



## Missing Link in Dental Practice- The Legal Awareness among Dental Health Professionals

**Manoj Mahadeo Ramugade\***

*Associate Professor, Department of Conservative Dentistry and Endodontics, Government Dental College and Hospital, St. Georges Hospital Compound, Mumbai, India*

**\*Corresponding Author:** Manoj Mahadeo Ramugade, Associate Professor, Department of Conservative Dentistry and Endodontics, Government Dental College and Hospital, St. Georges Hospital Compound, Mumbai, India.

Received: May 22, 2017; Published: June 30, 2017

### Abstract

Dentistry is a noble profession where dentists are continuously dedicated to their work for betterment of patient's oral health and welfare. Increasing general and legal awareness in the modern society demands better oral health care services from oral health care provider. People are aware about their right to health and right to decide the treatment from various treatment options provided to them. Any complication or mishap with the patient in the dental office gives a chance to patient or their relative to initiate legal action against that dentist. Thus, it's need of an hour to have knowledge of ethical and legal issues related to patient care that would save the dentist from future medicolegal hassles.

**Keywords:** Dentistry; Oral Health; Mishap; Medicolegal Hassles

### Abbreviations

CPA: Consumer Protection Act; CD: Community Dentistry; PHD: Public Health Dentistry

### Introduction

Saving one's life is the great deed of all and health professionals are constantly dedicated themselves for this noble cause. Doctor-patient relationship is the trust based relationship and doctors are considered as respected citizens of the society by grateful patients. With continually increasing health awareness, doctor-patient relationship is demanding more attention and efforts of doctor towards the patient. After application of Consumer Protection Act (CPA) to the medical profession doctor-patient relationship has been transformed into consumer and service provider relationship [1].

Dental students are the future of the noble profession of dentistry and they will treat the patients in future as the current professionals do with sound knowledge and competency. Unlike other health profession branches, dentistry is first an art and then science. Treating patients with artistic skills, while following the scientific principles for betterment of patient's oral

health and improving their general health and welfare is the ultimate goal of dentistry. Communicating with patients and treating them upto their satisfaction would have no longer been an easy task due to ongoing increasing general and legal awareness among the masses. Patients of the modern times are well aware of their right to know all about their disease and treatment advised with the valid reasons. Thus, the dentist have to explain the patient and their relatives all about the patient's ailment, nature of treatment to be carried out, foreseeable complications and other procedure for curing their ailment. This requires good communication skills and sound knowledge of their dental field by the dentist.

Sometimes accident or mishap occurred in routine dental practice similarly as in case of other medical fields, which may take serious turn and trouble the dentist in the form of medicolegal cases [2,3]. At this stage, dentist with sound knowledge of legal perspective of the case would handle the situation with quite patience and confidence. This requires need of knowledge and awareness on ethical and legal issues related to their field of practice.

Generally, dentist made aware about their social responsibility towards patients and society at large with inclusion of subjects like

Community dentistry (CD) or Public health dentistry (PHD) in their curriculum. Social aspects of dentistry such as Consumer protection laws and system of consumer forums have been taught to them in dental schools through these subjects. Dental students usually read them only for passing purpose and do not inculcate these principles into their professional education. At this time, they did not realize the prime importance of these enactments and unaware of social behaviour and responsibility. Legal issues arising out of dental negligence or mishap could be an altogether new chapter to them. At this stage when they are unaware about future complications, a cautious step in the present could save their bright career. Medicolegal knowledge of more than just CPA could help the dentist to resolve most of the arising litigations which will save their precious time in the court and money spent over the lawyer for litigating the case in the future.

Ethical practice to be done in field of dentistry is mentioned in Dentists code of ethics regulation [4]. It is usually inculcated in budding dental practitioners by guidance of their seniors and respected teachers; practicing ethically with the patients in the hospital or clinic. Dentistry is not an exact science but more of an art where mishap might occur at any time in a day to day practice. Generally due to unawareness and carelessness or negligence towards the knowledge of legal aspects related to the field of dentistry, the dentist inevitably invites the legal hassle to themselves [5].

In developing countries where there is a disproportion of doctor:patient ratio, doctors treat large number of patients in their daily hours. They have to concentrate on patient's health as a priority and keeping legal issues at secondary level especially in emergency situations. Incidences such as assaults to the doctor and litigations against them are common in the modern society for alleging negligence on the part of treating doctor. Why this happens because, doctors are overloaded and lacking all health service facilitates required for the optimum patient care. Attitude of patients in the present era changes towards doctors from savior to service provider for monetary consideration paid by them or by the Government. Such scenario of litigation is now also common in dental practice for monetary compensation.

## Discussion

It is an undisputed fact that every health care provider including dentist give their all sincere efforts to cure the disease and rehabilitate the patient to their health. Only because of constant hanging sword of fear about assault and litigation over the doc-

tors, they could not perform optimally and produce positive results. For the better society and healthy doctor-patient relationship the sword of fear and danger should be removed and all efforts should be made to re- establish the past golden era of doctor-patient relationship.

## Conclusion

Last to conclude that in this modern society litigations are bound to happen as mishaps are unfortunate events which may occur at any time in the dental practice. Sound knowledge of medicolegal issues with related legal provisions, good communication and gaining confidence of patients are the keys to successful dental practice.

## Conflict of Interest

No conflict of interest exists.

## Bibliography

1. Indian Medical Association v/s V P Shantha and others, 6 SCC 651 (1995).
2. Dr Rasik M Shah v/s Dr AR Kalra, CPR 389 1 (2009).
3. Charles K Thomas (Dr) v/s Mercy Jose II CPJ 491 (2010).
4. Revised Dentists Code of Ethics Regulations (2014).
5. Parmely v/s Parmely 4DLR81 (1945).

**Volume 1 Issue 1 June 2017**

**© All rights are reserved by Manoj Mahadeo Ramugade.**