

1 AN ACT concerning civil law.

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

4 Section 5. The Good Samaritan Act is amended by changing
5 Section 20 as follows:

6 (745 ILCS 49/20)

7 Sec. 20. Free dental clinic; exemption from civil liability
8 for services performed without compensation.

9 (a) Any person licensed under the Illinois Dental Practice
10 Act to practice dentistry or to practice as a dental hygienist
11 who, in good faith, provides dental treatment, dental services,
12 diagnoses, or advice as part of the services of an established
13 free dental clinic providing care to medically indigent
14 patients which is limited to care which does not require the
15 services of a licensed hospital or ambulatory surgical
16 treatment center, and who receives no fee or compensation from
17 that source shall not, as a result of any acts or omissions,
18 except for willful or wanton misconduct on the part of the
19 licensee, in providing dental treatment, dental services,
20 diagnoses or advice, be liable for civil damages. For purposes
21 of this Section, a "free dental clinic" is an organized program
22 providing, without charge, dental care to individuals unable to
23 pay for their care. For purposes of this Section, an "organized

1 program" is a program sponsored by a community, public health,
2 charitable, voluntary, or organized dental organization. Free
3 dental services provided under this Section may be provided at
4 a clinic or private dental office. A free dental clinic may
5 receive reimbursement from the Department of Healthcare and
6 Family Services or may receive partial reimbursement from a
7 patient based upon ability to pay, provided any such
8 reimbursements shall be used only to pay overhead expenses of
9 operating the free dental clinic and may not be used, in whole
10 or in part, to provide a fee, reimbursement, or other
11 compensation to any person licensed under the Illinois Dental
12 Practice Act who is receiving an exemption under this Section
13 or to any entity that the person owns or controls or in which
14 the person has an ownership interest or from which the person
15 receives a fee, reimbursement, or compensation of any kind.
16 Dental care shall not include the use of general anesthesia or
17 require an overnight stay in a health care facility.

18 (b) A dentist who administers vaccinations as provided in
19 Section 54.3 of the Illinois Dental Practice Act at a public
20 health clinic operated pursuant to the Public Health District
21 Act, without charge to the patient or the receipt of a fee or
22 compensation from that clinic or for that service in any way,
23 shall not be liable for civil damages as a result of his or her
24 acts or omissions in providing vaccinations, except for willful
25 or wanton misconduct.

26 (c) The provisions of this Section shall not apply in any

1 case unless the free dental clinic or public health clinic has
2 posted in a conspicuous place on its premises an explanation of
3 the immunity from civil liability provided in this Section.

4 (d) The changes to this Section made by this amendatory Act
5 of the 99th General Assembly apply only to causes of action
6 accruing on or after the effective date of this amendatory Act
7 of the 99th General Assembly.

8 (Source: P.A. 94-83, eff. 1-1-06; 95-331, eff. 8-21-07.)