



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3265

Introduced 2/3/2026, by Sen. Mattie Hunter

SYNOPSIS AS INTRODUCED:

225 ILCS 25/4
225 ILCS 25/18

Amends the Illinois Dental Practice Act. Provides that "community health center" means a migrant health center, community health center, health care program for the homeless or for residents of public housing supported under the federal Public Health Service Act, or FQHC, including an FQHC Look-Alike, as designated by the U.S. Department of Health and Human Services, that operates at least one federally designated primary health care delivery site in Illinois. Provides that "physician" means a person licensed under the Medical Practice Act of 1987 to practice medicine in all of its branches and does not include a chiropractic physician. In provisions concerning acts constituting the practice of dental hygiene, provides that a public health dental hygienist may not administer local anesthesia except as provided in the amendatory provisions. Provides that a dental hygienist practicing in a community health center may administer local anesthetics upon the successful completion of a training program approved by the Department and under the general supervision of a dentist as long as the community health center: (i) has adopted written policies and procedures establishing supervision by a dentist or physician at the time the local anesthetics are administered, and (ii) ensures that a dentist or physician is physically present in the clinic at the time the local anesthetics are administered.

LRB104 18959 AAS 32404 b

1 AN ACT concerning regulation.

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

4 Section 5. The Illinois Dental Practice Act is amended by
5 changing Sections 4 and 18 as follows:

6 (225 ILCS 25/4)

7 (Section scheduled to be repealed on January 1, 2031)

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

9 "Address of record" means the designated address recorded
10 by the Department in the applicant's or licensee's application
11 file or license file as maintained by the Department's
12 licensure maintenance unit. It is the duty of the applicant or
13 licensee to inform the Department of any change of address and
14 those changes must be made either through the Department's
15 website or by contacting the Department.

16 "Email address of record" means the designated email
17 address recorded by the Department in the applicant's
18 application file or the licensee's license file, as maintained
19 by the Department's licensure maintenance unit.

20 "Department" means the Department of Financial and
21 Professional Regulation.

22 "Secretary" means the Secretary of Financial and
23 Professional Regulation.

1 "Board" means the Board of Dentistry.

2 "Community health center" means a migrant health center,
3 community health center, health care program for the homeless
4 or for residents of public housing supported under Section 330
5 of the federal Public Health Service Act, or FQHC, including
6 an FQHC Look-Alike, as designated by the U.S. Department of
7 Health and Human Services, that operates at least one
8 federally designated primary health care delivery site in
9 Illinois.

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

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

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

21 "Expanded function dental assistant" means a dental
22 assistant who has completed the training required by Section
23 17.1 of this Act.

24 "Dental laboratory" means a person, firm, or corporation
25 which:

26 (i) engages in making, providing, repairing, or

1 altering dental prosthetic appliances and other artificial
2 materials and devices which are returned to a dentist for
3 insertion into the human oral cavity or which come in
4 contact with its adjacent structures and tissues; ~~and~~

5 (ii) utilizes or employs a dental technician to
6 provide such services; and

7 (iii) performs such functions only for a dentist or
8 dentists.

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

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

26 "Physician" means a person licensed under the Medical

1 Practice Act of 1987 to practice medicine in all of its
2 branches. "Physician" does not include a chiropractic
3 physician.

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

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

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

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

22 "Dental technician" means a person who owns, operates, or
23 is employed by a dental laboratory and engages in making,
24 providing, repairing, or altering dental prosthetic appliances
25 and other artificial materials and devices which are returned
26 to a dentist for insertion into the human oral cavity or which

1 come in contact with its adjacent structures and tissues.

2 "Informed consent" means legally valid consent that is
3 given by a patient or legal guardian, that is recorded in
4 writing or digitally, that authorizes intervention or
5 treatment services from the treating dentist, and that
6 documents agreement to participate in those services and
7 knowledge of the risks, benefits, and alternatives, including
8 the decision to withdraw from or decline treatment.

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

18 "Nurse" means a registered professional nurse, a certified
19 registered nurse anesthetist licensed as an advanced practice
20 registered nurse, or a licensed practical nurse licensed under
21 the Nurse Practice Act.

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

1 review of the patient's most recent x-rays.

2 "Dental responder" means a dentist or dental hygienist who
3 is appropriately certified in disaster preparedness,
4 immunizations, and dental humanitarian medical response
5 consistent with the Society of Disaster Medicine and Public
6 Health and training certified by the National Incident
7 Management System or the National Disaster Life Support
8 Foundation.

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

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

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

26 "Public health supervision" means the supervision of a

1 public health dental hygienist by a licensed dentist who has a
2 written public health supervision agreement with that public
3 health dental hygienist while working in an approved facility
4 or program that allows the public health dental hygienist to
5 treat patients, without a dentist first examining the patient
6 and being present in the facility during treatment, (1) who
7 are eligible for Medicaid or (2) who are uninsured or whose
8 household income is not greater than 300% of the federal
9 poverty level.

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

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

23 "Deep sedation" means a drug-induced depression of
24 consciousness during which: (1) patients cannot be easily
25 aroused, but respond purposefully following repeated or
26 painful stimulation; (2) the ability to independently maintain

1 ventilatory function may be impaired; (3) patients may require
2 assistance in maintaining airways and spontaneous ventilation
3 may be inadequate; and (4) cardiovascular function is usually
4 maintained.

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

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

18 "Enteral route of administration" means administration of
19 a drug that is absorbed through the gastrointestinal tract or
20 through oral, rectal, or sublingual mucosa.

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

25 (Source: P.A. 103-425, eff. 1-1-24; 103-431, eff. 1-1-24;
26 103-605, eff. 7-1-24; 103-628, eff. 7-1-24; 103-902, eff.

1 8-9-24; 104-103, eff. 8-1-25; 104-151, eff. 1-1-26; 104-417,
2 eff. 8-15-25; revised 9-15-25.)

3 (225 ILCS 25/18)

4 (Section scheduled to be repealed on January 1, 2031)

5 Sec. 18. Acts constituting the practice of dental hygiene;
6 limitations.

7 (a) A person practices dental hygiene within the meaning
8 of this Act when the person performs the following acts under
9 the supervision of a dentist:

10 (i) the operative procedure of dental hygiene,
11 consisting of oral prophylactic procedures;

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

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

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

24 (v) administration and monitoring of nitrous oxide
25 upon successful completion of a training program approved

1 by the Department;

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

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

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

8 (1) by a dentist;

9 (2) by a federal, State, county, or municipal agency
10 or institution;

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

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

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

24 (d) If a patient of record is unable to travel to a dental
25 office because of illness, infirmity, or imprisonment, a
26 dental hygienist may perform, under the general supervision of

1 a dentist, those procedures found in items (i) through (iv) of
2 subsection (a) of this Section, provided the patient is
3 located in a long-term care facility licensed by the State of
4 Illinois, a mental health or developmental disability
5 facility, or a State or federal prison. The dentist shall
6 either personally examine and diagnose the patient or utilize
7 approved teledentistry communication methods and determine
8 which services are necessary to be performed, which shall be
9 contained in an order to the hygienist and a notation in the
10 patient's record. Such order must be implemented within 45
11 days of its issuance; except when a patient is located within a
12 State or federal prison, then the order must be implemented
13 within 180 days of its issuance, and an updated medical
14 history and observation of oral conditions must be performed
15 by the hygienist immediately prior to beginning the procedures
16 to ensure that the patient's health has not changed in any
17 manner 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. A public health
11 dental hygienist may not administer local anesthesia except as
12 provided in subsection (k) of this Section. Each patient must
13 sign a consent form that acknowledges that the care received
14 does not take the place of a regular dental examination. The
15 public health dental hygienist must provide the patient or
16 guardian a written referral to a dentist for assessment of the
17 need for further dental care at the time of treatment. Any
18 indication or observation of a condition that could warrant
19 the need for urgent attention must be reported immediately to
20 the supervising dentist for appropriate assessment and
21 treatment.

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 (k) A dental hygienist practicing in a community health
8 center may administer local anesthetics upon the successful
9 completion of a training program approved by the Department
10 and under the general supervision of a dentist as long as the
11 community health center:

12 (1) has adopted written policies and procedures
13 establishing supervision by a dentist or physician at the
14 time the local anesthetics are administered; and

15 (2) ensures that a dentist or physician is physically
16 present in the clinic at the time the local anesthetics
17 are administered.

18 (Source: P.A. 103-431, eff. 1-1-24; 104-103, eff. 8-1-25;
19 104-151, eff. 1-1-26; revised 11-21-25.)