous ventilation
26 may be inadequate; and (4) cardiovascular function is usually

1 maintained.

2 "General anesthesia" means a drug-induced loss of
3 consciousness during which: (1) patients are not arousable,
4 even by painful stimulation; (2) the ability to independently
5 maintain ventilatory function is often impaired; (3) patients
6 often require assistance in maintaining airways and positive
7 pressure ventilation may be required because of depressed
8 spontaneous ventilation or drug-induced depression of
9 neuromuscular function; and (4) cardiovascular function may be
10 impaired.

11 "Venipuncture" means the puncture of a vein as part of a
12 medical procedure, typically to withdraw a blood sample or for
13 an intravenous catheter for the administration of medication
14 or fluids.

15 "Enteral route of administration" means administration of
16 a drug that is absorbed through the gastrointestinal tract or
17 through oral, rectal, or sublingual mucosa.

18 "Parenteral route of administration" means administration
19 of a drug by which the drug bypasses the gastrointestinal
20 tract through intramuscular, intravenous, intranasal,
21 submucosal, subcutaneous, or intraosseous methods.

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

1 (225 ILCS 25/4.5 new)

2 Sec. 4.5. Address of record; email address of record. All
3 applicants and licensees shall:

4 (1) provide a valid address and email address to the
5 Department, which shall serve as the address of record and
6 email address of record, respectively, upon application for
7 licensure or renewal of a license; and

8 (2) inform the Department of any change in the applicant
9 or licensee's address of record or email address of record
10 within 14 days after such change, either through the
11 Department's website or by contacting the Department's
12 licensure maintenance unit.

13 (225 ILCS 25/6) (from Ch. 111, par. 2306)

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

15 Sec. 6. Board of Dentistry; report Dentistry—~~report~~ by
16 majority required. There is created a Board of Dentistry, to
17 be composed of persons designated from time to time by the
18 Secretary, as follows:

19 Eleven persons, 8 of whom have been dentists for a period
20 of 5 years or more; 2 of whom have been dental hygienists for a
21 period of 5 years or more, and one public member. None of the
22 members shall be an officer, dean, assistant dean, or
23 associate dean of a dental college or dental department of an
24 institute of learning, nor shall any member be the program
25 director of any dental hygiene program. A board member who

1 holds a faculty position in a dental school or dental hygiene
2 program shall not participate in the examination of applicants
3 for licenses from that school or program. The dental
4 hygienists shall not participate in the examination of
5 applicants for licenses to practice dentistry. The public
6 member shall not participate in the examination of applicants
7 for licenses to practice dentistry or dental hygiene. The
8 board shall annually elect a chairman and vice-chairman who
9 shall be dentists.

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

15 The membership of the Board shall include only residents
16 from various geographic areas of this State and shall include
17 at least some graduates from various institutions of dental
18 education in this State.

19 In making appointments to the Board the Secretary shall
20 give due consideration to recommendations by organizations of
21 the dental profession in Illinois, including the Illinois
22 State Dental Society and Illinois Dental Hygienists
23 Association, and shall promptly give due notice to such
24 organizations of any vacancy in the membership of the Board.
25 The Secretary may terminate the appointment of any member for
26 cause which in the opinion of the Secretary reasonably

1 justifies such termination.

2 A vacancy in the membership of the Board shall not impair
3 the right of a quorum to exercise all the rights and perform
4 all the duties of the Board. Any action to be taken by the
5 Board under this Act may be authorized by resolution at any
6 regular or special meeting, and each such resolution shall
7 take effect immediately. The Board shall meet at least
8 quarterly.

9 The members of the Board shall each receive as
10 compensation a reasonable sum as determined by the Secretary
11 for each day actually engaged in the duties of the office, and
12 all legitimate and necessary expense incurred in attending the
13 meetings of the Board.

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

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

18 (225 ILCS 25/8) (from Ch. 111, par. 2308)

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

20 Sec. 8. Necessity for licensure of dentists and
21 applications for licenses. No person shall practice dentistry
22 without first applying for and obtaining a license for such
23 purpose from the Department.

24 Applications shall be accompanied by the required fee.

25 If an applicant neglects, fails without an approved

1 excuse, or refuses to take the next available examination
2 offered for licensure under this Act, the fee paid by the
3 applicant shall be forfeited to the Department and the
4 applicant's application shall expire ~~denied~~. If an applicant
5 fails to pass an examination for licensure under this Act
6 within 3 years after filing the applicant's ~~his~~ application,
7 the application shall expire 3 years after the date the
8 application was filed ~~be denied~~. However, such applicant may
9 thereafter make a new application for examination accompanied
10 by the required fee and provide evidence of meeting the
11 requirements in effect at the time of the new application.

12 (Source: P.A. 89-80, eff. 6-30-95; 89-116, eff. 7-7-95;
13 89-626, eff. 8-9-96.)

14 (225 ILCS 25/8.05)

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

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

25 Every application for a renewal or restored license shall

1 require the applicant's customer identification number.

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

3 (225 ILCS 25/11) (from Ch. 111, par. 2311)

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

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

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

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

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

1 The fact that any dentist shall announce by card,
2 letterhead, or any other form of communication using terms as
3 "Specialist", "Practice Limited To", or "Limited to Specialty
4 of" with the name of the branch of dentistry practiced as a
5 specialty, or shall use equivalent words or phrases to
6 announce the same, shall be prima facie evidence that the
7 dentist is holding himself or herself out to the public as a
8 specialist.

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

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

24 (2) The applicant has been accepted or appointed for
25 specialty or residency training by an approved hospital
26 situated in this State, by an approved dental school

1 situated in this State, or by a public health agency in
2 this State the training programs of which are recognized
3 and approved by the Department. The applicant shall
4 indicate the beginning and ending dates of the period for
5 which the applicant ~~he or she~~ has been accepted or
6 appointed;

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

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

1 A temporary training license may be revoked by the
2 Department upon proof that the holder has engaged in the
3 practice of dentistry in this State outside of the holder's
4 ~~his or her~~ program of residency or specialty training, or if
5 the holder shall fail to supply the Department, within 10 days
6 of its request, with information as to the holder's ~~his or her~~
7 current status and activities in the holder's ~~his or her~~
8 specialty training program.

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

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

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

22 Faculty limited licenses issued under this Section shall
23 be valid for a period of 3 years and may be extended or
24 renewed. The holder of a valid faculty limited license may
25 perform acts as may be required by the holder's ~~his or her~~
26 teaching of dentistry. The holder of a faculty limited license

1 may practice general dentistry or in the holder's ~~his or her~~
2 area of specialty, but only in a clinic or office affiliated
3 with the dental school. The holder of a faculty limited
4 license may advertise a specialty degree as part of the
5 licensee's ability to practice in a faculty practice. Any
6 faculty limited license issued to a faculty member under this
7 Section shall terminate immediately and automatically, without
8 any further action by the Department, if the holder ceases to
9 be a faculty member at an approved dental school or hospital in
10 this State.

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

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

24 Any licensee requesting restoration from inactive status
25 shall be required to pay the current renewal fee, and upon
26 payment, the Department shall be required to restore the ~~his~~

1 ~~or her~~ license, as provided in Section 16 of this Act.

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

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

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

25 The applicant's authority to practice under this
26 subsection shall terminate immediately upon: (1) the decision

1 of the Department that the applicant failed the examination
2 for dental licensure; (2) denial of licensure by the
3 Department; or (3) withdrawal of the license application.

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

5 (225 ILCS 25/13) (from Ch. 111, par. 2313)

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

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

15 The Department shall require that every applicant for a
16 license as a dental hygienist shall:

17 (1) (Blank).

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

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

23 (4) Submit evidence that the applicant ~~he or she~~ holds
24 a currently valid certification to perform cardiopulmonary
25 resuscitation. The Department shall adopt rules

1 establishing criteria for certification in cardiopulmonary
2 resuscitation. The rules of the Department shall provide
3 for variances only in instances where the applicant is a
4 person with a physical disability and therefore unable to
5 secure such certification.

6 (5) (Blank).

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

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

1 (225 ILCS 25/14) (from Ch. 111, par. 2314)

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

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

4 The Department shall conduct or authorize examinations of
5 applicants for licensure as dental hygienists at such times
6 and places as it may determine.

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

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

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

21 (225 ILCS 25/16) (from Ch. 111, par. 2316)

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

23 Sec. 16. Expiration, renewal and restoration of licenses.

24 The expiration date and renewal date for each license issued
25 under this Act shall be set by rule. The renewal period for

1 each license issued under this Act shall be 3 years. A dentist
2 or dental hygienist may renew a license during the month
3 preceding its expiration date by paying the required fee. All
4 initial licenses issued during an open renewal period shall
5 have the next expiration date. A dentist or dental hygienist
6 shall provide proof of current Basic Life Support (BLS)
7 certification intended for health care providers at the time
8 of renewal as provided by rule. Basic Life Support
9 certification training taken as a requirement of this Section
10 shall be counted for no more than 4 hours during each licensure
11 period towards the continuing education hours under Section
12 16.1 of this Act. The Department shall provide by rule for
13 exemptions from this requirement for a dentist or dental
14 hygienist with a physical disability that would preclude the
15 dentist or dental hygienist ~~him or her~~ from performing BLS.

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

22 Any person whose license has been expired for more than 5
23 years or who has had a ~~his~~ license on inactive status for more
24 than 5 years may have the ~~his~~ license restored by making
25 application to the Department and filing proof acceptable to
26 the Department of taking continuing education and of the

1 person's ~~his~~ fitness to have the license restored, including
2 sworn evidence certifying to active practice in another
3 jurisdiction, and by paying the required restoration fee. A
4 person practicing on an expired license is deemed to be
5 practicing without a license. However, a holder of a license
6 may renew the license within 90 days after its expiration by
7 complying with the requirements for renewal and payment of an
8 additional fee. A license renewal within 90 days after
9 expiration shall be effective retroactively to the expiration
10 date.

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

19 However, any person whose license expired while the person
20 ~~he or she~~ was (i) on active duty with the Armed Forces of the
21 United States or called into service or training by the State
22 militia or (ii) in training or education under the supervision
23 of the United States preliminary to induction into the
24 military service, may have the person's ~~his or her~~ license
25 renewed, reinstated, or restored without paying any lapsed
26 renewal or restoration fee, if within 2 years after

1 termination of such service, training, or education other than
2 by dishonorable discharge, the person ~~he or she~~ furnishes the
3 Department with satisfactory proof that the person ~~he or she~~
4 has been so engaged and that the person's ~~his or her~~ service,
5 training, or education has been so terminated.

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

7 (225 ILCS 25/17)

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

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

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

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

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

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

22 (5) Who extracts a human tooth or teeth, or corrects
23 or attempts to correct malpositions of the human teeth or
24 jaws; or

25 (6) Who offers or undertakes, by any means or method,

1 to diagnose, treat, or remove stains, calculus, and
2 bonding materials from human teeth or jaws; or

3 (7) Who uses or administers local or general
4 anesthetics in the treatment of dental or oral diseases or
5 in any preparation incident to a dental operation of any
6 kind or character; or

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

13 (9) Who offers to furnish, supply, construct,
14 reproduce, or repair, or who furnishes, supplies,
15 constructs, reproduces, or repairs, prosthetic dentures,
16 bridges, or other substitutes for natural teeth to the
17 user or prospective user thereof; or

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

21 (11) Who takes material or digital scans for final
22 impressions of human teeth or places the person's ~~his or~~
23 ~~her~~ hands in the mouth of any person for the purpose of
24 applying teeth whitening materials, or who takes
25 impressions of human teeth or places the person's ~~his or~~
26 ~~her~~ hands in the mouth of any person for the purpose of

1 assisting in the application of teeth whitening materials.
2 A person does not practice dentistry when the person ~~he or~~
3 ~~she~~ discloses to the consumer that the person ~~he or she~~ is
4 not licensed as a dentist under this Act and (i) discusses
5 the use of teeth whitening materials with a consumer
6 purchasing these materials; (ii) provides instruction on
7 the use of teeth whitening materials with a consumer
8 purchasing these materials; or (iii) provides appropriate
9 equipment on-site to the consumer for the consumer to
10 self-apply teeth whitening materials.

11 The fact that any person engages in or performs, or offers
12 to engage in or perform, any of the practices, acts, or
13 operations set forth in this Section, shall be prima facie
14 evidence that such person is engaged in the practice of
15 dentistry.

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

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

25 (b) The practice of dentistry in the discharge of
26 their official duties by dentists in any branch of the

1 Armed Services of the United States, the United States
2 Public Health Service, or the United States Veterans
3 Administration; or

4 (c) The practice of dentistry by students in their
5 course of study in dental schools or colleges approved by
6 the Department, when acting under the direction and
7 supervision of dentists acting as instructors; or

8 (d) The practice of dentistry by clinical instructors
9 in the course of their teaching duties in dental schools
10 or colleges approved by the Department:

11 (i) when acting under the direction and
12 supervision of dentists, provided that such clinical
13 instructors have instructed continuously in this State
14 since January 1, 1986; or

15 (ii) when holding the rank of full professor at
16 such approved dental school or college and possessing
17 a current valid license or authorization to practice
18 dentistry in another country; or

19 (e) The practice of dentistry by licensed dentists of
20 other states or countries at meetings of the Illinois
21 State Dental Society or component parts thereof, alumni
22 meetings of dental colleges, or any other like dental
23 organizations, while appearing as clinicians; or

24 (f) The use of X-Ray machines for exposing X-Ray films
25 of dental or oral tissues by dental hygienists or dental
26 assistants; or

1 (g) The performance of any dental service by a dental
2 assistant, if such service is performed under the
3 supervision and full responsibility of a dentist. In
4 addition, after being authorized by a dentist, a dental
5 assistant may, for the purpose of eliminating pain or
6 discomfort, remove loose, broken, or irritating
7 orthodontic appliances on a patient of record.

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

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

16 (2) Removal of, restoration of, or addition to the
17 hard or soft tissues of the oral cavity, except for the
18 placing, carving, and finishing of amalgam
19 restorations and placing, packing, and finishing
20 composite restorations by dental assistants who have
21 had additional formal education and certification.

22 A dental assistant may place, carve, and finish
23 amalgam restorations, place, pack, and finish
24 composite restorations, and place interim restorations
25 if the dental assistant ~~he or she~~ (A) has successfully
26 completed a structured training program as described

1 in item (2) of subsection (g) provided by an
2 educational institution accredited by the Commission
3 on Dental Accreditation, such as a dental school or
4 dental hygiene or dental assistant program, or (B) has
5 at least 4,000 hours of direct clinical patient care
6 experience and has successfully completed a structured
7 training program as described in item (2) of
8 subsection (g) provided by a statewide dental
9 association, approved by the Department to provide
10 continuing education, that has developed and conducted
11 training programs for expanded functions for dental
12 assistants or hygienists. The training program must:
13 (i) include a minimum of 16 hours of didactic study and
14 14 hours of clinical manikin instruction; all training
15 programs shall include areas of study in nomenclature,
16 caries classifications, oral anatomy, periodontium,
17 basic occlusion, instrumentations, pulp protection
18 liners and bases, dental materials, matrix and wedge
19 techniques, amalgam placement and carving, rubber dam
20 clamp placement, and rubber dam placement and removal;
21 (ii) include an outcome assessment examination that
22 demonstrates competency; (iii) require the supervising
23 dentist to observe and approve the completion of 8
24 amalgam or composite restorations; and (iv) issue a
25 certificate of completion of the training program,
26 which must be kept on file at the dental office and be

1 made available to the Department upon request. A
2 dental assistant must have successfully completed an
3 approved coronal polishing and dental sealant course
4 prior to taking the amalgam and composite restoration
5 course.

6 A dentist utilizing dental assistants shall not
7 supervise more than 4 dental assistants at any one
8 time for placing, carving, and finishing of amalgam
9 restorations or for placing, packing, and finishing
10 composite restorations.

11 (3) Any and all correction of malformation of
12 teeth or of the jaws.

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

22 (5) Removal of calculus from human teeth.

23 (6) Taking of material or digital scans for final
24 impressions for the fabrication of prosthetic
25 appliances, crowns, bridges, inlays, onlays, or other
26 restorative or replacement dentistry.

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

17 In addition to coronal polishing and pit and
18 fissure sealants as described in this item (7), a
19 dental assistant who has at least 2,000 hours of
20 direct clinical patient care experience and who has
21 successfully completed a structured training program
22 provided by (1) an educational institution including,
23 but not limited to, a dental school or dental hygiene
24 or dental assistant program, (2) a continuing
25 education provider approved by the Department, or (3)
26 a statewide dental or dental hygienist association

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

1 course. A dental assistant performing these functions
2 shall be limited to the use of hand instruments only.
3 In addition, coronal scaling as described in this
4 paragraph shall only be utilized on patients who are
5 eligible for Medicaid, who are uninsured, or whose
6 household income is not greater than 300% of the
7 federal poverty level. A dentist may not supervise
8 more than 2 dental assistants at any one time for the
9 task of coronal scaling. ~~This paragraph is inoperative
10 on and after January 1, 2026.~~

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

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

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

24 (ii) has applied in writing to the Department, in
25 form and substance satisfactory to the Department, for
26 a temporary dental license and has complied with all

1 provisions of subsection (c) of Section 11 of this
2 Act; and

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

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

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

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

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

22 The authority to practice shall terminate immediately
23 upon:

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

26 (2) denial of licensure by the Department; or

1 (3) withdrawal of the application.

2 (Source: P.A. 102-558, eff. 8-20-21; 102-936, eff. 1-1-23;
3 103-425, eff. 1-1-24; 103-431, eff. 1-1-24; 103-605, eff.
4 7-1-24; 103-628, eff. 7-1-24.)

5 (225 ILCS 25/18) (from Ch. 111, par. 2318)

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

7 Sec. 18. Acts constituting the practice of dental hygiene;
8 limitations.

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

12 (i) the operative procedure of dental hygiene,
13 consisting of oral prophylactic procedures;

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

16 (iii) the application to the surfaces of the teeth or
17 gums of chemical compounds designed to be desensitizing
18 agents or effective agents in the prevention of dental
19 caries or periodontal disease;

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

1 (v) administration and monitoring of nitrous oxide
2 upon successful completion of a training program approved
3 by the Department;

4 (vi) administration of local anesthetics upon
5 successful completion of a training program approved by
6 the Department; and

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

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

10 (1) by a dentist;

11 (2) by a federal, State, county, or municipal agency
12 or institution;

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

14 (4) by a public clinic operating under the direction
15 of a hospital or federal, State, county, municipal, or
16 other public agency or institution.

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

26 (d) If a patient of record is unable to travel to a dental

1 office because of illness, infirmity, or imprisonment, a
2 dental hygienist may perform, under the general supervision of
3 a dentist, those procedures found in items (i) through (iv) of
4 subsection (a) of this Section, provided the patient is
5 located in a long-term care facility licensed by the State of
6 Illinois, a mental health or developmental disability
7 facility, or a State or federal prison. The dentist shall
8 either personally examine and diagnose the patient or utilize
9 approved teledentistry communication methods and determine
10 which services are necessary to be performed, which shall be
11 contained in an order to the hygienist and a notation in the
12 patient's record. Such order must be implemented within 45
13 days of its issuance, and an updated medical history and
14 observation of oral conditions must be performed by the
15 hygienist immediately prior to beginning the procedures to
16 ensure that the patient's health has not changed in any manner
17 to warrant a reexamination by the dentist.

18 (e) School-based oral health care, consisting of and
19 limited to oral prophylactic procedures, sealants, and
20 fluoride treatments, may be provided by a dental hygienist
21 under the general supervision of a dentist. A dental hygienist
22 may not provide other dental hygiene treatment in a
23 school-based setting, including but not limited to
24 administration or monitoring of nitrous oxide or
25 administration of local anesthetics. The school-based
26 procedures may be performed provided the patient is located at

1 a public or private school and the program is being conducted
2 by a State, county or local public health department
3 initiative or in conjunction with a dental school or dental
4 hygiene program. The dentist shall personally examine and
5 diagnose the patient and determine which services are
6 necessary to be performed, which shall be contained in an
7 order to the hygienist and a notation in the patient's record.
8 Any such order for sealants must be implemented within 120
9 days after its issuance. Any such order for oral prophylactic
10 procedures or fluoride treatments must be implemented within
11 180 days after its issuance. An updated medical history and
12 observation of oral conditions must be performed by the
13 hygienist immediately prior to beginning the procedures to
14 ensure that the patient's health has not changed in any manner
15 to warrant a reexamination by the dentist.

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

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

26 (h) A dental hygienist who is certified as a public health

1 dental hygienist may provide services to patients: (1) who are
2 eligible for Medicaid or (2) who are uninsured and whose
3 household income is not greater than 300% of the federal
4 poverty level. A public health dental hygienist may perform
5 oral assessments, perform screenings, and provide educational
6 and preventative services as provided in subsection (b) of
7 Section 18.1 of this Act. The public health dental hygienist
8 may not administer local anesthesia or nitrous oxide, or
9 place, carve, or finish amalgam restorations or provide
10 periodontal therapy under this exception. Each patient must
11 sign a consent form that acknowledges that the care received
12 does not take the place of a regular dental examination. The
13 public health dental hygienist must provide the patient or
14 guardian a written referral to a dentist for assessment of the
15 need for further dental care at the time of treatment. Any
16 indication or observation of a condition that could warrant
17 the need for urgent attention must be reported immediately to
18 the supervising dentist for appropriate assessment and
19 treatment.

20 ~~This subsection (h) is inoperative on and after January 1,~~
21 ~~2026.~~

22 (i) A dental hygienist performing procedures listed in
23 paragraphs (1) through (4) of subsection (a) of Section 17.1
24 must be under the supervision of a dentist, requiring the
25 dentist authorizes the procedure, remains in the dental
26 facility while the procedure is performed, and approves the

1 work performed by the dental hygienist before dismissal of the
2 patient, but the dentist is not required to be present at all
3 times in the treatment room.

4 (j) A dental hygienist may perform actions described in
5 paragraph (5) of subsection (a) of Section 17.1 under the
6 general supervision of a dentist as described in this Section.
7 (Source: P.A. 102-936, eff. 1-1-23; 103-431, eff. 1-1-24.)

8 (225 ILCS 25/18.1)

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

10 Sec. 18.1. Public health dental supervision
11 responsibilities.

12 (a) When working together in a public health supervision
13 relationship, dentists and public health dental hygienists
14 shall enter into a public health supervision agreement. The
15 dentist providing public health supervision must:

16 (1) be available to provide an appropriate level of
17 contact, communication, collaboration, and consultation
18 with the public health dental hygienist and must meet
19 in-person with the public health dental hygienist at least
20 quarterly for review and consultation;

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

25 (3) provide for the patient's additional necessary

1 care in consultation with the public health dental
2 hygienist;

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

4 (5) include procedures for creating and maintaining
5 dental records, including protocols for transmission of
6 all records between the public health dental hygienist and
7 the dentist following each treatment, which shall include
8 a notation regarding procedures authorized by the dentist
9 and performed by the public health dental hygienist and
10 the location where those records are to be kept.

11 Each dentist and hygienist who enters into a public health
12 supervision agreement must document and maintain a copy of any
13 change or termination of that agreement.

14 Dental records shall be owned and maintained by the
15 supervising dentist for all patients treated under public
16 health supervision, unless the supervising dentist is an
17 employee of a public health clinic or federally qualified
18 health center, in which case the public health clinic or
19 federally qualified health center shall maintain the records.

20 If a dentist ceases to be employed or contracted by the
21 facility, the dentist shall notify the facility administrator
22 that the public health supervision agreement is no longer in
23 effect. A new public health supervision agreement is required
24 for the public health dental hygienist to continue treating
25 patients under public health supervision.

26 A dentist entering into an agreement under this Section

1 may supervise and enter into agreements for public health
2 supervision with 4 public health dental hygienists. This shall
3 be in addition to the limit of 4 dental hygienists per dentist
4 set forth in subsection (g) of Section 18 of this Act.

5 (b) A public health dental hygienist providing services
6 under public health supervision may perform only those duties
7 within the accepted scope of practice of dental hygiene, as
8 follows:

9 (1) the operative procedures of dental hygiene,
10 consisting of oral prophylactic procedures, including
11 prophylactic cleanings, application of fluoride, and
12 placement of sealants;

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

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

17 Any patient treated under this subsection (b) must be
18 examined by a dentist before additional services can be
19 provided by a public health dental hygienist. However, if the
20 supervising dentist, after consultation with the public health
21 hygienist, determines that time is needed to complete an
22 approved treatment plan on a patient eligible under this
23 Section, then the dentist may instruct the hygienist to
24 complete the remaining services prior to an oral examination
25 by the dentist. Such instruction by the dentist to the
26 hygienist shall be noted in the patient's records. Any

1 services performed under this exception must be scheduled in a
2 timely manner and shall not occur more than 30 days after the
3 first appointment date.

4 (c) A public health dental hygienist providing services
5 under public health supervision must:

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

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

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

17 (4) maintain an appropriate level of contact and
18 communication with the dentist providing public health
19 supervision; and

20 (5) complete an additional 4 hours of continuing
21 education in areas specific to public health dentistry
22 yearly.

23 (d) Each public health dental hygienist who has rendered
24 services under subsections (c), (d), and (e) of this Section
25 must complete a summary report at the completion of a program
26 or, in the case of an ongoing program, at least annually. The

1 report must be completed in the manner specified by the
2 Department of Public Health Oral Health Section including
3 information about each location where the public health dental
4 hygienist has rendered these services. The public health
5 dental hygienist must submit the form to the dentist providing
6 supervision for the dentist's ~~his or her~~ signature before
7 sending it to the Division. The Department of Public Health
8 Oral Health Section shall compile and publicize public health
9 dental hygienist service data annually.

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

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

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

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

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

2 Sec. 19. Endorsement ~~Licensing applicants from other~~
3 ~~states~~. Any person who has been lawfully licensed to practice
4 dentistry, including the practice of a licensed dental
5 specialty, or dental hygiene in another state or territory or
6 as a member of the military service which has and maintains a
7 standard for the practice of dentistry, a dental specialty, or
8 dental hygiene at least equal to that now maintained in this
9 State, or if the requirements for licensure in such state or
10 territory in which the applicant was licensed were, at the
11 date of the applicant's ~~his or her~~ licensure, substantially
12 equivalent to the requirements then in force in this State,
13 and who has been lawfully engaged in the practice of dentistry
14 or dental hygiene for at least 2 years immediately preceding
15 the filing of the ~~his or her~~ application to practice in this
16 State and who shall deposit with the Department a duly
17 attested certificate from the Board of the state or territory
18 in which the person ~~he or she~~ is licensed, certifying to the
19 fact of the person's ~~his or her~~ licensing and of the person ~~his~~
20 ~~or her~~ being a person of good moral character may, upon payment
21 of the required fee, be granted a license to practice
22 dentistry, a dental specialty, or dental hygiene in this
23 State, as the case may be.

24 For the purposes of this Section, "substantially
25 equivalent" means that the applicant has presented evidence of
26 completion and graduation from an American Dental Association

1 accredited dental college or school in the United States or
2 Canada, presented evidence that the applicant has passed both
3 parts of the National Board Dental Examination, and
4 successfully completed an examination conducted by a regional
5 testing service.

6 Applicants have 3 years from the date of application to
7 complete the application process. If the process has not been
8 completed in 3 years, the application shall expire 3 years
9 after the date of submission of the application ~~be denied~~, the
10 fee shall be forfeited, and the applicant must reapply and
11 meet the requirements in effect at the time of reapplication.

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

13 (225 ILCS 25/19.2)

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

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

16 (a) Upon Board recommendation, the Department may issue a
17 temporary permit authorizing the practice in this State,
18 without compensation, of dentistry to an applicant who is
19 licensed to practice dentistry in another state, if all of the
20 following apply:

21 (1) the Department determines that the applicant's
22 services will improve the welfare of Illinois residents
23 who are eligible for Medicaid or who are uninsured and
24 whose household income is not greater than 200% of the
25 federal poverty level;

1 (2) the applicant has graduated from a dental program
2 approved by the American Dental Association's Commission
3 on Dental Accreditation and maintains an equivalent
4 authorization to practice dentistry in good standing in
5 the applicant's ~~his or her~~ native licensing jurisdiction
6 during the period of the temporary visiting dentist permit
7 and can furnish the Department a certified letter upon
8 request from that jurisdiction attesting to the fact that
9 the applicant has no pending action or violations against
10 the applicant's ~~his or her~~ license;

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

20 (4) the applicant will be working pursuant to a
21 collaborative agreement with and under the direct
22 supervision of an Illinois licensed dentist, who is in
23 good standing, during the duration of the program. The
24 supervising dentist must be physically present during all
25 clinical training courses; and

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

1 The Department may adopt rules to implement this
2 subsection.

3 (a-5) Upon Board recommendation, after the filing of an
4 application, the Department may allow approved continuing
5 education sponsors to be licensed to provide live patient
6 continuing education clinical training courses if the
7 following requirements are met:

8 (1) the continuing education course provides services,
9 without compensation, that will improve the welfare of
10 Illinois residents as described in paragraph (1) of
11 subsection (a). The application to the Board must include
12 the following information for review and approval by the
13 Department:

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

15 (ii) any and all documentation to be signed by the
16 patients, including, but not limited to, waivers,
17 consent forms, and releases;

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

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

22 (v) the intended population that will be receiving
23 treatment; and

24 (vi) proof of valid malpractice insurance for the
25 approved continuing education sponsor that extends
26 coverage to clinical staff, trainees, and out-of-state

1 permit holders that meet the requirements of
2 subsection (a);

3 (2) a valid written collaborative agreement must exist
4 between the temporary visiting dentist and the Illinois
5 licensed dentist co-treating patients under this Section.
6 The collaborative agreement must include a description of
7 the care to be provided and procedures to be performed by
8 the temporary visiting dentist. There shall be no more
9 than 5 trainees per supervising dentist. A copy of this
10 agreement shall become part of the patient's dental record
11 and shall be made available upon request to the
12 Department; and

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

14 A continuing education sponsor license issued under this
15 Section shall be valid for a period of time as provided by
16 rule.

17 The Department shall adopt rules to implement this
18 subsection.

19 (b) (Blank).

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

1 this Section.

2 (d) (Blank).

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

6 (1) the charitable organization; or

7 (2) a continuing education program provided by a
8 continuing education sponsor approved by the Department
9 pursuant to this Section that the permit holder is
10 attending.

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

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

21 (h) An application for the temporary permit shall be made
22 to the Department in writing on forms prescribed by the
23 Department and shall be accompanied by a nonrefundable fee
24 established by rule.

25 (i) An applicant for a temporary permit may be requested
26 to appear before the Board to respond to questions concerning

1 the applicant's qualifications to receive the permit. An
2 applicant's refusal to appear before the Board may be grounds
3 for denial of the application by the Department.

4 (j) The Secretary may summarily cancel any permit or
5 license issued pursuant to this Section without a hearing if
6 the Secretary finds that evidence in the Secretary's ~~his or~~
7 ~~her~~ possession indicates that a continuing education sponsor
8 licensed under this Section or a temporary permit holder's
9 continuation in practice would constitute an imminent danger
10 to the public or violate any provision of this Act or its
11 rules. If the Secretary summarily cancels a permit or license
12 issued pursuant to this Section, the permit holder or licensee
13 may petition the Department for a hearing in accordance with
14 the provisions of subsection (b) of Section 26 of this Act to
15 reinstate the ~~his or her~~ permit or license.

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

1 intent of the General Assembly that a permit or license issued
2 pursuant to this Section shall be considered a privilege and
3 not a property right.

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

5 (225 ILCS 25/20) (from Ch. 111, par. 2320)

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

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

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

20 (225 ILCS 25/22) (from Ch. 111, par. 2322)

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

22 Sec. 22. Returned checks; penalties. Any person who
23 delivers a check or other payment to the Department that is
24 returned to the Department unpaid by the financial institution

1 upon which it is drawn shall pay to the Department, in addition
2 to the amount already owed to the Department, a fine of \$50.
3 The fines imposed by this Section are in addition to any other
4 discipline provided under this Act for unlicensed practice or
5 practice on a nonrenewed license. The Department shall notify
6 the person that payment of fees and fines shall be paid to the
7 Department by certified check or money order within 30
8 calendar days of the notification. If, after the expiration of
9 30 days from the date of the notification, the person has
10 failed to submit the necessary remittance, the Department
11 shall automatically terminate the license or deny the
12 application, without hearing. If, after termination or denial,
13 the person seeks a license, the person ~~he or she~~ shall apply to
14 the Department for restoration or issuance of the license and
15 pay all fees and fines due to the Department. The Department
16 may establish a fee for the processing of an application for
17 restoration of a license to pay all expenses of processing
18 this application. The Secretary may waive the fines due under
19 this Section in individual cases where the Secretary finds
20 that the fines would be unreasonable or unnecessarily
21 burdensome.

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

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

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

25 Sec. 23. Refusal, revocation or suspension of dental

1 licenses. The Department may refuse to issue or renew, or may
2 revoke, suspend, place on probation, reprimand or take other
3 disciplinary or non-disciplinary action as the Department may
4 deem proper, including imposing fines not to exceed \$10,000
5 per violation, with regard to any license for any one or any
6 combination of the following causes:

7 1. Fraud, ~~or~~ misrepresentation, or concealment in
8 applying for or procuring a license under this Act, or in
9 connection with applying for renewal of a license under
10 this Act.

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

15 3. Willful or repeated violations of the rules of the
16 Department of Public Health or Department of Nuclear
17 Safety.

18 4. Acceptance of a fee for service as a witness,
19 without the knowledge of the court, in addition to the fee
20 allowed by the court.

21 5. Division of fees or agreeing to split or divide the
22 fees received for dental services with any person for
23 bringing or referring a patient, except in regard to
24 referral services as provided for under Section 45, or
25 assisting in the care or treatment of a patient, without
26 the knowledge of the patient or the patient's ~~his or her~~

1 legal representative. Nothing in this item 5 affects any
2 bona fide independent contractor or employment
3 arrangements among health care professionals, health
4 facilities, health care providers, or other entities,
5 except as otherwise prohibited by law. Any employment
6 arrangements may include provisions for compensation,
7 health insurance, pension, or other employment benefits
8 for the provision of services within the scope of the
9 licensee's practice under this Act. Nothing in this item 5
10 shall be construed to require an employment arrangement to
11 receive professional fees for services rendered.

12 6. Employing, procuring, inducing, aiding or abetting
13 a person not licensed or registered as a dentist or dental
14 hygienist to engage in the practice of dentistry or dental
15 hygiene. The person practiced upon is not an accomplice,
16 employer, procurer, inducer, aider, or abetter within the
17 meaning of this Act.

18 7. Making any misrepresentations or false promises,
19 directly or indirectly, to influence, persuade or induce
20 dental patronage.

21 8. Professional connection or association with or
22 lending the licensee's ~~his or her~~ name to another for the
23 illegal practice of dentistry by another, or professional
24 connection or association with any person, firm or
25 corporation holding himself, herself, themselves, or
26 itself out in any manner contrary to this Act.

1 9. Obtaining or seeking to obtain practice, money, or
2 any other things of value by false or fraudulent
3 representations, but not limited to, engaging in such
4 fraudulent practice to defraud the medical assistance
5 program of the Department of Healthcare and Family
6 Services (formerly Department of Public Aid) under the
7 Illinois Public Aid Code.

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

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

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

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

25 14. Permitting more than 4 dental hygienists to be
26 employed under the licensee's ~~his or her~~ supervision at

1 any one time.

2 15. A violation of any provision of this Act or any
3 rules promulgated under this Act.

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

6 17. Violating any provision of Section 45 relating to
7 advertising.

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

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

15 20. Gross negligence in practice under this Act.

16 21. The use or prescription for use of narcotics or
17 controlled substances or designated products as listed in
18 the Illinois Controlled Substances Act, in any way other
19 than for therapeutic purposes.

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

26 23. Professional incompetence as manifested by poor

1 standards of care.

2 24. Physical or mental illness, including, but not
3 limited to, deterioration through the aging process, or
4 loss of motor skills which results in a dentist's
5 inability to practice dentistry with reasonable judgment,
6 skill or safety. In enforcing this paragraph, the
7 Department may compel a person licensed to practice under
8 this Act to submit to a mental or physical examination
9 pursuant to the terms and conditions of Section 23b.

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

13 (a) Reporting excessive charges for the purpose of
14 obtaining a total payment in excess of that usually
15 received by the dentist for the services rendered.

16 (b) Reporting charges for services not rendered.

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

19 26. Continuing the active practice of dentistry while
20 knowingly having any infectious, communicable, or
21 contagious disease proscribed by rule or regulation of the
22 Department.

23 27. Being named as a perpetrator in an indicated
24 report by the Department of Children and Family Services
25 pursuant to the Abused and Neglected Child Reporting Act,
26 and upon proof by clear and convincing evidence that the

1 licensee has caused a child to be an abused child or
2 neglected child as defined in the Abused and Neglected
3 Child Reporting Act.

4 28. Violating the Health Care Worker Self-Referral
5 Act.

6 29. Abandonment of a patient.

7 30. Mental incompetency as declared by a court of
8 competent jurisdiction.

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

12 32. Material misstatement in furnishing information to
13 the Department.

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

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

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

22 36. A pattern of practice or other behavior that
23 demonstrates incapacity or incompetence to practice under
24 this Act.

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

1 38. Failure to provide copies of dental records as
2 required by law.

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

7 40. Failure to maintain a sanitary work environment.

8 41. Failure to comply with the provisions of Section
9 17.2 of this Act.

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

23 All fines imposed under this Section shall be paid within
24 60 days after the effective date of the order imposing the fine
25 or in accordance with the terms set forth in the order imposing
26 the fine.

1 The Department may refuse to issue or may suspend the
2 license of any person who fails to file a return, or to pay the
3 tax, penalty or interest shown in a filed return, or to pay any
4 final assessment of tax, penalty or interest, as required by
5 any tax Act administered by the Illinois Department of
6 Revenue, until such time as the requirements of any such tax
7 Act are satisfied.

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

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

14 (225 ILCS 25/23a) (from Ch. 111, par. 2323a)

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

16 Sec. 23a. The Secretary may, upon receipt of a written
17 communication from the Secretary of Human Services or the
18 Director of the Department of Healthcare and Family Services
19 (formerly Department of Public Aid) or Department of Public
20 Health, that continuation of practice of a person licensed
21 under this Act constitutes an immediate danger to the public,
22 immediately suspend the license of such person without a
23 hearing. In instances in which the Secretary immediately
24 suspends a license under this Section, a hearing upon such
25 person's license must be convened by the Board within 15 days

1 after such suspension and completed without appreciable delay,
2 such hearing held to determine whether to recommend to the
3 Secretary that the person's license be revoked, suspended,
4 placed on probationary status or reinstated, or such person be
5 subject to other disciplinary action. In such hearing, the
6 written communication and any other evidence submitted
7 therewith may be introduced as evidence against such person;
8 provided however, the person, or the person's ~~his or her~~
9 counsel, shall have the opportunity to discredit or impeach
10 such evidence and submit evidence rebutting same.

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

12 (225 ILCS 25/23b)

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

14 Sec. 23b. Requirement for mental and physical examinations
15 under certain conditions.

16 (a) In enforcing paragraph 24 of Section 23 of this Act,
17 the Department may compel any individual who is licensed to
18 practice under this Act or who has applied for licensure under
19 this Act, to submit to a mental or physical examination and
20 evaluation, or both, which may include a substance abuse or
21 sexual offender evaluation, as required by and at the expense
22 of the Department. The Department shall specifically designate
23 the examining physician licensed to practice medicine in all
24 of its branches or, if applicable, the multidisciplinary team
25 involved in providing the mental or physical examination and

1 evaluation, or both. The multidisciplinary team shall be led
2 by a physician licensed to practice medicine in all of its
3 branches and may consist of one or more or a combination of
4 physicians licensed to practice medicine in all of its
5 branches, licensed clinical psychologists, licensed clinical
6 social workers, licensed clinical professional counselors, and
7 other professional and administrative staff. Any examining
8 physician or member of the multidisciplinary team may require
9 any person ordered to submit to an examination and evaluation
10 pursuant to this Section to submit to any additional
11 supplemental testing deemed necessary to complete any
12 examination or evaluation process, including, but not limited
13 to, blood testing, urinalysis, psychological testing, or
14 neuropsychological testing. The Department may order the
15 examining physician or any member of the multidisciplinary
16 team to provide to the Department any and all records,
17 including business records, that relate to the examination and
18 evaluation, including any supplemental testing performed. The
19 Department may order the examining physician or any member of
20 the multidisciplinary team to present testimony concerning the
21 examination and evaluation of the licensee or applicant,
22 including testimony concerning any supplemental testing or
23 documents relating to the examination and evaluation. No
24 information, report, record, or other documents in any way
25 related to the examination and evaluation shall be excluded by
26 reason of any common law or statutory privilege relating to

1 communications between the licensee or applicant and the
2 examining physician or any member of the multidisciplinary
3 team. No authorization is necessary from the licensee or
4 applicant ordered to undergo an examination and evaluation for
5 the examining physician or any member of the multidisciplinary
6 team to provide information, reports, records, or other
7 documents or to provide any testimony regarding the
8 examination and evaluation. The individual to be examined may
9 have, at the individual's ~~his or her~~ own expense, another
10 physician of the individual's ~~his or her~~ choice present during
11 all aspects of this examination. Failure of an individual to
12 submit to a mental or physical examination and evaluation, or
13 both, when directed shall result in the automatic suspension
14 of the individual's ~~his or her~~ license, without hearing, until
15 the individual submits to the examination. ~~if the Department~~
16 ~~finds, after notice and hearing, that the refusal to submit to~~
17 ~~the examination.~~

18 (b) If the Department finds an individual unable to
19 practice because of the reasons set forth in paragraph 24 of
20 Section 23, the Department may require that individual to
21 submit to care, counseling, or treatment by physicians
22 approved or designated by the Department as a condition, term,
23 or restriction for continued, reinstated, or renewed licensure
24 to practice, or in lieu of care, counseling, or treatment, the
25 Department may file a complaint to immediately suspend,
26 revoke, or otherwise discipline the license of the individual.

1 An individual whose license was granted, continued,
2 reinstated, renewed, disciplined, or supervised subject to
3 such terms, conditions, or restrictions, and who fails to
4 comply with such terms, conditions, or restrictions, shall be
5 referred to the Secretary for a determination as to whether
6 the individual shall have the ~~his or her~~ license suspended
7 immediately, pending a hearing by the Department.

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

9 (225 ILCS 25/24) (from Ch. 111, par. 2324)

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

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

19 1. Fraud or misrepresentation in applying for or
20 procuring a license under this Act, or in connection with
21 applying for renewal of a license under this Act.

22 2. Performing any operation not authorized by this
23 Act.

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

1 4. The willful ~~wilful~~ violation of, or the willful
2 ~~wilful~~ procuring of, or knowingly assisting in the
3 violation of, any Act which is now or which hereafter may
4 be in force in this State relating to the use of
5 habit-forming drugs.

6 5. The obtaining of, or an attempt to obtain a
7 license, or practice in the profession, or money, or any
8 other thing of value by fraudulent representation.

9 6. Gross negligence in performing the operative
10 procedure of dental hygiene.

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

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

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

1 10. Aiding or abetting the unlicensed practice of
2 dentistry or dental hygiene.

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

7 12. Violating the Health Care Worker Self-Referral
8 Act.

9 13. Violating the prohibitions of Section 38.1 of this
10 Act.

11 14. Engaging in dishonorable, unethical, or
12 unprofessional conduct of a character likely to deceive,
13 defraud, or harm the public.

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

17 16. Material misstatement in furnishing information to
18 the Department.

19 17. Failing, within 60 days, to provide information in
20 response to a written request by the Department in the
21 course of an investigation.

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

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

1 20. Violations of this Act or of the rules promulgated
2 under this Act.

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

5 The provisions of this Act relating to proceedings for the
6 suspension and revocation of a license to practice dentistry
7 shall apply to proceedings for the suspension or revocation of
8 a license as a dental hygienist.

9 All proceedings to suspend, revoke, place on probationary
10 status, or take any other disciplinary action as the
11 Department may deem proper with regard to a license on any of
12 the grounds contained in this Section, must be commenced
13 within 5 years after receipt by the Department of a complaint
14 alleging the commission of or notice of the conviction order
15 for any of the acts described in this Section. Except for fraud
16 in procuring a license, no action shall be commenced more than
17 7 years after the date of the incident or act alleged to have
18 violated this Section. The time during which the holder of the
19 license was outside the State of Illinois shall not be
20 included within any period of time limiting the commencement
21 of disciplinary action by the Department.

22 All fines imposed under this Section shall be paid within
23 60 days after the effective date of the order imposing the fine
24 or in accordance with the terms set forth in the order imposing
25 the fine.

26 Any dental hygienist who has had a ~~his or her~~ license

1 suspended or revoked for more than 5 years must comply with the
2 requirements for restoration set forth in Section 16 prior to
3 being eligible for reinstatement from the suspension or
4 revocation.

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

6 (225 ILCS 25/25) (from Ch. 111, par. 2325)

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

8 Sec. 25. Notice of hearing; investigations and informal
9 conferences.

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

18 (b) Prior to taking an in-person statement from a dentist
19 or dental hygienist who is the subject of a complaint, the
20 investigator shall inform the dentist or the dental hygienist
21 in writing:

22 (1) that the dentist or dental hygienist is the
23 subject of a complaint;

24 (2) that the dentist or dental hygienist need not
25 immediately proceed with the interview and may seek

1 appropriate consultation prior to consenting to the
2 interview; and

3 (3) that failure of the dentist or dental hygienist to
4 proceed with the interview shall not prohibit the
5 Department from conducting a visual inspection of the
6 facility.

7 A Department investigator's failure to comply with this
8 subsection may not be the sole ground for dismissal of any
9 order of the Department filed upon a finding of a violation or
10 for dismissal of a pending investigation.

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

26 (c) If the Department concludes on the basis of a

1 complaint or its initial investigation that there is a
2 possible violation of the Act, the Department may:

3 (1) schedule a hearing pursuant to this Act; or

4 (2) request in writing that the dentist or dental
5 hygienist being investigated attend an informal conference
6 with representatives of the Department.

7 The request for an informal conference shall contain the
8 nature of the alleged actions or inactions that constitute the
9 possible violations.

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

1 (d) The Secretary shall, before suspending, revoking,
2 placing on probationary status, or taking any other
3 disciplinary action as the Secretary may deem proper with
4 regard to any license, at least 30 days prior to the date set
5 for the hearing, notify the respondent in writing of any
6 charges made and the time and place for a hearing of the
7 charges before the Board, direct the respondent ~~him or her~~ to
8 file the ~~his or her~~ written answer thereto to the Board under
9 oath within 20 days after the service on the respondent ~~him or~~
10 ~~her~~ of such notice and inform the respondent ~~him or her~~ that if
11 the respondent ~~he or she~~ fails to file such answer, default
12 will be taken against the respondent ~~him or her~~ and the
13 respondent's ~~his or her~~ license may be suspended, revoked,
14 placed on probationary status, or other disciplinary action
15 may be taken with regard thereto, including limiting the
16 scope, nature or extent of the respondent's ~~his or her~~
17 practice, as the Secretary may deem proper.

18 (e) Such written notice and any notice in such proceedings
19 thereafter may be served by delivery personally to the
20 respondent, or by ~~registered or certified~~ mail to the
21 licensee's address of record or email address of record. ~~to~~
22 ~~the address last theretofore specified by the respondent in~~
23 ~~his or her last notification to the Secretary.~~

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

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

2 Sec. 25.1. Subpoena powers.

3 (a) The Department, upon a determination by the
4 chairperson of the Board that reasonable cause exists that a
5 violation of one or more of the grounds for discipline set
6 forth in Section 23 or Section 24 of this Act has occurred or
7 is occurring, may subpoena, without patient consent, the
8 dental records of individual patients of dentists and dental
9 hygienists licensed under this Act.

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

25 (c) Any review of an individual patient's records shall be
26 conducted by the Department in strict confidentiality,

1 provided that the patient records shall be admissible in a
2 disciplinary hearing before the Secretary, the Board, or a
3 hearing officer designated by the Department when necessary to
4 substantiate the grounds for discipline alleged against the
5 dentist or dental hygienist licensed under this Act.

6 (d) The Department may provide reimbursement for fees and
7 mileage associated with its subpoena power in the same manner
8 prescribed by law for judicial procedure in a civil case.

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

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

1 criminal offense. Any information or documents disclosed by
2 the Department to a dental licensing authority of another
3 state or jurisdiction may only be used by that authority for
4 investigations and disciplinary proceedings with regards to a
5 license.

6 This subsection (f) applies only to causes of action
7 accruing on or after the effective date of this amendatory Act
8 of the 96th General Assembly.

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

10 (225 ILCS 25/26) (from Ch. 111, par. 2326)

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

12 Sec. 26. Disciplinary actions.

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

23 (b) The Secretary may temporarily suspend the license of a
24 dentist or dental hygienist without a hearing, simultaneous to
25 the institution of proceedings for a hearing under this Act,

1 if the Secretary finds that evidence in the Secretary's ~~his or~~
2 ~~her~~ possession indicates that a dentist's or dental
3 hygienist's continuation in practice would constitute an
4 immediate danger to the public. In the event that the
5 Secretary temporarily suspends the license of a dentist or a
6 dental hygienist without a hearing, a hearing by the Board
7 must be held within 15 days after such suspension has
8 occurred.

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

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

20 (225 ILCS 25/29) (from Ch. 111, par. 2329)

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

22 Sec. 29. Recommendations for disciplinary action; action
23 ~~action — action~~ by Secretary. The Board may advise the
24 Secretary that probation be granted or that other disciplinary
25 action, including the limitation of the scope, nature or

1 extent of a person's practice, be taken, as it deems proper. If
2 disciplinary action other than suspension or revocation is
3 taken, the Board may advise that the Secretary impose
4 reasonable limitations and requirements upon the respondent to
5 insure compliance with the terms of the probation or other
6 disciplinary action, including, but not limited to, regular
7 reporting by the respondent to the Secretary of the
8 respondent's ~~his or her~~ actions, or the respondent's placing
9 himself or herself under the care of a qualified physician for
10 treatment or limiting the respondent's ~~his or her~~ practice in
11 such manner as the Secretary may require.

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

24 At the expiration of the time allowed for filing a motion
25 for rehearing the Secretary may take the action recommended by
26 the Board. Upon suspension, revocation, placement on

1 probationary status, or the taking of any other disciplinary
2 action, including the limiting of the scope, nature, or extent
3 of one's practice, deemed proper by the Secretary, with regard
4 to the license, the respondent shall surrender the
5 respondent's ~~his or her~~ license to the Department, if ordered
6 to do so by the Department, and upon the respondent's ~~his or~~
7 ~~her~~ failure or refusal to do so, the Department may seize the
8 same.

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

17 Each order of revocation, suspension, or other
18 disciplinary action shall contain a brief, concise statement
19 of the ground or grounds upon which the Department's action is
20 based, as well as the specific terms and conditions of such
21 action. The original of this document shall be retained as a
22 permanent record by the Board and the Department. In those
23 instances where an order of revocation, suspension, or other
24 disciplinary action has been rendered by virtue of a dentist's
25 or dental hygienist's physical illness, including, but not
26 limited to, deterioration through the aging process, or loss

1 of motor skill which results in an inability to practice with
2 reasonable judgment, skill, or safety, the Department shall
3 permit only this document and the record of the hearing
4 incident thereto to be observed, inspected, viewed, or copied
5 pursuant to court order.

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

7 (225 ILCS 25/30) (from Ch. 111, par. 2330)

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

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

23 Whenever the Secretary is satisfied that substantial
24 justice has not been done in a formal disciplinary action or
25 refusal to restore a license, the Secretary ~~he or she~~ may order

1 a reexamination or rehearing by the same or other hearing
2 officer.

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

4 (225 ILCS 25/32) (from Ch. 111, par. 2332)

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

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

12 Proceedings for judicial review shall be commenced in the
13 circuit court of the county in which the party applying for
14 review resides, but if the party is not a resident of this
15 State, the venue shall be in Sangamon County.

16 The Department shall not be required to certify any record
17 to the court or file any answer in court or otherwise appear in
18 any court in a judicial review proceeding, unless and until
19 the Department has received from the plaintiff payment of the
20 costs of furnishing and certifying the record, which costs
21 shall be determined by the Department. ~~Exhibits shall be~~
22 ~~certified without cost.~~ Failure on the part of the plaintiff
23 to file a receipt in court shall be grounds for dismissal of
24 the action. During the pendency and hearing of any and all
25 judicial proceedings incident to a disciplinary action any

1 sanctions imposed upon the respondent by the Department
2 because of acts or omissions related to the delivery of direct
3 patient care as specified in the Department's final
4 administrative decision, shall as a matter of public policy
5 remain in full force and effect in order to protect the public
6 pending final resolution of any of the proceedings.

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

8 (225 ILCS 25/34) (from Ch. 111, par. 2334)

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

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

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

24 (225 ILCS 25/38.2)

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

2 Sec. 38.2. Death or incapacitation of dentist.

3 (a) The executor or administrator of a dentist's estate or
4 the legal guardian or authorized representative of a dentist
5 who has become incapacitated may contract with another dentist
6 or dentists to continue the operations of the deceased or
7 incapacitated dentist's practice (if the practice of the
8 deceased or incapacitated dentist is a sole proprietorship, a
9 corporation where the deceased or incapacitated dentist is the
10 sole shareholder, or a limited liability company where the
11 deceased or incapacitated dentist is the sole member) for a
12 period of one year from the time of death or incapacitation of
13 the dentist or until the practice is sold, whichever occurs
14 first, if all the following conditions are met:

15 (1) The executor, administrator, guardian, or
16 authorized representative executes and files with the
17 Department a notification of death or incapacitation on a
18 form provided by the Department, which notification shall
19 include the following:

20 (A) the name and license number of the deceased or
21 incapacitated dentist;

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

23 (C) the name, address, and tax identification
24 number of the estate;

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

1 (E) an affirmation, under penalty of perjury, that
2 the information provided is true and correct and that
3 the executor, administrator, guardian, or authorized
4 representative understands that any interference by
5 the executor, administrator, guardian, or authorized
6 representative or any agent or assignee of the
7 executor, administrator, guardian, or authorized
8 representative with the contracting dentist's or
9 dentists' practice of dentistry or professional
10 judgment or any other violation of this Section is
11 grounds for an immediate termination of the operations
12 of the dental practice.

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

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

26 If the practice is not sold within the initial one-year

1 period, the provision described in subsection (a) may be
2 extended for additional 12-month periods by the Department.
3 However, if the extension is approved, the extension shall not
4 exceed 3 additional 12-month periods. Each extension must be
5 granted prior to the expiration date of the prior extension
6 and must be accompanied by a petition detailing the reasons
7 for the extension that must be kept on file by the Department.

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

1 guardian, or authorized representative of the notice, and
2 (iii) inform the executor, administrator, guardian, or
3 authorized representative that if there is a failure ~~he or she~~
4 ~~fails~~ to file such answer, a default judgment will be entered
5 against the executor, administrator, guardian, or authorized
6 representative ~~him or her~~ and the operations of the dental
7 practice shall be terminated.

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

25 (d) The Department may require, by rule, the submission to
26 the Department of any additional information necessary for the

1 administration of this Section.

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

3 (225 ILCS 25/40) (from Ch. 111, par. 2340)

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

5 Sec. 40. Filing license or diploma of another. Any person
6 filing or attempting to file as the person's ~~his or her~~ own the
7 diploma or license of another, or a forged affidavit of
8 identification or qualification, shall be deemed guilty of a
9 Class 3 felony, and upon conviction thereof, shall be subject
10 to such fine and imprisonment as is made and provided by the
11 statutes of this State for the crime of forgery.

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

13 (225 ILCS 25/45) (from Ch. 111, par. 2345)

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

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

22 Any dentist may advertise the availability of dental
23 services in the public media or on the premises where such
24 dental services are rendered. Such advertising shall be

1 limited to the following information:

2 (a) The dental services available;

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

5 (c) Information pertaining to the dentist's ~~his or her~~
6 area of specialization, including appropriate board
7 certification or limitation of professional practice;

8 (d) Information on usual and customary fees for
9 routine dental services offered, which information shall
10 include notification that fees may be adjusted due to
11 complications or unforeseen circumstances;

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

14 (f) Announcement of additions to or deletions from
15 professional dental staff;

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

17 (h) Other information about the dentist, dentist's
18 practice or the types of dental services which the dentist
19 offers to perform which a reasonable person might regard
20 as relevant in determining whether to seek the dentist's
21 services. However, any advertisement which announces the
22 availability of endodontics, pediatric dentistry,
23 periodontics, prosthodontics, orthodontics and
24 dentofacial orthopedics, oral and maxillofacial surgery,
25 or oral and maxillofacial radiology by a general dentist
26 or by a licensed specialist who is not licensed in that

1 specialty shall include a disclaimer stating that the
2 dentist does not hold a license in that specialty.

3 Any dental practice with more than one location that
4 enrolls its dentist as a participating provider in a managed
5 care plan's network must verify electronically or in writing
6 to the managed care plan whether the provider is accepting new
7 patients at each of the specific locations listing the
8 provider. The health plan shall remove the provider from the
9 directory in accordance with standard practices within 10
10 business days after being notified of the changes by the
11 provider. Nothing in this paragraph shall void any contractual
12 relationship between the provider and the plan.

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

15 (1) Use claims of superior quality of care to entice
16 the public.

17 (2) Advertise in any way to practice dentistry without
18 causing pain.

19 (3) Pay a fee to any dental referral service or other
20 third party who advertises a dental referral service,
21 unless all advertising of the dental referral service
22 makes it clear that dentists are paying a fee for that
23 referral service.

24 (4) Advertise or offer gifts as an inducement to
25 secure dental patronage. Dentists may advertise or offer
26 free examinations or free dental services; it shall be

1 unlawful, however, for any dentist to charge a fee to any
2 new patient for any dental service provided at the time
3 that such free examination or free dental services are
4 provided.

5 (5) Use the term "sedation dentistry" or similar terms
6 in advertising unless the advertising dentist holds a
7 valid and current permit issued by the Department to
8 administer either general anesthesia, deep sedation, or
9 moderate sedation as required under Section 8.1 of this
10 Act.

11 This Act does not authorize the advertising of dental
12 services when the offeror of such services is not a dentist.
13 Nor shall the dentist use statements which contain false,
14 fraudulent, deceptive or misleading material or guarantees of
15 success, statements which play upon the vanity or fears of the
16 public, or statements which promote or produce unfair
17 competition.

18 A dentist shall be required to keep a copy of all
19 advertisements for a period of 3 years. All advertisements in
20 the dentist's possession shall indicate the accurate date and
21 place of publication.

22 The Department shall adopt rules to carry out the intent
23 of this Section.

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

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

2 (a) As used in this Section:

3 "Agent of a dentist" means a person or company that is
4 permitted, authorized, or contracted to act on behalf of a
5 dentist or dental office.

6 "Arrange for, broker, or establish" means submitting an
7 application to a third-party creditor, lender, or creditor's
8 intermediary for approval or rejection on behalf of a patient.
9 Submitting an application to a third-party creditor, lender,
10 or creditor's intermediary for approval or rejection includes
11 patient or a patient's guardian's use of a third-party
12 creditor's, lender's, or a creditor's intermediary's
13 patient-facing software, weblink, URL, or QR code that is
14 customized for with the branding of the dental practice.

15 "Arrange for, broker, or establish" does not mean the use of
16 third-party marketing or advertising materials that are not
17 customized for the dental practice.

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

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

25 (c) A dentist, employee of a dentist, or agent of a dentist
26 may not complete for a patient or patient's guardian any

1 portion of an application for financing extended by a third
2 party. A dentist, employee of a dentist, or agent of a dentist
3 may not provide the patient or patient's guardian with an
4 electronic device to apply for financing extended by a third
5 party.

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

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

13 (2) is being administered treatment; or

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

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

23 "DENTAL SERVICES THIRD-PARTY FINANCING DISCLOSURE

24 This is an application for a CREDIT CARD, LINE OF CREDIT,
25 OR LOAN to help you finance or pay for your dental treatment.
26 This credit card, line of credit, or loan IS NOT A PAYMENT PLAN

1 WITH THE DENTIST'S OFFICE. It is a credit card, line of credit,
2 or loan from a third-party financing company. Your dentist
3 does not work for this company. Your dentist may not complete
4 or submit an application for third-party financing on your
5 behalf.

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

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

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

25 The Department shall make the disclosure required under
26 this subsection available on the Department's website in

1 English and any other languages deemed necessary by the
2 Department.

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

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

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

11 (225 ILCS 25/48) (from Ch. 111, par. 2348)

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

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

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

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

25 (2) The patient's name or identification number. If a

1 number is used, the patient's name shall be written upon
2 the duplicate copy of the prescription retained by the
3 dentist.

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

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

7 (5) A specification of the type and quality of
8 materials to be used.

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

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

16 (c) If the dental laboratory receiving a written
17 prescription from a dentist engages another dental laboratory
18 (hereinafter referred to as "subcontractor") to perform some
19 of the services relative to such prescription, it shall
20 furnish a written order with respect thereto on forms
21 prescribed by the Department which shall contain:

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

23 (2) A number identifying the order with the original
24 prescription, which number shall be endorsed on the
25 prescription received from the dentist.

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

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

3 (5) A specification of the type and quality of
4 materials to be used.

5 (6) The signature of an agent of the dental laboratory
6 issuing the order. The subcontractor shall retain the
7 order and the issuer thereof shall retain a duplicate
8 copy, attached to the prescription received from the
9 dentist, for inspection by the Department or its duly
10 authorized agents, for a period of 3 years in both cases.

11 (7) A copy of the order to the subcontractor shall be
12 furnished to the dentist.

13 (c-5) Regardless of whether the dental laboratory
14 manufactures the dental appliance or has it manufactured by a
15 subcontractor, the laboratory shall provide to the prescribing
16 dentist the (i) location where the work was done and (ii)
17 source and original location where the materials were
18 obtained.

19 (d) Any dentist who:

20 (1) employs or engages the services of any dental
21 laboratory to construct or repair, extraorally, prosthetic
22 dentures, bridges, or other dental appliances without
23 first providing such dental laboratory with a written
24 prescription;

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

1 (3) refuses to allow the Department or its duly
2 authorized agents to inspect the dentist's ~~his or her~~
3 files of prescriptions;
4 is guilty of a Class A misdemeanor and the Department may
5 revoke or suspend the dentist's ~~his or her~~ license therefor.

6 (e) Any dental laboratory which:

7 (1) furnishes such services to any dentist without
8 first obtaining a written prescription therefor from such
9 dentist;

10 (2) acting as a subcontractor as described in (c)
11 above, furnishes such services to any dental laboratory
12 without first obtaining a written order from such dental
13 laboratory;

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

16 (4) refuses to allow the Department or its duly
17 authorized agents to inspect its files of prescriptions or
18 orders; or

19 (5) fails to provide any information required under
20 this Section to the prescribing dentist;
21 is guilty of a Class A misdemeanor.

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

23 (225 ILCS 25/49) (from Ch. 111, par. 2349)

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

25 Sec. 49. Identification of dentures.

1 (a) Every complete upper and lower denture and removable
2 dental prosthesis fabricated by a dentist, or fabricated
3 pursuant to a dentist's ~~his or her~~ prescription, shall be
4 marked with the name of the patient for whom the prosthesis is
5 intended. The markings shall be done during fabrication and
6 shall be permanent, legible and cosmetically acceptable. The
7 exact location of the markings and the methods used to apply or
8 implant them shall be determined by the dentist or dental
9 laboratory fabricating the prosthesis. If in the professional
10 judgment of the dentist, this full identification is not
11 possible, the name may be omitted.

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

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

17 (225 ILCS 25/54) (from Ch. 111, par. 2354)

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

19 Sec. 54. Exemption from civil liability for Peer Review
20 Committees. While serving upon any Peer Review Committee, any
21 dentist shall not be liable for civil damages as a result of
22 the dentist's ~~his or her~~ decisions, findings or
23 recommendations in connection with the dentist's ~~his or her~~
24 duties on such committee, except decisions, findings or
25 recommendations involving the dentist's willful ~~his or her~~

1 ~~wilful~~ or wanton misconduct. Furthermore, any professional
2 organization, association or society of dentists, or component
3 thereof, which sponsors, sanctions or otherwise operates or
4 participates in peer review activities is hereby afforded the
5 same privileges and immunities afforded to any member of the
6 peer review committee.

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

8 (225 ILCS 25/54.2)

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

10 Sec. 54.2. Dental responders. A dentist or dental
11 hygienist who is a dental responder is deemed to be acting
12 within the bounds of the dentist or dental hygienist's ~~his or~~
13 ~~her~~ license when providing disaster, immunizations, mobile,
14 and humanitarian care during a declared local, State, or
15 national emergency.

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

17 (225 ILCS 25/54.3)

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

19 Sec. 54.3. Vaccinations.

20 (a) Notwithstanding Section 54.2 of this Act, a dentist
21 may administer vaccinations upon completion of appropriate
22 training set forth by rule and approved by the Department on
23 appropriate vaccine storage, proper administration, and
24 addressing contraindications and adverse reactions.

1 Vaccinations shall be limited to patients 18 years of age and
2 older pursuant to a valid prescription or standing order by a
3 physician licensed to practice medicine in all its branches
4 who, in the course of professional practice, administers
5 vaccines to patients. Methods of communication shall be
6 established for consultation with the physician in person or
7 by telecommunications.

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

23 (c) A dentist shall only provide vaccinations under this
24 Section if contracted with and credentialed by the patient's
25 health insurance, health maintenance organization, or other
26 health plan to specifically provide the vaccinations allowed

1 under this Section. Persons enrolled in Medicare or Medicaid
2 may only receive the vaccinations allowed for under this
3 Section from dentists who are authorized to do so by the
4 federal Centers for Medicare and Medicaid Services or the
5 Department of Healthcare and Family Services.

6 (d) The Department shall adopt any rules necessary to
7 implement this Section.

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

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

10 (225 ILCS 25/55) (from Ch. 111, par. 2355)

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

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

25 (Source: P.A. 88-45; 89-80, eff. 6-30-95; 89-116, eff.

1 7-7-95.)

2 Section 99. Effective date. This Section and Section 5
3 take effect upon becoming law.".