

Dental Board

DENTAL MATERIALS FACT SHEET AND SB 134

November 2001

What is the Dental Materials Fact Sheet (DMFS)?

A state law passed in 1992 required the Dental Board of California to develop and distribute a fact sheet describing and comparing the risks and efficacy of the various types of dental restorative materials that may be used to repair a dental patient's oral condition or defect. The fact sheet is intended to encourage discussion between patient and dentist regarding materials and to inform the patient of his or her options. (Refer to *Business & Professions Code section 1648.10*.)

The fact sheet was first distributed in 1993, and used information published in the 1993 U.S. Public Health Service report on the safety of amalgam. The Dental Board approved an updated fact sheet in October 2001. An independent consultant reviewed an extensive number of pertinent, peer-reviewed scientific articles in the course of updating the DMFS. While more detailed, the information contained in the new fact sheet does not differ substantially from the 1993 fact sheet.

How do I get a copy of the DMFS?

The Dental Board mailed the DMFS to all licensed dentists in mid-November. You also can obtain a copy at the Dental Board web site at www.dbc.ca.gov, or by contacting them at (916) 263-2300.

What do I do with the DMFS?

Senate Bill 134, signed by the governor in October, requires that beginning January 1, 2002, each dentist is provide a copy of the DMFS to any patient prior to commencing any dental restorative work. This requirement applies to new patients and patients of record. The dentist is required to obtain a signed acknowledgement that the patient has received the fact sheet, and a copy of the acknowledgement must be placed in the patient's record.

The dentist need only provide the DMFS one time to each patient. If the DMFS is updated, the dentist then is required to provide the updated DMFS to all patients prior to commencing any dental restorative work and to obtain again a signed acknowledgement of receipt.

This new requirement was prompted by a belief that the earlier version had not been routinely discussed with patients, and therefore the requirement was added to SB 134.

Is there a specific form I need to use for the acknowledgment, or can I prepare my own?

The Dental Board has not created a form at this time. CDA recommends you create a form that includes a statement such as:

"I, (a blank line to insert the patient's name) acknowledge I have received from (name of dentist or dental office) a copy of the Dental Materials Fact Sheet dated October 2001."

The form should include blank lines for the patient's signature and the date. You may want to place on the bottom of your form a copy of the top half of the first page of the fact sheet. This provides a visual reference for the patient.

Patient Acknowledgment of Receipt of Dental Materials Fact Sheet

I acknowledge that I have received a copy of the Dental Materials Fact Sheet dated October 17, 2001.

Patient Signature _____

Date _____

I don't place amalgams - am I exempt?
No. The law specifically states it should be provided "prior to the performance of dental restoration work." This includes fillings - whether amalgam or composite, crowns and bridges, inlays and onlays, veneers, implants.

Obtaining the patient acknowledgement and dealing with patient questions will take time.

Yes, it will take time. However, the DMFS has existed since 1993 with the understanding that dentists would review dental material options with their patients. Obtaining the acknowledgment is a new requirement. Reviewing with patients the options in dental restorative materials is not new. Reviewing this information should be viewed as an opportunity to educate patients and to enhance credibility with your patients.

Is the acknowledgement the same as informed consent?

No, It is not. Informed consent is a legal doctrine that requires a health care provider to obtain a voluntary consent from a patient to proceed with a dental treatment after the patient has been informed of the risks, benefits, and alternatives to the dental treatment. The fact sheet is an educational tool not a document requiring permission to proceed with treatment.

How often do I have to provide the DMFS to patients?

You provide it once to each patient prior to starting any restorative work. If the Dental Board updates the DMFS, the dentist must provide an updated DMFS to every patient and again obtain a signed acknowledgment.

What if I disagree with the DMFS, do I have any options?

There is no alternative to this requirement.

How do I find out if the DMFS has been updated?

The Dental Board and CDA will inform you when it is updated and where to obtain an updated copy.

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