

BILL ANALYSIS

H.B. 502
By: Hernandez Luna
Public Health
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Over the years, teeth whitening has become an increasingly popular procedure and now is often performed at a local mall or kiosk by an individual who is not a licensed dentist. Interested parties assert that the public needs to understand the oral health risks of such services because teeth whitening is a complex procedure involving chemicals that, if administered incorrectly, can have a lasting and painful impact on the patient. These parties further assert that lower income individuals who normally would seek out teeth whitening services from an untrained individual offering comparatively cheaper prices rather than from a licensed dentist are particularly vulnerable to harm from an unregulated practice.

H.B. 502 seeks to provide additional protections for the oral health of the public and to prevent unqualified individuals from administering teeth whitening treatments by including teeth whitening services in the regulated practice of dentistry.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 502 amends the Occupations Code to include among the persons considered to be practicing dentistry for purposes of the Dental Practice Act a person who provides or performs, or offers to provide or perform, a teeth whitening treatment or a product or service related to a teeth whitening treatment. The bill defines "teeth whitening treatment" as a chemical or other material, tool, product, service, or procedure intended to whiten human teeth and specifies that the term does not include a product sold over the counter to an ultimate consumer.

EFFECTIVE DATE

September 1, 2013.