



## Renew Your License in a Timely Manner

### AN EDIC CASE STUDY

In place of the usual case study, this issue's "case" is an anecdote to remind all dentists and hygienists that it is their responsibility to be certain to renew their licenses in a timely manner. As the anecdote shows, it can be easy to lose track of one's renewal cycle. The resulting dental board action indicates, however, that there can be permanent and costly consequences to this oversight.

A dentist graduated from dental school in a foreign country, and then was accepted into a general practice residency program at Harvard University. The dentist attended the residency program, always intending to return to his native country to practice. After completing his residency, however, he took and passed the NERB examinations. The dentist applied for and was granted a license in Massachusetts. A local practice hired him as an associate. The dentist moved on several occasions, and had been using his home address as his address of record with the board.

The dentist then married, and decided to stay in the United States. He moved again, but neglected to forward a change of address to the state board. The dentist would go on to practice

after his license had expired for a period of four years. The dentist discovered his error while applying to be a preferred provider for an insurance program.

While there were extenuating circumstances, including sickness in the family, births, and the like, the board's regulations require that the dentist advise them of any change in address. The board sends its license renewals to the address on record, but does not have the staff to track any renewals that are not returned.

EDIC's policy does provide coverage for an attorney to represent its insureds before a dental professional licensing board. In this matter, the attorney was able to negotiate a consent agreement for a formal reprimand. Although this allowed the dentist to continue to practice without a probation or suspension, it was still a formal disciplinary action that the dental board reported to the National Practitioner Data Bank. The dentist will now need to answer that he was the subject of a formal disciplinary action on all insurance applications or applications for hospital privileges.



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# FAQs

## TOP 5 WAYS TO AVOID DENTAL BOARD DISCIPLINE

1. Have a diary system to check on license renewals for all licensed personnel.
2. Know and understand the dental board regulations.
3. Keep complete and accurate records, including written treatment plans.
4. Obtain and keep written documentation of CEUs.
5. Attempt to resolve any conflicts with patients before they conclude that their only option is to file a complaint.

## What is the National Practitioner Data Bank?

It is a central repository which keeps a record of treatment related, reportable incidents, on the part of all health care providers throughout the country. This would include malpractice settlements, state licensing boards, and hospital quality care and credentialing committees. At present, only state boards and hospitals may make a query for information, although there have been several attempts to allow public access to the data bank. For more information on the National Data Bank, go to: <http://www.npdb.hrsa.gov/>



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## TOP 5 WAYS TO LOWER YOUR RISK OF BEING SUED

**1. Before putting any past due accounts into collection, contact the patient first to determine why he or she is not paying the bill.**

Many times, a patient is not satisfied with an outcome and will withhold payment, but not file an action or complaint. Proactively contacting the patient and trying to resolve the issue before it escalates to an adversarial situation (an unresolved collection, which may prompt a complaint or an action) can save time and money for the doctor and build good will with the patient.

**2. Refer out cases to specialists if you feel the work will take you outside your comfort level.**

No treatment has a 100 % success ratio, but if a general dentist takes on a difficult case that does not reach a successful conclusion, then one of the allegations in a law suit will be that the case should have been referred to a specialist. If you have any hesitation in the treatment planning stage or think that the case might be best handled by a specialist, then refer it out!

**3. Do not allow a patient to dictate treatment.**

When you allow a patient to push you into a treatment plan that you would not normally recommend for any reason, if it fails, you will not be able defend your actions in court. Allowing a patient to dictate treatment plans or options to you almost always ends in litigation if the case fails.

**4. Discharge any patient who refuses to allow you to take radiographs.**

A patient can not consent to below standard treatment. You, as a dentist, know you must take radiographs at regular intervals in order to appropriately diagnose and treat a patient. If you treat a patient without radiographs, you are practicing below the standard of care. A patient can not sign any waiver that would stand up in litigation if you practice below the standard of care.

**5. Communicate clearly and comprehensively with the patient at all stages of treatment and service.**

Good communication with a patient from treatment planning through follow-up will foster a great deal of good will. A polite and professional front office staff also helps greatly. The more a patient knows and understands about treatment plans and options, the less likely he or she will be to bring any sort of an action if the treatment does not reach a mutually desirable result.