

1 AN ACT in relation to civil immunities.

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
8 liability for services performed without compensation. Any
9 person licensed under the Illinois Dental Practice Act to
10 practice dentistry or to practice as a dental hygienist who,
11 in good faith, provides dental treatment, dental services,
12 diagnoses, or advice as part of the services of an
13 established free dental clinic providing care to medically
14 indigent patients which is limited to care which does not
15 require the services of a licensed hospital or ambulatory
16 surgical treatment center, and who receives no fee or
17 compensation from that source shall not, as a result of any
18 acts or omissions, except for willful or wanton misconduct on
19 the part of the licensee, in providing dental treatment,
20 dental services, diagnoses or advice, be liable for civil
21 damages. For purposes of this Section, a "free dental clinic"
22 is an organized community or public health based program
23 providing~~7--without-charge,~~ dental care to individuals unable
24 to pay fully for their care. A free dental clinic may
25 receive reimbursement from the Illinois Department of Public
26 Aid or may receive partial reimbursement from a patient based
27 upon ability to pay, provided any such reimbursements shall
28 be used only to pay overhead expenses of operating the free
29 dental clinic and may not be used, in whole or in part, to
30 provide a fee or other compensation to any person licensed
31 under the Illinois Dental Practice Act who is receiving an

1 exemption under this Section. Dental This care shall not
2 include the use of general anesthesia or require an overnight
3 stay in a health care facility.

4 The provisions of this Section shall not apply in any
5 case unless the free dental clinic has posted in a
6 conspicuous place on its premises an explanation of the
7 immunity from civil liability provided in this Section.

8 (Source: P.A. 89-607, eff. 1-1-97.)