
HOUSE BILL 2786

State of Washington

57th Legislature

2002 Regular Session

By Representatives Hunt, Conway, Romero, Chase, Upthegrove, Tokuda, Lysen and Kenney; by request of Lieutenant Governor

Read first time 01/28/2002. Referred to Committee on Health Care.

1 AN ACT Relating to mercury amalgam dental fillings; and creating a
2 new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) There is established a task force on
5 mercury amalgam dental fillings to evaluate scientific and clinical
6 studies related to adverse health effects, if any, of mercury amalgam
7 dental fillings. The task force must hold public hearings and take
8 testimony and accept exhibits from all interested persons and entities.

9 (2) The task force consists of fifteen members appointed by the
10 governor. The membership includes:

11 (a) Two members from consumer protection organizations;

12 (b) Two dentists nominated by the Washington state dental quality
13 assurance commission;

14 (c) Two mercury-free dentists;

15 (d) One toxicologist or research scientist;

16 (e) One chemical engineer or research scientist;

17 (f) Two physicians licensed to practice in this state under chapter
18 18.57 or 18.71 RCW;

19 (g) Two naturopaths licensed under chapter 18.36A RCW;

1 (h) Two members of the general public; and
2 (i) One member from the governor's office of health policy.
3 (3) All members must be appointed within sixty days of the
4 effective date of this section.
5 (4) The first meeting of the task force must take place within
6 ninety days of the effective date of this section. The governor's
7 office must appoint or hire a facilitator to conduct the first meeting
8 of the task force. The purpose of the first meeting is for the task
9 force members to become acquainted and to choose a chair. No less than
10 eleven task force members must be present in order to choose a chair.
11 (5) The Washington state department of health must provide staff to
12 the task force. If a dispute arises as to the level of staffing, the
13 governor must appoint an arbitrator to determine a reasonable level of
14 staffing for the task force to accomplish its mission.
15 (6) The task force must issue a report to the legislature and
16 governor by June 30, 2003. The report must include, but is not limited
17 to:
18 (a) A statement of the controversy related to the use of mercury
19 amalgam dental restorative materials. The statement of controversy
20 must include a history of the issue, the food and drug administration's
21 approval process, and current uses of mercury amalgam dental
22 restorative materials;
23 (b) A summary of the evidence supporting a conclusion that mercury
24 amalgam dental restorative materials are safe and effective;
25 (c) A summary of the evidence supporting a conclusion that mercury
26 amalgam dental fillings are harmful to dental consumers;
27 (d) Conclusions of the task force on the safety and effectiveness
28 of mercury amalgam dental restorative materials. The task force must
29 consider the precautionary principle in formulating its conclusions;
30 (e) An estimate of the beneficial and adverse economic impacts in
31 Washington of banning the use of mercury amalgam dental restorative
32 materials; and
33 (f) Recommended legislation including, but not limited to:
34 (i) The proper handling, notice, and disposal of mercury;
35 (ii) A modification of dental insurance coverage to include mercury
36 amalgam dental restorative alternatives;
37 (iii) A review of required curriculum in state-supported dental
38 schools; and

1 (iv) The establishment of an ad hoc review commission, to be in
2 existence for up to ten years, to ensure that legislative intent is met
3 by the practitioners, suppliers, and those affected by the new
4 legislation.

5 (7) The task force may issue minority reports.

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