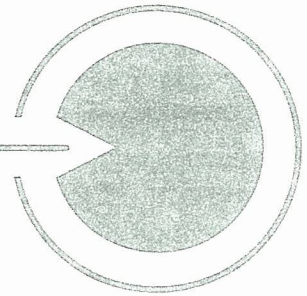


# BIO-PROBE

# NEWSLETTER



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## FLORIDA DENTAL BOARD RETREATS ON AMALGAM RULES!

On Friday, 18 January 2002 the Florida Board of Dentistry (BOD) withdrew its last two proposed Rules that would have severely impacted on mercury-free dentistry.

Under Florida Law, the Board of Dentistry has the right to provide Rules governing the practice of dentistry in the state. As previously reported [BPNL, Vol. 17, Issue 6, November 2001], the BOD proposed Rules that would have: 1) Banned advertising by dentists that they were mercury-free; 2) defined "scientifically valid" evidence as only that which is acceptable to the majority of the dental boards and dental schools; 3) declared that the removal of amalgam fillings for the purpose of eliminating a toxic substance does not meet the minimum standards of performance for competent dental practice in Florida; and 4) banned statements that mercury from dental amalgam causes any systemic harm or that removal of amalgams will correct systemic conditions.

The first two of these proposed Rules were withdrawn prior to the BOD meeting in Tampa on 18 January 2002. It appears that attorneys for the Florida Department of Health convinced the BOD that these two were totally indefensible. Meanwhile, Florida mercury-free dentists contracted with *Citizens for Health Freedom* (CHF), the group that had spearheaded passage

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of the "Patients' Freedom of Choice" Law that provided Florida citizens access to alternative health care. [BPNL, Vol. 17, Issue 5, Sep 2001] CHF did a magnificent job in informing Florida Legislators that the Florida BOD was clearly trying to usurp the authority of the Legislature, as well as circumvent the new Florida Law on alternative health care. Numerous strong letters from Florida Legislators were provided to the BOD. It was perfectly clear that the Florida Legislature was not pleased with the intentions of the BOD.

At the BOD meeting on 18 January, strong presentations were made by attorney Julie Hilton of CHF, Professor Boyd Haley, and Dr. Bernie Windham, an employee of the Florida Department of Environmental Protection. Additional presentations were made by several citizens, two physicians, and a retired dentist. A great deal of scientific evidence, legal issues, and matters of Florida Law were placed on the public record at the BOD meeting.

Members of the Florida BOD, polite and subdued, voted to withdraw the two remaining proposed Rules. Comments were made that the two Rules would be modified, hopefully more acceptable to the Legislature, and submitted again at a later date.

Although it is possible that the BOD will submit these proposed Rules again, their task is now a great deal more difficult. They now know of serious opposition from the Florida Legislature, as well as the numerous concerns of science and law now on the public record.

Congratulations to Florida mercury-free dentists and, especially, to *Citizens for Health Freedom*.

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### **DENTISTS LEFT TWISTING IN THE WIND ON AMALGAM!**

It is time for all practicing dentists to evaluate their position regarding the use of mercury/silver amalgam dental fillings. Clearly the controversy over the use of amalgam is coming to a finale. Consider the following:

- The governments of several nations have already issued directives advising against the use of amalgam in certain circumstances; notably in children and pregnant females. (It should be noted that, contrary to the opinions of some people, no country has as yet banned the use of amalgam.)
- Amalgam manufacturers are including warnings and contraindications to the use of amalgam in their "Directions for Use" inserts.

- A United States Representative is directing a Congressional Investigation, through a key committee, on the use of mercury in vaccines and dental amalgam. Evidence has appeared suggesting that mercury may be implicated in the occurrence of autism and possibly Attention Deficit Disorder in children.
- Another United States Representative has announced plans to propose national legislation to warn consumers of exposure to amalgam mercury, and to phase out the material within five years.
- A national organization of state legislators has issued a resolution calling for the full disclosure and future ban of amalgam from state legislatures. [The *National Black Caucus of State Legislators*. See BPNL, Vol. 18, Issue 1, Jan 2002]
- Some states (California, Maine) have already passed informed consent legislation on dental mercury amalgam.
- Numerous states have passed, or are proposing, legislation addressing mercury in the environment, including dentistry as a source in some cases.
- Dental Boards have been challenged regarding their attempts to discipline mercury-free dentists. Moreover, they are losing cases of attempted discipline, as well as their self-perceived "carte blanche" to eliminate consideration of amalgam mercury. The lead article in this issue on the Florida BOD is a prime example, as is the 2001 action of the California Legislature against the BOD for ignoring the California Law Proposition 65. In other states, such as Arizona and Colorado, State Legislatures have intervened against the Dental Boards.
- Several class action law suits have been filed. These suits are not for patient relief, but rather against dental authorities for not providing full disclosure on amalgam. At the very least, these do draw public and media