

# TEETH WHITENING AND COSMETIC PROCEDURES POSITION STATEMENT



Status:	Approved
Approved by Council:	January 2024
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To be Reviewed:	January 2029

Both patients and dentists are increasingly interested in whitening and cosmetic procedures. With tooth whitening and some cosmetic overlay procedures now performed both within and outside dental facilities, there is some confusion about what is legally permitted. The College considers that tooth whitening and other cosmetic procedures are best provided in a dental facility in the context of total patient care and under the supervision of a dentist. When these services are performed in a dental facility, the dentist is responsible for performing the examination, prescribing any necessary radiographs, diagnosing the cause of tooth discoloration, communicating the diagnosis to the patient, developing the treatment plan, and obtaining the patient's consent to treatment.

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## ARE WHITENING CLINICS OPERATED BY NON-DENTISTS AND NON-DENTAL PERSONNEL LEGAL?

Tooth whitening agents are classified as cosmetics, except for formulations containing fluoride. Health Canada does not restrict the sale of tooth whitening agents but does require safety labelling for concentrations higher than 3 per cent hydrogen peroxide or 10 per cent carbamide peroxide.

Tooth whitening is not a controlled act. While tooth whitening falls within the scope of practice of dentistry and is performed in dental facilities, tooth whitening is also considered to be in the public domain and within the cosmetic industry. This means that there are no restrictions on the performance of these procedures in settings outside of dental facilities. The College does not have regulatory authority where tooth whitening services are provided in an independent business outside a dental facility.

Again, the position of the College of Dental Surgeons of Saskatchewan continues to be that intra-oral procedures should be performed by providers authorized by the Dental Disciplines Act because of potential risks related to infection control and safety issues related to the use of devices to deliver such services.

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## AS A DENTIST, CAN I BE INVOLVED FINANCIALLY WITH AN INDEPENDENT TOOTH WHITENING BUSINESS?

Dentists may become involved in partnerships with non-dentists or as investors in businesses owned and operated by non-dentists, only if these businesses are separate and distinct from their dental professional

practices.

Dentists who refer patients to independent tooth whitening businesses in which they are partners or investors must declare their financial interest to their patients to avoid a conflict of interest.

Dentists who refer patients to independent tooth whitening businesses that are distinct and separate from the dentists' practices, and are not satellite or secondary practice locations, must indicate to their patients that they will not be involved in their patients' treatment in a supervisory or any other capacity.

As with any business venture related or ancillary to the practice of dentistry, the College recommends that dentists obtain independent legal and accounting advice from advisors who understand the regulatory framework for dental practice in Saskatchewan.

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## ACKNOWLEDGEMENTS

The College acknowledges that this statement has been adapted, in many parts with no changes, from the respective statements of the Royal College of Dental Surgeons of Ontario.

The College recognizes, with thanks, the contributions of this organization to the development of this revised position statement.