

1 AN ACT concerning dental practice.

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 16, 17, and 49 and by adding Section 7.5 as  
6 follows:

7 (225 ILCS 25/7.5 new)

8 Sec. 7.5. Emerging scientific technology and applications.

9 In the interest of public safety, the Board may review emerging  
10 scientific technology and applications and, when appropriate,  
11 adopt rules to govern the appropriate use and require the  
12 appropriate training needed for this technology by dental  
13 hygienists and assistants acting under the supervision of a  
14 dentist. "Emerging scientific technology" may include without  
15 limitation laser treatments and other treatments and potential  
16 treatments that, if used incorrectly, could have an adverse  
17 effect on patient health and safety.

18 (225 ILCS 25/16) (from Ch. 111, par. 2316)

19 (Section scheduled to be repealed on January 1, 2016)

20 Sec. 16. Expiration, renewal and restoration of licenses.  
21 The expiration date and renewal date for each license issued  
22 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. A  
4 dental hygienist shall provide proof of current  
5 cardiopulmonary resuscitation certification at the time of  
6 renewal. Cardiopulmonary resuscitation certification training  
7 taken as a requirement of this Section shall be counted towards  
8 the continuing education hours under Section 16.1 of this Act.

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

15 Any person whose license has been expired for more than 5  
16 years or who has had his license on inactive status for more  
17 than 5 years may have his license restored by making  
18 application to the Department and filing proof acceptable to  
19 the Department of taking continuing education and of his  
20 fitness to have the license restored, including sworn evidence  
21 certifying to active practice in another jurisdiction, and by  
22 paying the required restoration fee. A person practicing on an  
23 expired license is deemed to be practicing without a license.  
24 However, a holder of a license may renew the license within 90  
25 days after its expiration by complying with the requirements  
26 for renewal and payment of an additional fee. A license renewal

1 within 90 days after expiration shall be effective  
2 retroactively to the expiration date.

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

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

21 (Source: P.A. 94-409, eff. 12-31-05.)

22 (225 ILCS 25/17) (from Ch. 111, par. 2317)

23 (Section scheduled to be repealed on January 1, 2016)

24 Sec. 17. Acts Constituting the Practice of Dentistry. A  
25 person practices dentistry, within the meaning of this Act:

1           (1) Who represents himself as being able to diagnose or  
2 diagnoses, treats, prescribes, or operates for any  
3 disease, pain, deformity, deficiency, injury, or physical  
4 condition of the human tooth, teeth, alveolar process, gums  
5 or jaw; or

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

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

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

11           (5) Who extracts a human tooth or teeth, or corrects or  
12 attempts to correct malpositions of the human teeth or  
13 jaws; or

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

17           (7) Who uses or administers local or general  
18 anesthetics in the treatment of dental or oral diseases or  
19 in any preparation incident to a dental operation of any  
20 kind or character; or

21           (8) Who takes impressions of the human tooth, teeth, or  
22 jaws or performs any phase of any operation incident to the  
23 replacement of a part of a tooth, a tooth, teeth or  
24 associated tissues by means of a filling, crown, a bridge,  
25 a denture or other appliance; or

26           (9) Who offers to furnish, supply, construct,

1 reproduce or repair, or who furnishes, supplies,  
2 constructs, reproduces or repairs, prosthetic dentures,  
3 bridges or other substitutes for natural teeth, to the user  
4 or prospective user thereof; or

5 (10) Who instructs students on clinical matters or  
6 performs any clinical operation included in the curricula  
7 of recognized dental schools and colleges; or -

8 (11) Who takes impressions of human teeth or performs  
9 any phase of any operation incident to teeth whitening,  
10 including, but not limited to, the sale, instruction, and  
11 application on site of teeth whitening materials or  
12 procedures.

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

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

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

26 (b) The practice of dentistry in the discharge of their

1 official duties by dentists in any branch of the Armed  
2 Services of the United States, the United States Public  
3 Health Service, or the United States Veterans  
4 Administration; or

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

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

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

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

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

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

1 assistants; or

2 (g) The performance of any dental service by a dental  
3 assistant, if such service is performed under the  
4 supervision and full responsibility of a dentist.

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

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

13 (2) Removal of, or restoration of, or addition to  
14 the hard or soft tissues of the oral cavity.

15 (3) Any and all correction of malformation of teeth  
16 or of the jaws.

17 (4) Administration of anesthetics, except for  
18 application of topical anesthetics and monitoring of  
19 nitrous oxide. Monitoring of nitrous oxide may be  
20 performed after successful completion of a training  
21 program approved by the Department.

22 (5) Removal of calculus from human teeth.

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

26 (7) The operative procedure of dental hygiene

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

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

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

22 (ii) has applied in writing to the Department, in  
23 form and substance satisfactory to the Department, for  
24 a temporary dental license and has complied with all  
25 provisions of subsection (c), of Section 11, of this  
26 Act; and



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

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

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

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

15 The applicant shall only be entitled to perform such  
16 acts as may be prescribed by and incidental to their  
17 program of residency or specialty training and shall not  
18 otherwise engage in the practice of dentistry in this  
19 State.

20 The authority to practice shall terminate immediately  
21 upon:

22 (1) the decision of the Department that the  
23 applicant has failed the examination; or

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

25 (3) withdrawal of the application.

26 (Source: P.A. 91-594, eff. 1-1-00.)

1 (225 ILCS 25/49) (from Ch. 111, par. 2349)

2 (Section scheduled to be repealed on January 1, 2016)

3 Sec. 49. Identification of dentures.

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

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

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

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.