

## Consumers for Dental Choice

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*Working for Mercury-Free Dentistry*

### **Discrimination: PDA and PCDS endorse the denial of all dental treatment to children with disabilities if parents exercise their right to refuse mercury fillings, whereas these trade associations permit able-bodied patients to choose non-mercury filling materials**

The Pennsylvania Dental Association (PDA) and Philadelphia County Dental Society (PCDS) have endorsed a campaign to force persons with disabilities to submit to mercury amalgam instead of offering them a choice of filling materials – a choice both trade associations openly permit for able-bodied persons.

#### **I. PDA and PCDS promote able-bodied people's right to make their own health decisions**

Everyone is in seeming agreement that individuals have a right to make their own decisions about their bodies, especially decisions affecting their health. In dentistry, this means the right of patients to choose which filling material is implanted into their bodies. PDA and PCDS agree, overtly advocating the patient's right to choose on their websites: "Many factors may affect *your choice* of filling material"<sup>i</sup> and "This fact sheet outlines the alternatives available and will help *you decide on the right choice for you.*"<sup>iii</sup> The PCDS even boasted that it "worked hard" to ensure that patients would be presented with all their filling material options.<sup>iii</sup>

Increasingly, consumers are exercising their right to refuse dental amalgam, a primitive pre-Civil War filling material containing 50% mercury – a known neurotoxin. In addition to numerous studies indicating that amalgam can cause a wide range of health problems, the U.S. Food and Drug Administration has recently issued warnings making clear that amalgam is a neurological risk at least for children and unborn children:

"Dental amalgam also releases low levels of mercury vapor ... The developing neurological systems in fetuses and young children may be more sensitive to the neurotoxic effects of mercury vapor. Very limited to no clinical information is available regarding long-term health outcomes in pregnant women and their developing fetuses, and children under the age of six, including infants who are breastfed."

Although FDA concealed this warning from consumers in a special controls document labeled in bold "Guidance for Industry and FDA Staff," the City of Philadelphia prudently decided to inform the public about amalgam with a required information sheet describing these neurological risks and the inconclusiveness of scientific evidence.

Armed with this knowledge, consumers are deciding that they do not want mercury in their bodies or the developing brains of their children. As evidenced by their statements, the PDA and PCDS are respecting the decisions of able-bodied consumers.

## **II. PDA and PCDS deny people with disabilities their right to make their own health decisions**

While able-bodied people are permitted to choose the material being implanted into their bodies, PDA and PCDS advocate a very different standard for people with disabilities. In their joint written testimony, submitted to the Philadelphia Board of Health on 11 February 2010 and presented at the board's meeting on 18 February 2010, PDA and PCDS endorse the policy of Special Smiles LTD, a North Philadelphia clinic that denies all dental treatment to children with disabilities unless their parents sign a statement consenting to the implantation of mercury amalgam in their children.<sup>iv</sup>

This policy abolishes the rights of these parents who do not want a known neurotoxin implanted so near the brains of their children, many of whom already have some form of neurological impairment. They are faced not with the choice presented to able-bodied patients – who are free to reject amalgam and still receive preventative treatments and alternative filling materials – but with a cruel Hobson's choice: either the dentist will insist on subjecting your child to mercury's risks or he will refuse to so much as clean your child's teeth.

With “so few facilities” equipped to treat people with disabilities, there may be no other clinic for parents to turn to for this basic dental care that would prevent many of their children's cavities in the first place (“Remember! Continuous Care Maintains Good Oral Health” taunts the Special Smiles website<sup>v</sup>). Boasting that he has the economic power to force amalgam onto non-consenting patients in North Philadelphia, Dr. Andrew Mramor of Special Smiles acknowledges that finding dental care for children with disabilities after he expels the family is a “challenge.”

## **III. Dentists are able to provide people with disabilities the mercury-free dental care afforded to the able-bodied, but PDA and PCDS are unwilling to protect this same option for people with disabilities – and promote punishing those who try to exercise their right to make their own health decisions**

Nor can PDA and PCDS justify this policy with the implausible claim that their dentists are unable to place alternative filling materials in children with disabilities. Not only have dentists regularly been using non-amalgam fillings for patients with disabilities – even under sedation – for years, but PDA and PCDS advocate denying people with disabilities all dental care as a punishment for exercising their right to make their own health decisions.

The experiences of dentists confirm that any claim that amalgam is the only option for a sedated child with disabilities is patently false. Dr. Chester L. Yokoyama is a former Member of the Dental Board of California and co-founder and former director of Aiding the Medically Compromised, Inc., a non-profit organization established to promote awareness of dental issues for persons with disabilities. Having spent ten years as a dentist treating children with disabilities in the operating room, Dr. Yokoyama clarifies the situation: “Composites can be done under general anesthesia or IV sedation. If the dentist is unwilling to provide composites for children with disabilities, it raises questions about denying such children access to dental treatment. If the dentist is unable to provide

composites for children with disabilities, then he or she can seek further training.” Right here in Pennsylvania, Dr. Blanche Grube, a dentist practicing in Scranton, explains,

“We do composites on children who are sedated, and they work. A study shows the difference between the wear on composites and amalgams is negligible. Dentists placing amalgam make more money – they make more per chair per day, because they can rush through doing amalgam without heed to the toxin questions.”

Regardless of whether their dentists have been trained to place alternative filling materials in sedated patients with disabilities, PDA and PCDS have no excuse to advocate denying all dental care – even teeth cleanings – to people with disabilities who object to mercury. To turn them away, knowing that they will have great difficulty finding another dental clinic equipped to perform sedation dentistry on people with disabilities, effectively deprives them of even the basic dental hygienic care that would prevent tooth decay in the first place! This denial of all dental treatment is clearly intended to punish people with disabilities who dared to exercise their right to choose the filling material going into their mouths – the same right PDA and PCDS insist upon for the able-bodied.

#### **IV. Conclusion**

The PDA and PCDS are advocating a policy of discrimination against the disabled, going so far as to commend publicly dentists who refuse to treat children with disabilities. The inadequate training of some dentists must not overshadow the patent bad faith of a cabal determined to strong-arm the disabled into submitting to this toxic 19th century relic. A state dental association and a county dental society in the Commonwealth have selected children with disabilities and their parents – already facing so many problems – for this cruel ultimatum: mercury fillings or no dental care at all.

(signed in hard copy mailed to you)

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<sup>i</sup> The Pennsylvania Dental Association, Dental Filling Facts, <http://www.padental.org/AM/Template.cfm?Section=Search&TEMPLATE=/CM/HTMLDisplay.cfm&CONTENTID=4472> (emphasis added).

<sup>ii</sup> *Id.* (emphasis added).

<sup>iii</sup> David A. Tecosky, Restorative Materials Brochure Requirement for Dentists Practicing in Philadelphia, <http://74.125.113.132/search?q=cache:hooqiL21dLoJ:www.philcodent.org/professional/restorative-materials.aspx+amalgam+site:http://www.philcodent.org/&cd=3&hl=en&ct=cnk&gl=us>

<sup>iv</sup> “...if a guardian flatly refuses amalgam and will not sign the information sheet, we will not see the patient.” Testimony, Philadelphia County Dental Society and Pennsylvania Dental Association, *Philadelphia Board of Health Hearing*, 11 February 2010.

<sup>v</sup> <http://www.specialsmilesdtd.com/index.htm>