

SENATE No. 1026

The Commonwealth of Massachusetts

PRESENTED BY:

Brian A. Joyce

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act requiring informed consent to the use of dental amalgam which contains mercury in dental procedures.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Brian A. Joyce</i>	<i>Norfolk, Bristol and Plymouth</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Christine E. Canavan</i>	<i>10th Plymouth</i>

SENATE No. 1026

By Mr. Joyce, a petition (accompanied by bill, Senate, No. 1026) of Brian A. Joyce, Louis L. Kafka and Christine E. Canavan for legislation relative to informed consent to the use of dental amalgam . Public Health.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act requiring informed consent to the use of dental amalgam which contains mercury in dental procedures.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1: Chapter 112 of the General Laws is hereby amended by inserting after
2 section 43A the following section:-

3 Section 43B. A dentist may not use dental amalgam in a dental procedure unless, prior to
4 the use, the dentist certifies in writing that the patient gave specific informed consent freely and
5 without coercion. To ensure that the consent for the use of mercury or dental amalgam in a dental
6 procedure is truly informed consent, the dentist shall inform the patient, in an informative
7 manner designated by the Executive Office of Health and Human Services, of at least the
8 following: (a) the intended use of dental amalgam and its mercury content; (b) the potential
9 advantages or disadvantages to the use of dental amalgam that relate to health, human biological,
10 and environmental issues; and (c) other options for completing the dental procedure using
11 materials other than dental amalgam.

12 SECTION 2. The board of registration of dentistry shall promulgate regulations
13 consistent with Section 43B of M.G.L Chapter 112.

14 SECTION 3: This act shall take effect upon passage.