



Rep. Angelo Saviano

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LRB094 06602 RAS 44964 a

1 AMENDMENT TO HOUSE BILL 875

2 AMENDMENT NO. _____. Amend House Bill 875 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Regulatory Sunset Act is amended by
5 changing Section 4.16 and by adding Section 4.26 as follows:

6 (5 ILCS 80/4.16)

7 Sec. 4.16. Acts repealed January 1, 2006. The following
8 Acts are repealed January 1, 2006:

9 The Respiratory Care Practice Act.

10 The Hearing Instrument Consumer Protection Act.

11 ~~The Illinois Dental Practice Act.~~

12 The Professional Geologist Licensing Act.

13 The Illinois Athletic Trainers Practice Act.

14 The Barber, Cosmetology, Esthetics, and Nail Technology
15 Act of 1985.

16 The Collection Agency Act.

17 The Illinois Roofing Industry Licensing Act.

18 The Illinois Physical Therapy Act.

19 (Source: P.A. 89-33, eff. 1-1-96; 89-72, eff. 12-31-95; 89-80,
20 eff. 6-30-95; 89-116, eff. 7-7-95; 89-366, eff. 7-1-96; 89-387,
21 eff. 8-20-95; 89-626, eff. 8-9-96.)

22 (5 ILCS 80/4.26 new)

23 Sec. 4.26. Act repealed on January 1, 2016. The following

1 Act is repealed on January 1, 2016:

2 The Illinois Dental Practice Act.

3 Section 10. The Illinois Dental Practice Act is amended by
4 changing Sections 4, 7, 9, 11, 16, 16.1, 19, 25, and 50 and by
5 adding Section 54.2 as follows:

6 (225 ILCS 25/4) (from Ch. 111, par. 2304)

7 (Section scheduled to be repealed on January 1, 2006)

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

9 (a) "Department" means the Illinois Department of
10 Professional Regulation.

11 (b) "Director" means the Director of Professional
12 Regulation.

13 (c) "Board" means the Board of Dentistry established by
14 Section 6 of this Act.

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

20 (e) "Dental hygienist" means a person who holds a license
21 under this Act to perform dental services as authorized by
22 Section 18.

23 (f) "Dental assistant" means an appropriately trained
24 person who, under the supervision of a dentist, provides dental
25 services as authorized by Section 17.

26 (g) "Dental laboratory" means a person, firm or corporation
27 which:

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

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

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

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

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

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

26 (k) "Dentistry" means the healing art which is concerned
27 with the examination, diagnosis, treatment planning and care of
28 conditions within the human oral cavity and its adjacent
29 tissues and structures, as further specified in Section 17.

30 (l) "Branches of dentistry" means the various specialties
31 of dentistry which, for purposes of this Act, shall be limited
32 to the following: endodontics, oral and maxillofacial surgery,
33 orthodontics and dentofacial orthopedics, pediatric dentistry,
34 periodontics, prosthodontics, and oral and maxillofacial

1 radiology.

2 (m) "Specialist" means a dentist who has received a
3 specialty license pursuant to Section 11(b).

4 (n) "Dental technician" means a person who owns, operates
5 or is employed by a dental laboratory and engages in making,
6 providing, repairing or altering dental prosthetic appliances
7 and other artificial materials and devices which are returned
8 to a dentist for insertion into the human oral cavity or which
9 come in contact with its adjacent structures and tissues.

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

19 (p) "Nurse" means a registered professional nurse, a
20 certified registered nurse anesthetist licensed as an advanced
21 practice nurse, or a licensed practical nurse licensed under
22 the Nursing and Advanced Practice Nursing Act.

23 (q) "Patient of record" means a patient for whom the
24 patient's most recent dentist has obtained a relevant medical
25 and dental history and on whom the dentist has performed an
26 examination and evaluated the condition to be treated.

27 (s) "Dental emergency responder" means a dentist or dental
28 hygienist who is appropriately certified in emergency medical
29 response, as defined by the Department of Public Health.

30 (Source: P.A. 92-280, eff. 1-1-02; 92-651, eff. 7-11-02;
31 93-821, eff. 7-28-04.)

32 (225 ILCS 25/7) (from Ch. 111, par. 2307)

33 (Section scheduled to be repealed on January 1, 2006)

1 Sec. 7. Recommendations by Board of Dentistry. The Director
2 shall consider the recommendations of the Board in establishing
3 guidelines for professional conduct, for the conduct of formal
4 disciplinary proceedings brought under this Act, and for
5 establishing guidelines for qualifications of applicants.
6 Notice of proposed rulemaking shall be transmitted to the Board
7 and the Department shall review the response of the Board and
8 any recommendations made therein. ~~Upon the vote of at least~~
9 ~~7/10 of the members of the Board, the Department shall adopt~~
10 ~~the recommendations of the Board in any rulemaking under this~~
11 ~~Act.~~ The Department may, at any time, seek the expert advice
12 and knowledge of the Board on any matter relating to the
13 administration or enforcement of this Act. The action or report
14 in writing of a majority of the Board shall be sufficient
15 authority upon which the Director may act.

16 Whenever the Director is satisfied that substantial
17 justice has not been done either in an examination or in the
18 revocation, suspension or refusal to issue a license, the
19 Director may order a reexamination or rehearing.

20 (Source: P.A. 84-1308.)

21 (225 ILCS 25/9) (from Ch. 111, par. 2309)

22 (Section scheduled to be repealed on January 1, 2006)

23 Sec. 9. Qualifications of Applicants for Dental Licenses.
24 The Department shall require that each applicant for a license
25 to practice dentistry shall:

26 (a) (Blank).

27 (b) Be at least 21 years of age and of good moral
28 character.

29 (c) (1) Present satisfactory evidence of completion of
30 dental education by graduation from a dental college or school
31 in the United States or Canada approved by the Department. The
32 Department shall not approve any dental college or school which
33 does not require at least (A) 60 semester hours of collegiate

1 credit or the equivalent in acceptable subjects from a college
2 or university before admission, and (B) completion of at least
3 4 academic years of instruction or the equivalent in an
4 approved dental college or school before graduation; or

5 (2) Present satisfactory evidence of completion of dental
6 education by graduation from a dental college or school outside
7 the United States or Canada and provide satisfactory evidence
8 that:

9 (A) (blank) ~~the completion of a dental education~~
10 ~~outside the United States or Canada authorized the~~
11 ~~applicant to practice dentistry in the country in which he~~
12 ~~or she completed the dental education;~~

13 (B) the applicant has completed a minimum of 2 academic
14 years of general dental clinical training at a dental
15 college or school in the United States or Canada approved
16 by the Department, except that an applicant who was
17 enrolled for not less than one year in an approved clinical
18 program prior to January 1, 1993 at an Illinois dental
19 college or school shall be required to complete only that
20 program; and

21 (C) the applicant has received certification from the
22 dean of an approved dental college or school in the United
23 States or Canada stating that the applicant has achieved
24 the same level of scientific knowledge and clinical
25 competence as required of all graduates of the college or
26 school.

27 Nothing in this Act shall be construed to prevent either
28 the Department or any dental college or school from
29 establishing higher standards than specified in this Act.

30 (d) In determining professional capacity under this
31 Section, any individual who has not been actively engaged in
32 the practice of dentistry, has not been a dental student, or
33 has not been engaged in a formal program of dental education
34 during the 5 years immediately preceding the filing of an

1 application may be required to complete such additional
2 testing, training, or remedial education as the Board may deem
3 necessary in order to establish the applicant's present
4 capacity to practice dentistry with reasonable judgment,
5 skill, and safety.

6 (e) Pass an examination authorized or given by the
7 Department in the theory and practice of the science of
8 dentistry; provided, that the Department (1) may recognize a
9 certificate granted by the National Board of Dental Examiners
10 in lieu of, or subject to, such examination as may be required
11 and (2) may recognize successful completion of the ~~preclinical~~
12 ~~and~~ clinical examination ~~examinations~~ conducted by approved
13 regional testing services in lieu of such examinations as may
14 be required. For purposes of this Section, successful
15 completion shall mean that the applicant has achieved a minimum
16 passing score on the regional examinations as determined by
17 each approved regional testing service.

18 (Source: P.A. 88-45; 88-635, eff. 1-1-95; 89-80, eff. 6-30-95;
19 89-116, eff. 7-7-95; 89-387, eff. 8-20-95; 89-626, eff.
20 8-9-96.)

21 (225 ILCS 25/11) (from Ch. 111, par. 2311)

22 (Section scheduled to be repealed on January 1, 2006)

23 Sec. 11. Types of Dental Licenses. The Department shall
24 have the authority to issue the following types of licenses:

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

28 (b) Specialty licenses. The Department shall issue a
29 license authorizing practice as a specialist in any particular
30 branch of dentistry to any dentist who has complied with the
31 requirements established for that particular branch of
32 dentistry at the time of making application. The Department
33 shall establish additional requirements of any dentist who

1 announces or holds himself or herself out to the public as a
2 specialist or as being specially qualified in any particular
3 branch of dentistry.

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

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

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

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

29 (2) The applicant has been accepted or appointed for
30 specialty or residency training by an approved hospital
31 situated in this State, by an approved dental school
32 situated in this State, or by a public health agency in
33 this State the training programs of which are recognized
34 and approved by the Department. The applicant shall

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

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

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

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

29 (d) Restricted faculty licenses. Persons who have received
30 full-time appointments to teach dentistry at an approved dental
31 school or hospital situated in this State may receive without
32 examination, in the discretion of the Department, a restricted
33 faculty license. In order to receive a restricted faculty
34 license an applicant shall furnish satisfactory proof to the

1 Department that:

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

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

8 Restricted faculty licenses issued under this Section
9 shall be valid for a period of 3 ~~2~~ years and may be extended or
10 renewed. The holder of a valid restricted faculty license may
11 perform acts as may be required by his or her teaching of
12 dentistry. In addition, the holder of a restricted faculty
13 license may practice general dentistry or in his or her area of
14 specialty, but only in a clinic or office affiliated with the
15 dental school. Any restricted faculty license issued to a
16 faculty member under this Section shall terminate immediately
17 and automatically, without any further action by the
18 Department, if the holder ceases to be a faculty member at an
19 approved dental school or hospital in this State.

20 The Department may revoke a restricted faculty license for
21 a violation of this Act or its rules, or if the holder fails to
22 supply the Department, within 10 days of its request, with
23 information as to his current status and activities in his
24 teaching program.

25 (e) Inactive status. Any person who holds one of the
26 licenses under subsection (a) or (b) of Section 11 or under
27 Section 12 of this Act may elect, upon payment of the required
28 fee, to place his or her license on an inactive status and
29 shall, subject to the rules of the Department, be excused from
30 the payment of renewal fees until he or she notifies the
31 Department in writing of his or her desire to resume active
32 status.

33 Any licensee requesting restoration from inactive status
34 shall be required to pay the current renewal fee and upon

1 payment the Department shall be required to restore his or her
2 license, as provided in Section 16 of this Act.

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

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

9 (Source: P.A. 92-280, eff. 1-1-02.)

10 (225 ILCS 25/16) (from Ch. 111, par. 2316)

11 (Section scheduled to be repealed on January 1, 2006)

12 Sec. 16. Expiration, renewal and restoration of licenses. A
13 ~~The expiration date and renewal period for each~~ license issued
14 under this Act shall be valid for a period of 3 years and may be
15 renewed or restored for additional 3-year periods, as provided
16 ~~be set~~ by rule. A dentist or dental hygienist may renew a
17 license during the month preceding its expiration date by
18 paying the required fee. A dental hygienist shall provide proof
19 of current cardiopulmonary resuscitation certification at the
20 time of renewal.

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

27 Any person whose license has been expired for more than 5
28 years or who has had his license on inactive status for more
29 than 5 years may have his license restored by making
30 application to the Department and filing proof acceptable to
31 the Department of taking continuing education and of his
32 fitness to have the license restored, including sworn evidence
33 certifying to active practice in another jurisdiction, and by

1 paying the required restoration fee. A person practicing on an
2 expired license is deemed to be practicing without a license.
3 However, a holder of a license may renew the license within 90
4 days after its expiration by complying with the requirements
5 for renewal and payment of an additional fee. A license renewal
6 within 90 days after expiration shall be effective
7 retroactively to the expiration date.

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

16 However, any person whose license has expired while he has
17 been engaged (1) in federal or state service active duty, or
18 (2) in training or education under the supervision of the
19 United States preliminary to induction into the military
20 service, may have his license restored without paying any
21 lapsed renewal or restoration fee, if within 2 years after
22 termination of such service, training or education other than
23 by dishonorable discharge, he furnishes the Department with
24 satisfactory proof that he has been so engaged and that his
25 service, training or education has been so terminated.

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

27 (225 ILCS 25/16.1) (from Ch. 111, par. 2316.1)

28 (Section scheduled to be repealed on January 1, 2006)

29 Sec. 16.1. Continuing education. The Department shall
30 promulgate rules of continuing education for persons licensed
31 under this Act. In establishing rules, the Department shall
32 require a minimum of 48 ~~32~~ hours of study in approved courses
33 for dentists during each 3-year ~~2-year~~ licensing period and a

1 minimum of 36 ~~24~~ hours of study in approved courses for dental
2 hygienists during each 3-year ~~2-year~~ licensing period. ~~These~~
3 ~~continuing education rules shall only apply to licenses renewed~~
4 ~~after November 1, 1992.~~

5 The Department shall approve only courses that are relevant
6 to the treatment and care of patients, including, but not
7 limited to, clinical courses in dentistry and dental hygiene
8 and nonclinical courses such as patient management, legal and
9 ethical responsibilities, and stress management. Courses shall
10 not be approved in such subjects as estate and financial
11 planning, investments, or personal health. Approved courses
12 may include, but shall not be limited to, courses that are
13 offered or sponsored by approved colleges, universities, and
14 hospitals and by recognized national, State, and local dental
15 and dental hygiene organizations.

16 No license shall be renewed unless the renewal application
17 is accompanied by an affidavit indicating that the applicant
18 has completed the required minimum number of hours of
19 continuing education in approved courses as required by this
20 Section. The affidavit shall not require a listing of courses.
21 The affidavit shall be a prima facie evidence that the
22 applicant has obtained the minimum number of required
23 continuing education hours in approved courses. The Department
24 shall not be obligated to conduct random audits or otherwise
25 independently verify that an applicant has met the continuing
26 education requirement. The Department, however, may not
27 conduct random audits of more than 10% of the licensed dentists
28 and dental hygienists in any one licensing cycle to verify
29 compliance with continuing education requirements. If the
30 Department, however, receives a complaint that a licensee has
31 not completed the required continuing education or if the
32 Department is investigating another alleged violation of this
33 Act by a licensee, the Department may demand and shall be
34 entitled to receive evidence from any licensee of completion of

1 required continuing education courses for the most recently
2 completed 3-year ~~2-year~~ licensing period. Evidence of
3 continuing education may include, but is not limited to,
4 canceled checks, official verification forms of attendance,
5 and continuing education recording forms, that demonstrate a
6 reasonable record of attendance. The Illinois State Board of
7 Dentistry shall determine, in accordance with rules adopted by
8 the Department, whether a licensee or applicant has met the
9 continuing education requirements. Any dentist who holds more
10 than one license under this Act shall be required to complete
11 only the minimum number of hours of continuing education
12 required for renewal of a single license. The Department may
13 provide exemptions from continuing education requirements. The
14 exemptions shall include, but shall not be limited to, dentists
15 and dental hygienists who agree not to practice within the
16 State during the licensing period because they are retired from
17 practice.

18 (Source: P.A. 89-80, eff. 6-30-95; 89-116, eff. 7-7-95; 90-544,
19 eff. 1-1-98.)

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

21 (Section scheduled to be repealed on January 1, 2006)

22 Sec. 19. Licensing Applicants from other States. Any person
23 who has been lawfully licensed to practice dentistry, including
24 the practice of a licensed dental specialty, or dental hygiene
25 in another state or territory which has and maintains a
26 standard for the practice of dentistry, a dental specialty, or
27 dental hygiene at least equal to that now maintained in this
28 State, or if the requirements for licensure in such state or
29 territory in which the applicant was licensed were, at the date
30 of his licensure, substantially equivalent to the requirements
31 then in force in this State, and who has been lawfully engaged
32 in the practice of dentistry or dental hygiene for at least 3
33 of the 5 years immediately preceding the filing of his or her

1 application to practice in this State and who shall deposit
2 with the Department a duly attested certificate from the Board
3 of the state or territory in which he or she is licensed,
4 certifying to the fact of his or her licensing and of his or
5 her being a person of good moral character may, upon payment of
6 the required fee, be granted a license to practice dentistry, a
7 dental specialty, or dental hygiene in this State, as the case
8 may be.

9 For the purposes of this Section, in computing 3 of the
10 immediately preceding 5 years of practice in another state or
11 territory, any person who left the practice of dentistry to
12 enter the military service and who practiced dentistry while in
13 the military service may count as a part of such period the
14 time spent by him in such service.

15 Applicants have 3 years from the date of application to
16 complete the application process. If the process has not been
17 completed in 3 years, the application shall be denied, the fee
18 forfeited and the applicant must reapply and meet the
19 requirements in effect at the time of reapplication.

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

21 (225 ILCS 25/25) (from Ch. 111, par. 2325)

22 (Section scheduled to be repealed on January 1, 2006)

23 Sec. 25. Notice of hearing; investigations and informal
24 conferences.

25 (a) Upon the motion of either the Department or the Board
26 or upon the verified complaint in writing of any person setting
27 forth facts which if proven would constitute grounds for
28 refusal, suspension or revocation of license under this Act,
29 the Board shall investigate the actions of any person,
30 hereinafter called the respondent, who holds or represents that
31 he holds a license. All such motions or complaints shall be
32 brought to the Board.

33 (b) Prior to taking an in-person statement from a dentist

1 or dental hygienist who is the subject of a complaint, the
2 investigator shall inform the dentist or the dental hygienist
3 in writing:

4 (1) that the dentist or dental hygienist is the subject
5 of a complaint; ~~and~~

6 (2) that the dentist or dental hygienist need not
7 immediately proceed with the interview and may seek
8 appropriate consultation prior to consenting to the
9 interview; and -

10 (3) that failure of the dentist or dental hygienist to
11 proceed with the interview shall not prohibit the
12 Department from conducting a visual inspection of the
13 facility.

14 A Department investigator's failure to comply with this
15 subsection may not be the sole ground for dismissal of any
16 order of the Department filed upon a finding of a violation or
17 for dismissal of a pending investigation.

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

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

22 (2) request in writing that the dentist or dental
23 hygienist being investigated attend an informal conference
24 with representatives of the Department.

25 The request for an informal conference shall contain the
26 nature of the alleged actions or inactions that constitute the
27 possible violations.

28 A dentist or dental hygienist shall be allowed to have
29 legal counsel at the informal conference. If the informal
30 conference results in a consent order between the accused
31 dentist or dental hygienist and the Department, the consent
32 order must be approved by the Board and the Director.
33 Participation in the informal conference by a dentist, a dental
34 hygienist, or the Department and any admissions or stipulations

1 made by a dentist, a dental hygienist, or the Department at the
2 informal conference, including any agreements in a consent
3 order that is subsequently disapproved by either the Board or
4 the Director, shall not be used against the dentist, dental
5 hygienist, or Department at any subsequent hearing and shall
6 not become a part of the record of the hearing.

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

22 (e) Such written notice and any notice in such proceedings
23 thereafter may be served by delivery personally to the
24 respondent, or by registered or certified mail to the address
25 last theretofore specified by the respondent in his or her last
26 notification to the Director.

27 (Source: P.A. 91-689, eff. 1-1-01.)

28 (225 ILCS 25/50) (from Ch. 111, par. 2350)

29 (Section scheduled to be repealed on January 1, 2006)

30 Sec. 50. Patient Records. Every dentist shall make a record
31 of all dental work performed for each patient. The record shall
32 be made in a manner and in sufficient detail that it may be
33 used for identification purposes.

1 Dental records required by this Section shall be maintained
2 for 10 years. Dental records required to be maintained under
3 this Section, or copies of those dental records, shall be made
4 available upon request to the patient or the patient's
5 guardian. A dentist shall be entitled to reasonable
6 reimbursement for the cost of reproducing these records, which
7 shall not exceed the cost allowed under Section 8-2003 of the
8 Code of Civil Procedure, provided that the reasonable cost of
9 reproducing the records has been paid by the patient or the
10 patient's guardian.

11 (Source: P.A. 87-576.)

12 (225 ILCS 25/54.2 new)

13 Sec. 54.2. Dental emergency responders. A dentist or dental
14 hygienist who is a dental emergency responder is deemed to be
15 acting within the bounds of his or her license when providing
16 care during a declared local, State, or national emergency.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.".