

POLICY REGARDING BLEACHING SERVICES OFFERED IN MALL KIOSKS AND SALONS BY NON-LICENSED DENTAL PERSONNEL

Preamble: The purpose of this policy is to clarify the Ohio State Dental Board's (Board) position regarding the offering of bleaching services and materials to customers in malls and salons by non-licensed dental personnel.

The Ohio State Dental Board (Board) has considered numerous inquiries as to whether tooth whitening/bleaching services and materials could be sold at a mall kiosk or salon, and applied by the consumer themselves with the guidance of a kiosk/salon employee. It has been explained that the consumer applies the whitening material to their own teeth, and then they apply a light to the teeth, which may occur several times over the course of an hour.

The Board has concerns with the unregulated use of this material. It is the general position of the Board that this activity is permissible so long as the consumer applies the whitening material to their own teeth, and no one else places their hands in the consumer's mouth.

Ohio Revised Code Section 4715.01 requires that anyone practicing dentistry must be properly licensed. Simply providing a consumer with the materials to make a tray and demonstrating to them how to apply materials to their teeth for bleaching purposes is not the practice of dentistry, unless and until someone other than the consumer places their hands in the consumer's mouth, and/or positions the activation light or similar device on behalf of the consumer.

Issues can arise with the materials being provided at the kiosk/salon. The unregulated and unsupervised use of these products could be harmful to the consumer. Further, the safety and efficacy of products not distributed by a licensed dentist cannot be assured, and should not be used, or should be used with extreme caution.

Any person deemed to be practicing dentistry without an appropriate license in this regard will be referred to the local prosecutor for potential criminal conduct.

(February 27, 2008)