



## **Provincial Dental Board of Nova Scotia**

### **Guidelines for Ending the Dentist-Patient Relationship**

#### **Introduction**

This document is a guideline approved by the Provincial Dental Board of Nova Scotia. The Board encourages its members to be familiar with and to follow its guidelines and policies.

The Dentist-Patient relationship is a relationship that depends on trust and confidence between the parties for the provision of care. Dentists enter into a professional relationship with their patients with a commitment to provide quality service. However, circumstances may occur which could affect the dentist's ability to achieve this, causing the dentist to end the dentist-patient relationship. This policy clarifies the expectations of the dentist when ending a dentist-patient relationship, and outlines the actions to be followed in doing so. It covers situations where a dentist ends a dentist-patient relationship with one or more patients in circumstances other than the dentist's retirement, relocation, leave of absence or disciplinary action.

#### **Principles**

The core principles of this document are:

- Dentists have a duty to act in the best interests of their patients.
- An effective dentist-patient relationship is necessary for the provision of quality care.
- Patients are entitled to be treated with respect and without discrimination during all stages of the dentist-patient relationship, even if the relationship faces termination.

## **Guidelines**

Dentists are entitled to end the dentist-patient relationship under certain circumstances. Each situation is ultimately fact-specific. Dentists are expected to apply good clinical judgement and compassion in each case to determine the most appropriate course of action.

Ending the dentist-patient relationship will usually have significant consequences for the patient, as the patient will need to find another dentist. Dentists should always carefully evaluate any decision to discontinue care and should use reasonable efforts to resolve any issues affecting the relationship with the patient prior to any final decision.

Reasonable efforts include discussing with the patient, when possible, the reasons affecting the dentist's ability to provide quality care and/or the elements that are necessary for an effective dentist-patient relationship.

If dentists are uncertain whether or not it is professionally acceptable to end the dentist-patient relationship, they may wish to seek legal advice.

## **Situations that may result in a decision to end a dentist-patient relationship**

Trust and respect are essential elements of an effective dentist-patient relationship. Dentists may find in the course of providing services to a patient that these elements break down to the extent that the dentist is no longer able to provide quality care to the patient.

This may occur when there has been:

- a) Patient fraud, such as for the purpose of obtaining narcotics or other drugs;
- b) Serious threat of harm to the dentist, staff and/or other patients;
- c) An unavoidable conflict of interest that compromises the dentist's duty to put the interests of the patient first;
- d) A communication breakdown that makes it impossible to provide quality care;
- e) Failure to comply with previously agreed upon financial arrangements for the provision of dental care; and
- f) Repeated failure to attend dental appointments without a reasonable explanation and/or sufficient notice.

This list is not exhaustive.

## **Situations where it is inappropriate for a dentist to end a dentist-patient relationship**

### **Prohibited by the Nova Scotia Human Rights Act.**

The provision of dental services is subject to the Nova Scotia *Human Rights Act*. Dismissing a patient based on any prohibited ground in the Act (age, race, color, religion, creed, sex, gender identity, gender expression sexual orientation, physical or mental disability, an irrational fear of contracting an illness or disease, ethnic, national or aboriginal origin, family status, marital status, source of income, political belief, affiliation or activity, or the patient's association with an individual or class of individuals having characteristics referred to in this sentence) may result in a complaint to the Nova Scotia Human Rights Commission.

### **The patient chooses not to follow the dentist's treatment advice**

Patients are entitled to make decisions about their health care. In general, they can make their own decisions about treatment and lifestyle, even if the dentist does not agree with those decisions. A dentist should not end a dentist-patient relationship solely because the patient chooses not to follow the dentist's advice.

Dentists are generally prohibited from administering treatment unless they have obtained informed consent from the patient or the patient's representative, even if the treatment is beneficial. Patients are entitled to withhold consent to any proposed or ongoing treatment.

If this occurs, it should be noted in the patient's dental record; particularly if the recommended treatment is supported by evidence based practice or generally accepted standards of practice.

### **The patient requires urgent or emergency services not otherwise available**

Where care is needed on an urgent or emergency basis and there are no other services available, dentists should provide the needed care.

## **Communicating a decision to terminate**

Decisions to terminate a dentist patient relationship are difficult for both dentists and patients. In all circumstances, dentists must have a transparent and reasonable rationale for ending the dentist-patient relationship. It is appropriate for the patient to understand the reason why dental services are being discontinued. This should be shared with the patient and documented in the patient's dental record.

The decision to terminate must always be communicated to the patient in writing (see appendix for sample letter). Ideally, the dentist should also communicate the decision in person, but certain situations (such as where there is a genuine risk of serious harm) may warrant written communication only.

## **Actions to be taken when ending a dentist-patient relationship**

Ending a dentist-patient relationship should always be done in a professional manner. When ending a dentist-patient relationship, the Board expects dentists to take the following actions:

- a) Notify the patient of your decision to end the dentist-patient relationship by a letter sent by registered mail (see Appendix for sample letter). Dentists may also discuss this decision with the patient, if appropriate.
- b) Place a copy of the notification letter (with the registered postal receipt or courier delivery notification) in the patient's chart. Also, document if the matter was discussed with the patient.
- c) Document in the patient's chart the reasons for ending the professional relationship.
- d) Clearly convey to the patient that he or she should seek ongoing care.
- e) Be as helpful as possible to the patient in finding a new dentist and provide the patient with a reasonable amount of time for doing so.
  - What is considered "a reasonable amount of time" depends on the circumstances of each case.
  - This period can be defined as the amount of time it would take a person using reasonable effort to find a new dentist.
  - This time may vary from community to community and may be complicated by access to care.
  - Sometimes it may be impossible for a patient to find a new dentist. In such circumstances the Board would not expect the dentist to continue to provide care indefinitely, but would expect that he or she would provide emergency services that would otherwise be unavailable to the patient.
- f) Ensure the timely transfer of a copy of the patient's dental records upon the patient's request, ensuring compliance with provincial personal health information legislation and federal privacy legislation.
- g) Notify appropriate staff (e.g. office receptionist) that you are no longer providing care to the patient.

## Appendix: Sample notification letter

The Board expects dentists to communicate the decision to terminate the dentist-patient relationship in writing in all cases and in person when appropriate. The following template contains possible wording for a notification letter when a dentist-patient relationship is ending due to a breakdown of trust and respect between the dentist and patient. The Board expects the dentist to customize his or her letter to fit the particular circumstances. The letter should explicitly state the reason for termination, and should be written in a way that the patient can understand.

Dear (patient's name):

As we discussed at your appointment (insert date), my first obligation as a dentist is to provide quality care to all of my patients. In order to do this, you and I must willingly work together toward your health and well-being.

I has become clear that because of (if appropriate indicate reason) there has been a breakdown of trust in our dentist-patient relationship. This has made it difficult for me to continue providing quality care to you.

In these circumstances, I do not believe that it is in your best interest for me to continue as your dentist. I therefore regret to inform you that I will not be in a position to provide you with further dental services after (enter the date-this may vary from community to community, but you should give sufficient notice).

I urge you to obtain another dentist as soon as possible. With your consent, I will be pleased to provide them with a copy of your dental records.

For assistance in locating another dentist please visit the Provincial Dental Board of Nova Scotia website: [www.pdbns.ca](http://www.pdbns.ca) or your local telephone directory/ Yellow pages.

Yours truly,

## Acknowledgements

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