



CANNON BUILDING
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STATE OF DELAWARE
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DIVISION OF PROFESSIONAL REGULATION

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BOARD OF DENTISTRY AND DENTAL HYGIENE

TEETH WHITENING OUTSIDE DENTAL OFFICES

The Delaware Board of Dentistry and Dental Hygiene (Board) has received inquiries from the public and professionals in regard to teeth whitening services performed at kiosks in shopping malls and locations other than a dental office. The Board believes that the application of teeth whitening products to a consumer by individuals other than dentists or hygienists constitutes the practice of dentistry in violation of the [Dental Practice Act](#), Title 24 of the *Delaware Code*, Chapter 11. Although each case must be evaluated under the specific facts presented, an individual found to have engaged in unlicensed practice faces civil monetary penalties as well as a possible misdemeanor conviction and fines. See [29 Del. C. § 10161\(c\) – \(f\)](#) and [24 Del. C. § 1134](#).

The Board cautions generally that, while products purchased for take home use at retail stores may be safe, other stronger products and the application of products by unlicensed individuals could potentially harm a consumer. Unlicensed individuals do not assess dental health conditions that might make a consumer a poor candidate for whitening services with resulting tooth and gum damage. Also, the application of products at kiosks and other non-dental locations lacks the infection control processes in place at a dental office. Infection control is necessary for preventing the transmission of disease to consumers and individuals applying the products.

The Board urges consumers to have their overall dental health evaluated before making decisions regarding teeth whitening products and services.

Please refer complaints of unlicensed practice to the Division of Professional Regulation for investigation at www.dpr.delaware.gov.