

SENATE BILL 928

J2, J1

9lr2993

By: **Senators Conway and Dyson**

Introduced and read first time: February 16, 2009

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Dental Examiners – Dentists – Informed Consent – Materials**
3 **Containing Mercury**

4 FOR the purpose of requiring dentists to obtain written informed consent from
5 patients prior to performing any dental procedures or treatments that include
6 the use of dental materials containing mercury; specifying the content of certain
7 informed consent; requiring dentists to keep the original informed consent in a
8 certain chart; requiring the State Board of Dental Examiners to adopt certain
9 regulations; and generally relating to the obtaining of informed consent prior to
10 performing any dental procedures or treatments that include dental materials
11 containing mercury.

12 BY adding to
13 Article – Health Occupations
14 Section 4–506.1
15 Annotated Code of Maryland
16 (2005 Replacement Volume and 2008 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Health Occupations**

20 **4–506.1.**

21 (A) **A DENTIST SHALL OBTAIN WRITTEN INFORMED CONSENT FROM A**
22 **PATIENT PRIOR TO PERFORMING ANY DENTAL PROCEDURE OR TREATMENT**
23 **THAT INCLUDES THE USE OF DENTAL MATERIALS CONTAINING MERCURY.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) THE INFORMED CONSENT SHALL CONTAIN INFORMATION**
2 **REGARDING:**

3 **(1) MERCURY VAPOR; AND**

4 **(2) THE HARMFUL EFFECTS OF MERCURY EXPOSURE.**

5 **(C) THE DENTIST SHALL KEEP THE ORIGINAL WRITTEN INFORMED**
6 **CONSENT SIGNED BY A PATIENT IN THE DENTAL CHART OF THE PATIENT.**

7 **(D) THE BOARD SHALL ADOPT REGULATIONS TO IMPLEMENT THE**
8 **PROVISIONS OF THIS SECTION, INCLUDING THE CONTENT OF THE WRITTEN**
9 **INFORMED CONSENT.**

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
11 October 1, 2009.