

**MEMORANDUM TO CONTRACTORS
TO ALL CONTRACTORS ON THE DENTAL LIST****MDS 761***Tel:* **0300 555 0113****23rd December 2024****REGULATION (EU) 2024/1849 - PROHIBITION ON THE USE OF DENTAL
AMALGAM FOR NON-UK RESIDENTS**

As set out in letters from Northern Ireland's Chief Dental Officer, Caroline Lappin, dated 6 November 2024 and 19 December 2024, new legal requirements will come into effect on 1 January 2024, as per the Commission Notice issued to Northern Ireland following amendments to Regulation (EU) 2017/852.

These new legal requirements are:

- dental amalgam can only be used for dental treatment in Northern Ireland if the patient resides in the United Kingdom and if the treatment is carried out by a dental practitioner registered for that purpose in Northern Ireland.
- The export of dental amalgam from Northern Ireland to outside the UK shall be prohibited.
- The import of dental amalgam destined for dental practitioners in Northern Ireland will need to be commensurate to use.

For all practitioners to note:

Provision of a home address in the UK by a patient can be taken as confirmation that the patient resides in the UK.

For patients who do not reside in the UK, but are eligible for Health Service dental care and treatment, practitioners can claim payment for alternative restorations for these patients by **submitting via Prior Approval for a Discretionary Fee under code 4001**.

When submitting the claim for Prior Approval practitioners should outline the tooth being treated, the material used, the size/shape of the restoration and the reason that a non-amalgam restoration is required. For monitoring purposes practitioners are asked to use the standard wording of "Non-UK resident" when outlining the reason for it being required.

This is similar to the current process for patients who are allergic to amalgam and therefore require alternative treatment. As such, the fee for alternative restorations in the case of a patient who is a non-UK resident will be consistent with those patients who require alternative restorations due to an allergy to dental amalgam.