



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4574

Introduced 1/21/2022, by Rep. Elizabeth Hernandez

SYNOPSIS AS INTRODUCED:

225 ILCS 25/8.1
225 ILCS 25/11

from Ch. 111, par. 2308.1
from Ch. 111, par. 2311

Amends the Illinois Dental Practice Act. Provides that a licensed dentist must hold an appropriate permit in order to perform dentistry while a nurse anesthetist administers conscious sedation, deep sedation, or general anesthesia (rather than conscious sedation). Provides that a certified registered nurse anesthetist who provides anesthesia services in a dental office shall enter into a written collaborative agreement with the operating dentist performing the procedure. Provides that the agreement shall describe the working relationship of the nurse anesthetist and the operating dentist and shall authorize the categories of care, treatment, or procedures to be performed by the nurse anesthetist. Provides that the operating dentist shall approve the anesthesia plan prepared by the nurse anesthetist and shall remain physically present and be available on the premises during the delivery of anesthesia services for diagnosis, consultation, and treatment of emergency medical conditions. Provides that the nurse anesthetist may select, order, and administer medications, including controlled substances, and apply appropriate medical devices for delivery of anesthesia services under the anesthesia plan agreed with by the operating dentist. Provides that the holder of a faculty limited license may advertise his or her specialty degree as part of his or her ability to practice at a clinic or office affiliated with a dental school.

LRB102 22482 SPS 31622 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 8.1 and 11 as follows:

6 (225 ILCS 25/8.1) (from Ch. 111, par. 2308.1)

7 (Section scheduled to be repealed on January 1, 2026)

8 Sec. 8.1. Permit for the administration of anesthesia and
9 sedation.

10 (a) No licensed dentist shall administer general
11 anesthesia, deep sedation, or conscious sedation without first
12 applying for and obtaining a permit for such purpose from the
13 Department. The Department shall issue such permit only after
14 ascertaining that the applicant possesses the minimum
15 qualifications necessary to protect public safety. A person
16 with a dental degree who administers anesthesia, deep
17 sedation, or conscious sedation in an approved hospital
18 training program under the supervision of either a licensed
19 dentist holding such permit or a physician licensed to
20 practice medicine in all its branches shall not be required to
21 obtain such permit.

22 (b) In determining the minimum permit qualifications that
23 are necessary to protect public safety, the Department, by

1 rule, shall:

2 (1) establish the minimum educational and training
3 requirements necessary for a dentist to be issued an
4 appropriate permit;

5 (2) establish the standards for properly equipped
6 dental facilities (other than licensed hospitals and
7 ambulatory surgical treatment centers) in which general
8 anesthesia, deep sedation, or conscious sedation is
9 administered, as necessary to protect public safety;

10 (3) establish minimum requirements for all persons who
11 assist the dentist in the administration of general
12 anesthesia, deep sedation, or conscious sedation,
13 including minimum training requirements for each member of
14 the dental team, monitoring requirements, recordkeeping
15 requirements, and emergency procedures;

16 (4) ensure that the dentist has completed and
17 maintains current certification in advanced cardiac life
18 support or pediatric advanced life support and all persons
19 assisting the dentist or monitoring the administration of
20 general anesthesia, deep sedation, or conscious sedation
21 maintain current certification in Basic Life Support
22 (BLS); and

23 (5) establish continuing education requirements in
24 sedation techniques and airway management for dentists who
25 possess a permit under this Section.

26 When establishing requirements under this Section, the

1 Department shall consider the current American Dental
2 Association guidelines on sedation and general anesthesia, the
3 current "Guidelines for Monitoring and Management of Pediatric
4 Patients During and After Sedation for Diagnostic and
5 Therapeutic Procedures" established by the American Academy of
6 Pediatrics and the American Academy of Pediatric Dentistry,
7 and the current parameters of care and Office Anesthesia
8 Evaluation (OAE) Manual established by the American
9 Association of Oral and Maxillofacial Surgeons.

10 (c) A licensed dentist must hold an appropriate permit
11 issued under this Section in order to perform dentistry while
12 a nurse anesthetist administers conscious sedation, deep
13 sedation, or general anesthesia and a valid written
14 collaborative agreement must exist between the dentist and the
15 nurse anesthetist, ~~in accordance with the Nurse Practice Act.~~

16 ~~A licensed dentist must hold an appropriate permit issued~~
17 ~~under this Section in order to perform dentistry while a nurse~~
18 ~~anesthetist administers deep sedation or general anesthesia,~~
19 ~~and a valid written collaborative agreement must exist between~~
20 ~~the dentist and the nurse anesthetist, in accordance with the~~
21 ~~Nurse Practice Act.~~

22 A certified registered nurse anesthetist who provides
23 anesthesia services in a dental office shall enter into a
24 written collaborative agreement with the operating dentist
25 performing the procedure. The agreement shall describe the
26 working relationship of the nurse anesthetist and the

1 operating dentist and shall authorize the categories of care,
2 treatment, or procedures to be performed by the nurse
3 anesthetist. In a collaborating dentist office, the nurse
4 anesthetist may only provide those services that the operating
5 dentist with the appropriate permit is authorized to provide
6 as found in 68 Ill. Adm. Code 1220.510 and 1220.520. For
7 anesthesia services, the operating dentist shall approve the
8 anesthesia plan prepared by the nurse anesthetist and shall
9 remain physically present and be available on the premises
10 during the delivery of anesthesia services for diagnosis,
11 consultation, and treatment of emergency medical conditions.
12 The nurse anesthetist may select, order, and administer
13 medications, including controlled substances, and apply
14 appropriate medical devices for delivery of anesthesia
15 services under the anesthesia plan agreed with by the
16 operating dentist.

17 For the purposes of this subsection (c), "nurse
18 anesthetist" means a licensed certified registered nurse
19 anesthetist who holds a license as an advanced practice
20 registered nurse.

21 (Source: P.A. 100-201, eff. 8-18-17; 100-513, eff. 1-1-18;
22 101-162, eff. 7-26-19.)

23 (225 ILCS 25/11) (from Ch. 111, par. 2311)

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

25 Sec. 11. Types of dental licenses. The Department shall

1 have the authority to issue the following types of licenses:

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

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

14 No dentist shall announce or hold himself or herself out
15 to the public as a specialist or as being specially qualified
16 in any particular branch of dentistry unless he or she is
17 licensed to practice in that specialty of dentistry.

18 The fact that any dentist shall announce by card,
19 letterhead or any other form of communication using terms as
20 "Specialist," "Practice Limited To" or "Limited to Specialty
21 of" with the name of the branch of dentistry practiced as a
22 specialty, or shall use equivalent words or phrases to
23 announce the same, shall be prima facie evidence that the
24 dentist is holding himself or herself out to the public as a
25 specialist.

26 (c) Temporary training licenses. Persons who wish to

1 pursue specialty or other advanced clinical educational
2 programs in an approved dental school or a hospital situated
3 in this State, or persons who wish to pursue programs of
4 specialty training in dental public health in public agencies
5 in this State, may receive without examination, in the
6 discretion of the Department, a temporary training license. In
7 order to receive a temporary training license under this
8 subsection, an applicant shall furnish satisfactory proof to
9 the Department that:

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

15 (2) The applicant has been accepted or appointed for
16 specialty or residency training by an approved hospital
17 situated in this State, by an approved dental school
18 situated in this State, or by a public health agency in
19 this State the training programs of which are recognized
20 and approved by the Department. The applicant shall
21 indicate the beginning and ending dates of the period for
22 which he or she has been accepted or appointed;

23 (3) The applicant is a graduate of a dental school or
24 college approved and in good standing in the judgment of
25 the Department. The Department may consider diplomas or
26 certifications of education, or both, accompanied by

1 transcripts of course work and credits awarded to
2 determine if an applicant has graduated from a dental
3 school or college approved and in good standing. The
4 Department may also consider diplomas or certifications of
5 education, or both, accompanied by transcripts of course
6 work and credits awarded in determining whether a dental
7 school or college is approved and in good standing.

8 Temporary training licenses issued under this Section
9 shall be valid only for the duration of the period of residency
10 or specialty training and may be extended or renewed as
11 prescribed by rule. The holder of a valid temporary training
12 license shall be entitled thereby to perform acts as may be
13 prescribed by and incidental to his or her program of
14 residency or specialty training; but he or she shall not be
15 entitled to engage in the practice of dentistry in this State.

16 A temporary training license may be revoked by the
17 Department upon proof that the holder has engaged in the
18 practice of dentistry in this State outside of his or her
19 program of residency or specialty training, or if the holder
20 shall fail to supply the Department, within 10 days of its
21 request, with information as to his or her current status and
22 activities in his or her specialty training program.

23 (d) Faculty limited licenses. Persons who have received
24 full-time appointments to teach dentistry at an approved
25 dental school or hospital situated in this State may receive
26 without examination, in the discretion of the Department, a

1 faculty limited license. In order to receive a faculty limited
2 license an applicant shall furnish satisfactory proof to the
3 Department that:

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

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

10 Faculty limited licenses issued under this Section shall
11 be valid for a period of 3 years and may be extended or
12 renewed. The holder of a valid faculty limited license may
13 perform acts as may be required by his or her teaching of
14 dentistry. The ~~In addition, the~~ holder of a faculty limited
15 license may practice general dentistry or in his or her area of
16 specialty, but only in a clinic or office affiliated with the
17 dental school. The holder of a faculty limited license may
18 advertise his or her specialty degree as part of his or her
19 ability to practice at a clinic or office affiliated with the
20 dental school. Any faculty limited license issued to a faculty
21 member under this Section shall terminate immediately and
22 automatically, without any further action by the Department,
23 if the holder ceases to be a faculty member at an approved
24 dental school or hospital in this State.

25 The Department may revoke a faculty limited license for a
26 violation of this Act or its rules, or if the holder fails to

1 supply the Department, within 10 days of its request, with
2 information as to his current status and activities in his
3 teaching program.

4 (e) Inactive status. Any person who holds one of the
5 licenses under subsection (a) or (b) of Section 11 or under
6 Section 12 of this Act may elect, upon payment of the required
7 fee, to place his or her license on an inactive status and
8 shall, subject to the rules of the Department, be excused from
9 the payment of renewal fees until he or she notifies the
10 Department in writing of his or her desire to resume active
11 status.

12 Any licensee requesting restoration from inactive status
13 shall be required to pay the current renewal fee and upon
14 payment the Department shall be required to restore his or her
15 license, as provided in Section 16 of this Act.

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

18 (f) Certificates of Identification. In addition to the
19 licenses authorized by this Section, the Department shall
20 deliver to each dentist a certificate of identification in a
21 form specified by the Department.

22 (Source: P.A. 100-976, eff. 1-1-19.)