

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 4, 18.1, and 23 and by adding Section 17.2 as
6 follows:

7 (225 ILCS 25/4)

8 (Section scheduled to be repealed on January 1, 2026)

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

10 "Address of record" means the designated address recorded
11 by the Department in the applicant's or licensee's application
12 file or license file as maintained by the Department's
13 licensure maintenance unit. It is the duty of the applicant or
14 licensee to inform the Department of any change of address and
15 those changes must be made either through the Department's
16 website or by contacting the Department.

17 "Department" means the Department of Financial and
18 Professional Regulation.

19 "Secretary" means the Secretary of Financial and
20 Professional Regulation.

21 "Board" means the Board of Dentistry.

22 "Dentist" means a person who has received a general
23 license pursuant to paragraph (a) of Section 11 of this Act and

1 who may perform any intraoral and extraoral procedure required
2 in the practice of dentistry and to whom is reserved the
3 responsibilities specified in Section 17.

4 "Dental hygienist" means a person who holds a license
5 under this Act to perform dental services as authorized by
6 Section 18.

7 "Dental assistant" means an appropriately trained person
8 who, under the supervision of a dentist, provides dental
9 services as authorized by Section 17.

10 "Expanded function dental assistant" means a dental
11 assistant who has completed the training required by Section
12 17.1 of this Act.

13 "Dental laboratory" means a person, firm, or corporation
14 which:

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

20 (ii) utilizes or employs a dental technician to
21 provide such services; and

22 (iii) performs such functions only for a dentist or
23 dentists.

24 "Supervision" means supervision of a dental hygienist or a
25 dental assistant requiring that a dentist authorize the
26 procedure, remain in the dental facility while the procedure

1 is performed, and approve the work performed by the dental
2 hygienist or dental assistant before dismissal of the patient,
3 but does not mean that the dentist must be present at all times
4 in the treatment room.

5 "General supervision" means supervision of a dental
6 hygienist requiring that the patient be a patient of record,
7 that the dentist examine the patient in accordance with
8 Section 18 prior to treatment by the dental hygienist, and
9 that the dentist authorize the procedures which are being
10 carried out by a notation in the patient's record, but not
11 requiring that a dentist be present when the authorized
12 procedures are being performed. The issuance of a prescription
13 to a dental laboratory by a dentist does not constitute
14 general supervision.

15 "Public member" means a person who is not a health
16 professional. For purposes of board membership, any person
17 with a significant financial interest in a health service or
18 profession is not a public member.

19 "Dentistry" means the healing art which is concerned with
20 the examination, diagnosis, treatment planning, and care of
21 conditions within the human oral cavity and its adjacent
22 tissues and structures, as further specified in Section 17.

23 "Branches of dentistry" means the various specialties of
24 dentistry which, for purposes of this Act, shall be limited to
25 the following: endodontics, oral and maxillofacial surgery,
26 orthodontics and dentofacial orthopedics, pediatric dentistry,

1 periodontics, prosthodontics, oral and maxillofacial
2 radiology, and dental anesthesiology.

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

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

11 "Informed consent" means legally valid consent that is
12 given by a patient or legal guardian, that is recorded in
13 writing or digitally, that authorizes intervention or
14 treatment services from the treating dentist, and that
15 documents agreement to participate in those services and
16 knowledge of the risks, benefits, and alternatives, including
17 the decision to withdraw from or decline treatment.

18 "Impaired dentist" or "impaired dental hygienist" means a
19 dentist or dental hygienist who is unable to practice with
20 reasonable skill and safety because of a physical or mental
21 disability as evidenced by a written determination or written
22 consent based on clinical evidence, including deterioration
23 through the aging process, loss of motor skills, abuse of
24 drugs or alcohol, or a psychiatric disorder, of sufficient
25 degree to diminish the person's ability to deliver competent
26 patient care.

1 "Nurse" means a registered professional nurse, a certified
2 registered nurse anesthetist licensed as an advanced practice
3 registered nurse, or a licensed practical nurse licensed under
4 the Nurse Practice Act.

5 "Patient of record", except as provided in Section 17.2,
6 means a patient for whom the patient's most recent dentist has
7 obtained a relevant medical and dental history and on whom the
8 dentist has performed a physical ~~an~~ examination within the
9 last year and evaluated the condition to be treated, including
10 a review of the patient's most recent x-rays.

11 "Dental responder" means a dentist or dental hygienist who
12 is appropriately certified in disaster preparedness,
13 immunizations, and dental humanitarian medical response
14 consistent with the Society of Disaster Medicine and Public
15 Health and training certified by the National Incident
16 Management System or the National Disaster Life Support
17 Foundation.

18 "Mobile dental van or portable dental unit" means any
19 self-contained or portable dental unit in which dentistry is
20 practiced that can be moved, towed, or transported from one
21 location to another in order to establish a location where
22 dental services can be provided.

23 "Public health dental hygienist" means a hygienist who
24 holds a valid license to practice in the State, has 2 years of
25 full-time clinical experience or an equivalent of 4,000 hours
26 of clinical experience, and has completed at least 42 clock

1 hours of additional structured courses in dental education in
2 advanced areas specific to public health dentistry.

3 "Public health setting" means a federally qualified health
4 center; a federal, State, or local public health facility;
5 Head Start; a special supplemental nutrition program for
6 Women, Infants, and Children (WIC) facility; a certified
7 school-based health center or school-based oral health
8 program; a prison; or a long-term care facility.

9 "Public health supervision" means the supervision of a
10 public health dental hygienist by a licensed dentist who has a
11 written public health supervision agreement with that public
12 health dental hygienist while working in an approved facility
13 or program that allows the public health dental hygienist to
14 treat patients, without a dentist first examining the patient
15 and being present in the facility during treatment, (1) who
16 are eligible for Medicaid or (2) who are uninsured or whose
17 household income is not greater than 300% of the federal
18 poverty level.

19 "Teledentistry" means the use of telehealth systems and
20 methodologies in dentistry and includes patient diagnosis,
21 treatment planning, care, and education delivery for a patient
22 of record using synchronous and asynchronous communications
23 under an Illinois licensed a dentist's authority as provided
24 under this Act.

25 (Source: P.A. 102-93, eff. 1-1-22; 102-588, eff. 8-20-21;
26 102-936, eff. 1-1-23; 103-425, eff. 1-1-24; 103-431, eff.

1 1-1-24; revised 12-15-23.)

2 (225 ILCS 25/17.2 new)

3 Sec. 17.2. Teledentistry.

4 (a) As used in this Section, "patient of record" means a
5 patient for whom the patient's most recent Illinois-licensed
6 dentist has obtained a relevant medical and dental history and
7 on whom the dentist has (i) performed a physical examination
8 within the last year; (ii) obtained relevant records that are
9 appropriate for the type of teledentistry service being
10 provided from an in-person examination within the previous 12
11 months, including a review of the patient's most recent
12 x-rays; or (iii) established a relationship with the patient
13 through an exchange of protected health information for the
14 purpose of providing emergency care, treatment, or services in
15 accordance with subsection (c).

16 (b) A dentist may only practice or utilize teledentistry
17 on a patient of record. A dentist practicing dentistry through
18 teledentistry is subject to the same standard of care and
19 practice standards that are applicable to dental services
20 provided in a clinic or office setting. A dentist may provide
21 and delegate dental services using teledentistry only under
22 the supervision requirements as specified in this Act for
23 in-person care. Prior to providing teledentistry services to a
24 patient, a dentist must obtain informed consent from the
25 patient as to the treatment proposed to be offered through

1 teledentistry by the dentist. A dentist providing
2 teledentistry under this Section shall provide the patient
3 with the his or her name, direct telephone number, and
4 physical practice address. It is a violation of this Act for a
5 provider of dental services rendering care through
6 teledentistry to require a patient to sign an agreement that
7 limits in any way the patient's ability to write a review of
8 services received or file a complaint with the Department or
9 other regulatory agency. The Department shall adopt rules to
10 provide for the use of teledentistry in the State of Illinois.

11 (c) A dentist may treat a patient of record to provide
12 emergent care or conduct an initial consultation using
13 teledentistry for the purpose of treating or assessing for
14 acute pain, infection, injury, or any intraoral or perioral
15 condition that presents immediate harm or discomfort to the
16 patient for which treatment cannot be postponed. A provider of
17 dental services rendering emergent care or conducting an
18 initial consultation through teledentistry must direct the
19 patient to receive appropriate in-person care after the
20 provision of teledentistry services.

21 (225 ILCS 25/18.1)

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

23 Sec. 18.1. Public health dental supervision
24 responsibilities.

25 (a) When working together in a public health supervision

1 relationship, dentists and public health dental hygienists
2 shall enter into a public health supervision agreement. The
3 dentist providing public health supervision must:

4 (1) be available to provide an appropriate level of
5 contact, communication, collaboration, and consultation
6 with the public health dental hygienist and must meet
7 in-person with the public health dental hygienist at least
8 quarterly for review and consultation;

9 (2) have specific standing orders or policy guidelines
10 for procedures that are to be carried out for each
11 location or program, although the dentist need not be
12 present when the procedures are being performed;

13 (3) provide for the patient's additional necessary
14 care in consultation with the public health dental
15 hygienist;

16 (4) file agreements and notifications as required; and

17 (5) include procedures for creating and maintaining
18 dental records, including protocols for transmission of
19 all records between the public health dental hygienist and
20 the dentist following each treatment, which shall include
21 a notation regarding procedures authorized by the dentist
22 and performed by the public health dental hygienist and
23 the location where those records are to be kept.

24 Each dentist and hygienist who enters into a public health
25 supervision agreement must document and maintain a copy of any
26 change or termination of that agreement.

1 Dental records shall be owned and maintained by the
2 supervising dentist for all patients treated under public
3 health supervision, unless the supervising dentist is an
4 employee of a public health clinic or federally qualified
5 health center, in which case the public health clinic or
6 federally qualified health center shall maintain the records.

7 If a dentist ceases to be employed or contracted by the
8 facility, the dentist shall notify the facility administrator
9 that the public health supervision agreement is no longer in
10 effect. A new public health supervision agreement is required
11 for the public health dental hygienist to continue treating
12 patients under public health supervision.

13 A dentist entering into an agreement under this Section
14 may supervise and enter into agreements for public health
15 supervision with 4 public health dental hygienists. This shall
16 be in addition to the limit of 4 dental hygienists per dentist
17 set forth in subsection (g) of Section 18 of this Act.

18 (b) A public health dental hygienist providing services
19 under public health supervision may perform only those duties
20 within the accepted scope of practice of dental hygiene, as
21 follows:

22 (1) the operative procedures of dental hygiene,
23 consisting of oral prophylactic procedures, including
24 prophylactic cleanings, application of fluoride, and
25 placement of sealants;

26 (2) the exposure and processing of x-ray films of the

1 teeth and surrounding structures; and

2 (3) such other procedures and acts as shall be
3 prescribed by rule of the Department.

4 Any patient treated under this subsection (b) must be
5 examined by a dentist before additional services can be
6 provided by a public health dental hygienist. However, if the
7 supervising dentist, after consultation with the public health
8 hygienist, determines that time is needed to complete an
9 approved treatment plan on a patient eligible under this
10 Section, then the dentist may instruct the hygienist to
11 complete the remaining services prior to an oral examination
12 by the dentist. Such instruction by the dentist to the
13 hygienist shall be noted in the patient's records. Any
14 services performed under this exception must be scheduled in a
15 timely manner and shall not occur more than 30 days after the
16 first appointment date.

17 (c) A public health dental hygienist providing services
18 under public health supervision must:

19 (1) provide to the patient, parent, or guardian a
20 written plan for referral or an agreement for follow-up
21 that records all conditions observed that should be called
22 to the attention of a dentist for proper diagnosis;

23 (2) have each patient sign a permission slip or
24 consent form that informs them that the service to be
25 received does not take the place of regular dental
26 checkups at a dental office and is meant for people who

1 otherwise would not have access to the service;

2 (3) inform each patient who may require further dental
3 services of that need;

4 (4) maintain an appropriate level of contact and
5 communication with the dentist providing public health
6 supervision; and

7 (5) complete an additional 4 hours of continuing
8 education in areas specific to public health dentistry
9 yearly.

10 (d) Each public health dental hygienist who has rendered
11 services under subsections (c), (d), and (e) of this Section
12 must complete a summary report at the completion of a program
13 or, in the case of an ongoing program, at least annually. The
14 report must be completed in the manner specified by the
15 Department of Public Health Oral Health Section including
16 information about each location where the public health dental
17 hygienist has rendered these services. The public health
18 dental hygienist must submit the form to the dentist providing
19 supervision for his or her signature before sending it to the
20 Division. The Department of Public Health Oral Health Section
21 shall compile and publicize public health dental hygienist
22 service data annually.

23 (e) Public health dental hygienists providing services
24 under public health supervision may be compensated for their
25 work by salary, honoraria, and other mechanisms by the
26 employing or sponsoring entity. Nothing in this Act shall

1 preclude the entity that employs or sponsors a public health
2 dental hygienist from seeking payment, reimbursement, or other
3 source of funding for the services provided.

4 (e-5) A patient who is provided services under a
5 supervision agreement by a public health dental hygienist as
6 described in this Section does not need to receive a physical
7 examination from a dentist prior to treatment if the public
8 health dental hygienist consults with the supervising dentist
9 prior to performing the teledentistry service.

10 (f) This Section is repealed on January 1, 2026.

11 (Source: P.A. 103-431, eff. 1-1-24.)

12 (225 ILCS 25/23) (from Ch. 111, par. 2323)

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

14 Sec. 23. Refusal, revocation or suspension of dental
15 licenses. The Department may refuse to issue or renew, or may
16 revoke, suspend, place on probation, reprimand or take other
17 disciplinary or non-disciplinary action as the Department may
18 deem proper, including imposing fines not to exceed \$10,000
19 per violation, with regard to any license for any one or any
20 combination of the following causes:

21 1. Fraud or misrepresentation in applying for or
22 procuring a license under this Act, or in connection with
23 applying for renewal of a license under this Act.

24 2. Inability to practice with reasonable judgment,
25 skill, or safety as a result of habitual or excessive use

1 or addiction to alcohol, narcotics, stimulants, or any
2 other chemical agent or drug.

3 3. Willful or repeated violations of the rules of the
4 Department of Public Health or Department of Nuclear
5 Safety.

6 4. Acceptance of a fee for service as a witness,
7 without the knowledge of the court, in addition to the fee
8 allowed by the court.

9 5. Division of fees or agreeing to split or divide the
10 fees received for dental services with any person for
11 bringing or referring a patient, except in regard to
12 referral services as provided for under Section 45, or
13 assisting in the care or treatment of a patient, without
14 the knowledge of the patient or his or her legal
15 representative. Nothing in this item 5 affects any bona
16 fide independent contractor or employment arrangements
17 among health care professionals, health facilities, health
18 care providers, or other entities, except as otherwise
19 prohibited by law. Any employment arrangements may include
20 provisions for compensation, health insurance, pension, or
21 other employment benefits for the provision of services
22 within the scope of the licensee's practice under this
23 Act. Nothing in this item 5 shall be construed to require
24 an employment arrangement to receive professional fees for
25 services rendered.

26 6. Employing, procuring, inducing, aiding or abetting

1 a person not licensed or registered as a dentist or dental
2 hygienist to engage in the practice of dentistry or dental
3 hygiene. The person practiced upon is not an accomplice,
4 employer, procurer, inducer, aider, or abetter within the
5 meaning of this Act.

6 7. Making any misrepresentations or false promises,
7 directly or indirectly, to influence, persuade or induce
8 dental patronage.

9 8. Professional connection or association with or
10 lending his or her name to another for the illegal
11 practice of dentistry by another, or professional
12 connection or association with any person, firm or
13 corporation holding himself, herself, themselves, or
14 itself out in any manner contrary to this Act.

15 9. Obtaining or seeking to obtain practice, money, or
16 any other things of value by false or fraudulent
17 representations, but not limited to, engaging in such
18 fraudulent practice to defraud the medical assistance
19 program of the Department of Healthcare and Family
20 Services (formerly Department of Public Aid) under the
21 Illinois Public Aid Code.

22 10. Practicing under a false or, except as provided by
23 law, an assumed name.

24 11. Engaging in dishonorable, unethical, or
25 unprofessional conduct of a character likely to deceive,
26 defraud, or harm the public.

1 12. Conviction by plea of guilty or nolo contendere,
2 finding of guilt, jury verdict, or entry of judgment or by
3 sentencing for any crime, including, but not limited to,
4 convictions, preceding sentences of supervision,
5 conditional discharge, or first offender probation, under
6 the laws of any jurisdiction of the United States that (i)
7 is a felony under the laws of this State or (ii) is a
8 misdemeanor, an essential element of which is dishonesty,
9 or that is directly related to the practice of dentistry.

10 13. Permitting a dental hygienist, dental assistant or
11 other person under his or her supervision to perform any
12 operation not authorized by this Act.

13 14. Permitting more than 4 dental hygienists to be
14 employed under his or her supervision at any one time.

15 15. A violation of any provision of this Act or any
16 rules promulgated under this Act.

17 16. Taking impressions for or using the services of
18 any person, firm or corporation violating this Act.

19 17. Violating any provision of Section 45 relating to
20 advertising.

21 18. Discipline by another U.S. jurisdiction or foreign
22 nation, if at least one of the grounds for the discipline
23 is the same or substantially equivalent to those set forth
24 within this Act.

25 19. Willfully failing to report an instance of
26 suspected child abuse or neglect as required by the Abused

1 and Neglected Child Reporting Act.

2 20. Gross negligence in practice under this Act.

3 21. The use or prescription for use of narcotics or
4 controlled substances or designated products as listed in
5 the Illinois Controlled Substances Act, in any way other
6 than for therapeutic purposes.

7 22. Willfully making or filing false records or
8 reports in his or her practice as a dentist, including,
9 but not limited to, false records to support claims
10 against the dental assistance program of the Department of
11 Healthcare and Family Services (formerly Illinois
12 Department of Public Aid).

13 23. Professional incompetence as manifested by poor
14 standards of care.

15 24. Physical or mental illness, including, but not
16 limited to, deterioration through the aging process, or
17 loss of motor skills which results in a dentist's
18 inability to practice dentistry with reasonable judgment,
19 skill or safety. In enforcing this paragraph, the
20 Department may compel a person licensed to practice under
21 this Act to submit to a mental or physical examination
22 pursuant to the terms and conditions of Section 23b.

23 25. Gross or repeated irregularities in billing for
24 services rendered to a patient. For purposes of this
25 paragraph 25, "irregularities in billing" shall include:

26 (a) Reporting excessive charges for the purpose of

1 obtaining a total payment in excess of that usually
2 received by the dentist for the services rendered.

3 (b) Reporting charges for services not rendered.

4 (c) Incorrectly reporting services rendered for
5 the purpose of obtaining payment not earned.

6 26. Continuing the active practice of dentistry while
7 knowingly having any infectious, communicable, or
8 contagious disease proscribed by rule or regulation of the
9 Department.

10 27. Being named as a perpetrator in an indicated
11 report by the Department of Children and Family Services
12 pursuant to the Abused and Neglected Child Reporting Act,
13 and upon proof by clear and convincing evidence that the
14 licensee has caused a child to be an abused child or
15 neglected child as defined in the Abused and Neglected
16 Child Reporting Act.

17 28. Violating the Health Care Worker Self-Referral
18 Act.

19 29. Abandonment of a patient.

20 30. Mental incompetency as declared by a court of
21 competent jurisdiction.

22 31. A finding by the Department that the licensee,
23 after having his or her license placed on probationary
24 status, has violated the terms of probation.

25 32. Material misstatement in furnishing information to
26 the Department.

1 33. Failing, within 60 days, to provide information in
2 response to a written request by the Department in the
3 course of an investigation.

4 34. Immoral conduct in the commission of any act,
5 including, but not limited to, commission of an act of
6 sexual misconduct related to the licensee's practice.

7 35. Cheating on or attempting to subvert the licensing
8 examination administered under this Act.

9 36. A pattern of practice or other behavior that
10 demonstrates incapacity or incompetence to practice under
11 this Act.

12 37. Failure to establish and maintain records of
13 patient care and treatment as required under this Act.

14 38. Failure to provide copies of dental records as
15 required by law.

16 39. Failure of a licensed dentist who owns or is
17 employed at a dental office to give notice of an office
18 closure to his or her patients at least 30 days prior to
19 the office closure pursuant to Section 50.1.

20 40. Failure to maintain a sanitary work environment.

21 41. Failure to comply with the provisions of Section
22 17.2 of this Act.

23 All proceedings to suspend, revoke, place on probationary
24 status, or take any other disciplinary action as the
25 Department may deem proper, with regard to a license on any of
26 the foregoing grounds, must be commenced within 5 years after

1 receipt by the Department of a complaint alleging the
2 commission of or notice of the conviction order for any of the
3 acts described herein. Except for fraud in procuring a
4 license, no action shall be commenced more than 7 years after
5 the date of the incident or act alleged to have violated this
6 Section. The time during which the holder of the license was
7 outside the State of Illinois shall not be included within any
8 period of time limiting the commencement of disciplinary
9 action by the Department.

10 All fines imposed under this Section shall be paid within
11 60 days after the effective date of the order imposing the fine
12 or in accordance with the terms set forth in the order imposing
13 the fine.

14 The Department may refuse to issue or may suspend the
15 license of any person who fails to file a return, or to pay the
16 tax, penalty or interest shown in a filed return, or to pay any
17 final assessment of tax, penalty or interest, as required by
18 any tax Act administered by the Illinois Department of
19 Revenue, until such time as the requirements of any such tax
20 Act are satisfied.

21 Any dentist who has had his or her license suspended or
22 revoked for more than 5 years must comply with the
23 requirements for restoration set forth in Section 16 prior to
24 being eligible for reinstatement from the suspension or
25 revocation.

26 (Source: P.A. 103-425, eff. 1-1-24.)

1 Section 10. The Consumer Fraud and Deceptive Business
2 Practices Act is amended by adding Section 2EEEE as follows:

3 (815 ILCS 505/2EEEE new)

4 Sec. 2EEEE. Violations concerning teledentistry under the
5 Illinois Dental Practice Act. Any person who violates Section
6 17.2 of the Illinois Dental Practice Act commits an unlawful
7 practice within the meaning of this Act.

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.