Orthodontics and general dentists – what are the risks
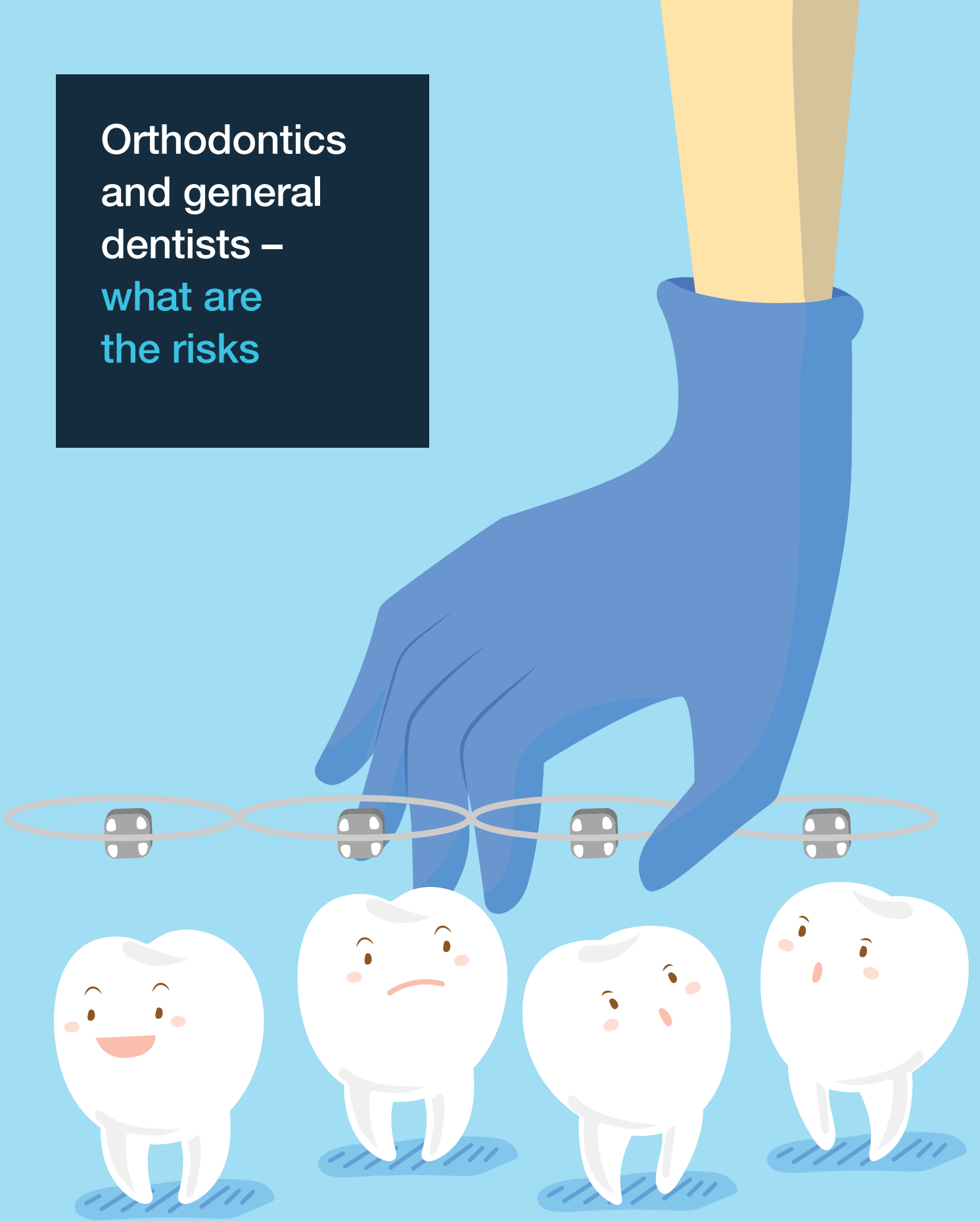
Guild Insurance and our claims experience

Guild Insurance regularly analyses its claims data to gain an understanding of the risks faced by dentists insured with us. This information is then used to create risk messages to assist those dentists to manage their risks.

Guild's claims data shows that general dentists performing orthodontic treatment are at a high risk of receiving a complaint. The likelihood of a claim against a general dentist who undertakes orthodontic work is almost twice that for a general dentist who doesn't do orthodontic work.

Guild isn't suggesting general dentists cease orthodontic work. However general dentists who perform orthodontic work need to have a clear understanding of the risks they face so they're in a position to reduce the likelihood of those risks becoming a reality.

Expanding your practice

It needs to be acknowledged that whilst the primary concern for dentists is the care of their patients, they're also running a business. And any business person would be wise to think about how they can improve and grow that business. However it also needs to be acknowledged that most changes to a business' operations present new risks which need to be managed.

One of the key ways the risks of introducing orthodontics into the services being offered by a general dentist can be managed is to carefully consider the training which is undertaken. As with any CPD, dentists have an obligation to ensure that the orthodontic training they take up is of the standard and quality required. Not all training will be of the same standard and dentists need to thoroughly research their training options so they select that which is most ideal. Selecting training simply based on cost, location and convenience is not acceptable, yet unfortunately this does happen. Dentists need to remember that they're responsible for any treatment they provide. Therefore they need to take responsibility for ensuring they're appropriately trained to provide this treatment.

Understand your level of knowledge and expertise

Whilst all areas of dentistry are in a dentist's scope of practice, dentists should form their own personal and unique scope of practice. This requires dentists being honest with themself in terms of their individual level of knowledge and expertise and only performing treatments which fit within this. Dentists need to know the extent of their ability; this helps to ensure they provide appropriate and safe treatment to all patients. All dentists will have their limitations in terms of what treatments they can and should undertake. No dentist will be the answer to all dental needs for all patients.

Knowing when to treat and when to refer

This may sound like an unusual message to give to a health professional, however knowing when to NOT treat is incredibly important.

General dentists who undertake orthodontics have a professional responsibility to identify patients whose clinical situation and treatment need is beyond their scope and expertise. And once this is identified, these patients must be referred to an orthodontist. This requires dentists to have an open and honest conversation with the patient explaining why they aren't able to provide treatment and why they need to see a specialist orthodontist.

During this conversation dentists mustn't allow patients to convince them to provide treatment. It's not uncommon to hear of cases where a dentist has recommended a referral to a specialist yet the patient hasn't wanted to take that referral; this may be due to cost, distance to travel or simply that they want to continue treatment with who they know. Again, dentists are responsible for any treatment they provide. If the patient suffers a poor outcome following treatment, claiming that the patient requested you carry out the treatment, rather than a specialist, is no defence for poor treatment or clinical decision making.

Being responsible for treatment provided also extends to situations when the patient has requested particular treatment. It's not uncommon for patients to do their own research and then request specific orthodontic treatment from their dentist, rather than wishing to discuss treatment options. However in these cases the dentist must ensure the patient is thoroughly assessed, has had treatment options explained to them, has given their informed consented to treatment and only receives treatment that is in their best interests. And of course, a patient requesting specific treatment from a specific dentist doesn't negate the need to refer when required.

Openness about not being an orthodontist

Guild regularly sees complaints from patients where they claim they didn't realise that the dentist performing their orthodontic treatment wasn't an orthodontist. It's hoped that in the majority of these cases the dentist hasn't intentionally misled the patient into believing they're a specialist when they aren't, instead the patient has simply made an assumption. When patients don't have clinical expertise, making an incorrect assumption is easy to do. It's not hard to imagine patients thinking that someone performing orthodontic treatment must be an orthodontist.

Regardless of how a patient forms this view, the dentist must make sure the patient is clear in their understanding. This means being very upfront and honest with the patient in explaining that you're a general dentist who is able to perform some orthodontic treatment, but that you aren't an orthodontist. It's also important to make it clear to these patients that they have the option of choosing to see an orthodontist if they wish. Not suggesting you're an orthodontist isn't enough; dentists should be explicit in informing the patient that they aren't.

In summary…

If a general dentist decides to provide orthodontic treatment, it's imperative they understand the risks involved and take conscious steps to reduce those risks. This is likely to lead to better treatment outcomes for patients, which usually leads to satisfied patients who are less likely to complain.

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