

Decision of the Dental Board of Australia

Performance and Professional Standards Panel

Jurisdiction: Victoria

Date of hearing and decision: 17 October 2011

Classification of Notification:

Clinical Care – Inadequate or inappropriate procedure

Communication – Failure to communicate openly, honestly, and effectively

The dentist extracted four permanent healthy first molar teeth to commence straightening the 17-year-old patient's teeth. The dentist was not an orthodontist. The patient required antibiotics because teeth fragments remained in the patient's mouth and the patient became unwell after the extractions. The patient and the patient's mother questioned why healthy teeth had been removed, which raised issues of consent for the notifier.

Allegations

The dentist faced allegations that the overly complex extraction of four sound permanent first molar teeth had a questionable prognosis and may have exceeded the dentist's skills and training. It was also alleged that the dentist failed to communicate effectively to the patient the risks, benefits, prognosis and alternatives of the treatment.

Finding

The Panel found that

- the treatment undertaken was on a Class III orthodontic patient, although the dentist stated that she only undertook treatment on Class I and II orthodontic patients
- the dentist continued to provide treatment despite the patient's refusal to take the dentist's advice to see an oral maxillofacial surgeon for a second opinion
- the dentist did not make provision for anchorage appliances to be carried out before the extractions, despite the computerised treatment plan outlining this
- in relation to the first allegation, the dentist did not have the orthodontic experience to fully understand the limitations of her experience and training and followed treatment plans without checking their reliability and
- the second allegation about adequately informing the patient of risk was not proven.

The Panel found that the dentist engaged in unsatisfactory professional performance, in that the knowledge, skill or judgment possessed, or the care exercised by the dentist was below the standard reasonably expected of a dentist of an equivalent level of training or experience.

Determination

The Panel

- imposed a condition on the dentist's registration that her orthodontic treatment plans must be reviewed, checked and supervised by an AHPRA approved orthodontist, involving a face-to-face discussion between the dentist and the approved orthodontist, with these reviews to be funded by the dentist
- ordered that the dentist submit to random audits by AHPRA of her practice to ensure that she was meeting this condition on her registration and
- required that the condition was only to be considered for removal after the dentist had undertaken 15 reviewed, checked and supervised treatment plans, and provided a satisfactory written professional performance report from the approved orthodontist each month and an overall report within 28 days of the condition's completion.