

# SENATE BILL REPORT

## SB 5066

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As of January 29, 2003

**Title:** An act relating to the use of dental restorative materials containing mercury in the practice of dentistry.

**Brief Description:** Requiring informed consent for dental materials containing mercury.

**Sponsors:** Senators Swecker, Fraser and Rasmussen.

**Brief History:**

**Committee Activity:** Health & Long-Term Care: 1/30/03.

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### SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

**Staff:** Tanya Karwaki (786-7447)

**Background:** Some dental restorative materials used by dentists are composed of dental amalgam. Dental amalgam is a mixture of elemental mercury, silver, and other metals. There is concern that dental amalgam may harm human central nervous systems, causing ill-health.

**Summary of Bill:** A patient must give written informed consent before a dentist may use dental materials containing mercury. A sample informed consent form is provided. The form includes information regarding mercury vapor and the harmful effects of mercury exposure. Mercury is described, in part, as harmful to the brain, kidneys, and developing fetuses.

A dentist who removes dental materials containing mercury from a patient's teeth must disclose the health risks associated with removal.

A dentist may not be disciplined for discussing the risks or benefits of dental materials for which there is a peer-reviewed scientific publication and one other dentist to support the information.

A dentist may not be disciplined solely for removing or placing professionally recognized restorative dental materials with a patient's informed consent.

Any dental office that places or removes dental materials containing mercury must install mercury separators on all drains used to dispose of such materials. The mercury separator must be certified by the manufacturer as using the best available technology. Dental materials containing mercury must be disposed of as hazardous waste.

**Appropriation:** None.

**Fiscal Note:** Requested on January 27, 2003.

**Effective Date:** September 1, 2003.