

# **Sri Aurobindo College of Dentistry**

**Indore, Madhya Pradesh**  
**INDIA**






# MODULE PLAN

- Topic : Ethics in Dentistry
- Subject : Public Health Dentistry
- Target Group : Undergraduate Students
- Mode : PowerPoint Presentation
- Platform : Institutional LMS
- Presenter : Dr. Prashant Mishra

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# Introduction

- The word ‘Ethics’ is derived from the Greek word ‘Ethos’ meaning custom or character.
- Ethics is the philosophy of human conduct, a way of stating and evaluating principles by which problems of behavior can be solved.
- Ethics is concerned with standards judging whether actions are right or wrong.



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- Dental ethics would mean moral duties and obligations of the dentist towards his parents, professional colleagues and to the society.
  - These help support autonomy and self-determination, protect the vulnerable and promote the welfare and equality of human beings.
  - They focus primarily on individuals rights and duties and do not see individuals as part of a wider social order. These principles may be called “micro-ethical” principles.



# What is Ethics:

- Definition:

Ethics is a branch of philosophy concerned with the study of those concepts that are used to evaluate human activities, in particular the concepts of goodness and obligation.

Professional ethics, broadly, embody an expected standard of behaviour.

# History of Ethics:


- The “Hippocratic Oath” has been regarded as a summing up of a standard of professional ethics.
- The code of ethics was framed by the dental council in 1975 and later notified by the government of India as “Dentists regulation 1976”.
- The principles of ethics have been influenced by the Nuremberg code.
- In some countries, since 1970 , bioethics has emerged as a field of study rather than a collection of codes.



# CODES OF ETHICS





1. To provide oral health care utilizing highest professional knowledge, judgment, and ability.
2. To serve all patients without discrimination .
3. To hold professional patient relationships in confidence.
4. To utilize every opportunity to increase public understanding of oral health practices.
5. To generate public confidence in members of the dental health professions.

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6. To cooperate with all health professions in meeting the health needs of the public.
  7. To recognize and uphold the laws and regulations governing this profession.
  8. To participate responsibly in this professional association and uphold its purpose.
  9. To maintain professional competences through continuing education.
  10. To represent dental hygiene with high standards of personal conduct.

# The Hippocratic Oath

- I swear by Apollo, Asclepius, Hygieia, and Panacea, and I take to witness all the gods, all the goddesses, to keep according to my ability and my judgment, the following oath.
- To consider dear to me, as my parents, him, who taught me this art; to live in common with him and, if necessary, to save my goods with him; to look upon his children as my own brothers, to teach them this art.
- I will prescribe regimens for the good of patients according to my ability and my judgment and never do harm to anyone.

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- To please no one will I prescribe a deadly drug nor give advice which may cause his death.
  - Nor will I give a woman a pessary to procure abortion.
  - But I will preserve the purity of my life and my arts.
  - I will not cut for stone, even for patient in whom the disease is manifest; I will leave this operation to be performed by practitioner, specialist in this art.

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- In every house where I come I will enter only for the good of my patients, keeping myself far from all intentional ill-doing and all seduction and especially from the pleasures of love with woman or with men, be they free or slaves.
  - All that may come to my knowledge in the commerce with men, which ought not to be spread abroad, I will keep secret and will never reveal.
  - If I keep this oath faithfully, may I enjoy my life and practice my art, respected by all men and in all times; but if I swerve from it or violate it, may the reverse be my lot.






# Principles of Ethics

1. Non-maleficence (do no harm)
2. Beneficence (do good)
3. Justice (fairness)
4. Veracity (truthfulness)
5. Fidelity (faithfulness)
6. Confidentiality



## Nonmaleficence (Do No Harm)

- The dentist has a duty to refrain from harming the patient.
- The dentist's primary obligations include keeping knowledge and skills current, knowing one's own limitations and when to refer to a specialist or other professional, and knowing when and under what circumstances delegation of patient care to auxiliaries is appropriate.

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- Dental professionals should make sure that they keep their knowledge, skills current and professional performance under review.
  - Dental professionals should make themselves aware of the best practices in the field that they work and provide a good standard of care based on available contemporary evidence and authoritative guidance.
  - They should also make themselves aware of laws and regulations, which affect their work, premises, equipment and business, and comply with them.

## Consultation and referral

- Dentists shall be obliged to seek consultation, if possible, whenever the welfare of patients will be safeguard or advanced by utilizing those who have special skills, knowledge, and experience.
- When patients visit or are referred to specialists or consulting dentists for consultation:

The specialists or consulting dentists upon completion of their care shall return the patient expressly reveals a different preference, to the referring dentist, or, if none, to the dentist of record for future care.

## **Ability to practice**

- A dentist who contracts any disease or becomes impaired in any way that might endanger patients or dental staff, with consultation and advice from a qualified physician or other authority, limit the activities of practice to those areas that do not endanger patients or dental staff.
- A dentist who has been advised to limit the activities of his or her practice should monitor the aforementioned disease or impairment and make additional limitations to the activities of the dentist's practice, as indicated.



## Postexposure, Blood Borne Pathogens

- All dentists, regardless of their blood borne pathogen status, have an ethical obligation to immediately inform any patient who may have been exposed to blood or other potentially infectious material in the dental office of the need for postexposure evaluation and follow-up and to immediately refer the patient to a qualified health care practitioner who can provide postexposure services.

## ➤ **Patient Abandonment:**

- Once a dentist has undertaken a course of treatment, the dentist should not discontinue that treatment without giving the patient adequate notice and the opportunity to obtain the services of another dentist.
- Care should be taken that the patient's oral health is not jeopardized in the process

## ➤ **Personal Relationships with Patients:**

- Dentists should avoid interpersonal relationships that could impair their professional judgment or risk the possibility of exploiting the confidence placed in them by a patient.



## Beneficence (Do Good)

- The dentist has a duty to promote the patient's welfare.
- This principle expresses the concept that professionals have a duty to act for the benefit of the others and the dentist's primary obligation is service to the patient and the public-at-large.
- The most important aspect of this obligation is the competent and timely delivery of dental care within the bounce of clinical circumstances presented by the patient, with due consideration being given to the needs, desires and values of patient.



# Justice (Fairness)

- The dentist has a duty to treat people fairly.
- Principle of truthfulness comprises dentist's sincerity towards patients, truth telling, never deceiving.
- This principle expresses the concept that professionals have a duty to be fair in their dealings with patients, colleagues and society and the dentist's primary obligation include dealing with people justly and delivering dental care without prejudice.



This right consists of three issues:

1. To be honest with patients
2. To give patients what they deserve
3. To give patients what they have right on.

➤ **Patients selection:** while dentists, in serving the public, may exercise reasonable discretion in selecting patients for their practices, dentists shall not refuse to accept patients in to their practice or deny dental service to patients because of the patient's race, creed, color, sex, or national origin.





# Veracity (Truthfulness)

- The dentist has a duty to communicate truthfully.
- This exposure expresses the concept that professionals have a duty to be honest and trustworthy in their dealings with people and the dentist's primary obligations include respecting the position of trust inherent in the dentist-patient relationship and without deception, and maintaining intellectual integrity.

## Fidelity

- It is the obligation to keep implied or explicit promises.


# Confidentiality

- Dental professionals have a legal and ethical duty to keep patient information confidential.
- It is the responsibility of dental professional to treat any information about patient has confidential and only use it in the context in which it was given.
- Confidential information should be kept in a secure place at all times to prevent unauthorized or accidental disclosure.



## Ethical rules for dentists (Prescribed by the DCI)


1. The Duties and obligations of dentist towards the patients:
  - Every dentist should be courteous, sympathetic, friendly and helpful.
  - He should observe punctuality in fulfilling his appointments.
  - He should establish a well merited reputation for professional ability and fidelity.

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- The welfare of the patient should be conserved to the utmost of the practitioner's ability.
  - A dentist should not permit considerations of religion, nationality, race, party politics or social standing to intervene between his duties and his patients.
  - Information of a personal nature which may be learned about or directly from a patient in the course of dental practice should be kept in the utmost confidence. It is also the obligation of the dentist to see that his auxiliary staff observe this rule.



## 2. Duties of dentist towards one another:

- Every dentist should cherish a proper pride in his/her colleagues and should not disparage them either by act or word.
- When the dentist is entrusted with the care of the patient of another, during sickness or absence, mutual arrangement should be made regarding remuneration.

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- A dentist called upon in any emergency to treat the patient of another dentist, should, when the emergency is provided for, retire in favor of the regular dentist but shall be entitled to charge the patient for his services.
  - If a dentist is consulted by the patient of another dentist and the former finds that the patient is suffering from previous faulty treatment it is his duty to institute correct treatment of once with as little comments as possible and in such manner as to avoid reflection on his predecessor.






### 3. Duties of dentists to the public:

- Dentist has to assume a leadership role in the community on matters related to dental health.
- Must act in a manner which will enhance the prestige and reputation of the profession
- Must ensure not to mislead the public in respect of the scope of entitlement to care or limitation of insurance coverage.


# Unethical practices


- Practice by unregistered persons employed by the dentist.
- Dentist signed under his name and authority issuing any certificate which is untrue, misleading or improper.
- Dentist advertising whether directly, or indirectly, for the purpose of obtaining patients or promoting his professional advantage.
- Use of bogus diplomas etc.
- Allowing commission.
- Paying or excepting commissions.

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- Undercutting of charges in order to solicit patients.
  - If the planned treatment is beyond the dentist's skill, the patient is not referred to a consultant.
  - In case of an emergency consultation during the temporary absence of the patient's dentist, temporary services provided and the patient is not sent back.
  - If consulted, the dentist accepts charge of the case without request of the referring dentist.


# The Nuremberg code (1947)


- The Nuremberg code is a set of research ethical principles for human experimentation set as a result of the Nuremberg trials of the end of the Second World War.
- It was the first international instrument on the ethics of medical research, promulgated in 1947.

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- The code, designed to protect the integrity of the research subject, set out conditions for the ethical conduct of research involving human subjects, emphasizing their voluntary consent to research.
    1. The voluntary informed consent of the human subject is absolutely essential. The duty and responsibility for ascertaining the quality of the consent rests upon each individual who initiates, directs, or engages in the experiment. It is a personal duty and responsibility which may not be delegated to another with impunity.

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2. The experiment should be such as to yield fruitful results for the good of society, unprocurable by other methods or means of study, and not random and unnecessary in nature.
  3. The experiment should be so designed and based on the results of animal experimentation and a knowledge of the natural history of the disease or other problem under study that the anticipated results justify the performance of the experiment.
  4. The experiment should be so conducted as to avoid all unnecessary physical and mental suffering and injury.
  5. No experiment should be conducted where there is a prior reason to believe that dead or disabling injury will occur.



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6. The degree of risk to be taken should never exceed that determined by the humanitarian importance of the problem to be solved by the experiment.
  7. Proper preparations should be made and adequate facilities provided to protect the experimental subject against even remote possibility of injury, disability or death.
  8. The experiment should be conducted only by scientifically qualified persons. The highest degree of skill and care should be required through all stages of experiment of those who conduct or engage in the experiment.

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9. During the course of experiment the human subject should be at liberty to bring the experiment to an end if he has reached the physical or mental stage where continuation of the experiment seems to him to be impossible.
  10. During the course of the experiment the scientist in charge must be prepared to terminate the experiment at any stage, if he has probable cause to believe, in the exercise of the good faith, superior skill and careful judgment required of him, that a continuation of the experiment is likely to result in injury, disability, or death, to the experimental subject.




# Declaration of Geneva

- The World Medical Association is an association of National Medical Association.
- The oath seems to be a response to the atrocities committed by doctors in Nazi Germany. Notably, this oath requires the physician to “not use [his] medical knowledge contrary to the laws of humanity”. This document was adapted by the World Medical Association only three months before the united nations general assembly adopted the universal declaration of human rights (1948) which provides for the security of person.



At the time of being admitted as a member of medical profession:

- I SOLEMNLY PLEDGE to consecrate my life to the service of humanity;
- I WILL GIVE to my teachers the respect and gratitude that is their due;
- I WILL PRACTICE my profession with conscience and dignity;
- THE HEALTH OF MY PATIENT will be my first consideration;
- I WILL RESPECT the secrets that are confined in me, even after the patient has died;
- I WILL MAINTAIN by all the means in my power, the honour and the noble traditions of the medical profession;
- MY COLLEAGUES will be my sisters and my brothers;



- I WILL NOT PERMIT consideration of age, disease or disability, creed, ethnic origin, gender, nationality, political affiliation, race, sexual orientation, social standing or any other factor to intervene between my duty and my patient;

- I WILL MAINTAIN the utmost respect for human life;

- I WILL NOT USE my medical knowledge to violate human rights and civil liberties, even under threat;

- I MAKE THESE PROMISES solemnly, freely and upon my honour.



# Dental Jurisprudence:


- The system of law applied to dentistry.
- The dentist, and the practice of dentistry are controlled by many laws on the federal, state, and local level.
- *Conduct may be unethical and still be legal. But it cannot be illegal and still be ethical*






# Law

- A set of rules established and enforced by a sovereign authority such as the local, state, or federal government as a means to an ordered society.
- **Criminal Law** pertains when a person commits a wrongful act against society.
- **Civil Law** pertains when one person sues another for satisfaction of a personal wrong done to him or her.

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- **Plaintiff (accuser)** is a person bringing the legal action which accuses another of wrong doing.
  - **Defendant (accused)** is a person whom legal action is being brought against.
  - **Negligence** – failing to do something that a reasonable person would do, or doing something that a reasonable person would not do.

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- **Contributory negligence** – failure on the part of the patient to follow the dentist’s instructions during and after treatment.
  - **Malpractice** – professional negligence. Failure to perform one’s professional duties completely.
  - **Admission against interest** – statement made by an individual which serves to defeat his or her own interests.  
*“Oh, I’m sorry. It was my fault.”*



# State Dental Practice Act

- Controls the practice of dentistry *only* within that state.
- The **primary purpose** of the State Dental Practice Act is to protect the public from being mistreated or misled by incompetent practitioners.

# Provisions of the State Dental Practice Act

1. Eligibility for licensure.
2. The methods and requirements for licensure.
3. A definition of what is included in the practice of dentistry within the state.

# State Board of Dentistry

- Also known as the State Board of Dental Examiners.
- Primary functions include:
  1. Examine applicants and grant licenses.
  2. Deal with misconduct, incompetence, and related matters.
  3. Establish and regulate the functions assigned to other related professionals in dentistry.





# Reciprocity

A mutual agreement between two or more states to allow an individual who is licensed in one state to receive, without further examination, a license in the other state entering into that reciprocity agreement.




# Breach of Contract

Breach of contract occurs if either party fails to keep their part of an expressed contract, either written or oral. When this happens the other party may sue for breach of contract.

**Tort** is wrongful act that results in injury to one person by another.

**Tort law** is division of civil law covering the rights and duties of people towards each other and wrongs committed in violation of these rights and duties.

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- **Assault** – a threat or attempt to touch or inflict verbal or physical attack on a person.
  - **Battery** – is the actual touching ,offensive touch or use of force on a person without consent.
  - **Fraud** – is deliberate deception that is practiced to secure unfair /unlawful gain.
  - **Defamation of character** is injury to one another by wriitten or spoken words.

# Four “D’s” of Tort Law

- Duty – a legal duty must be owed by someone to another
- Dereliction – the duty owed must have been reached by the accused
- Damage – the plaintiff must have been hurt in some way
- Due to – the plaintiff must be able to prove that the defendant’s action, or lack of, were the proximate cause of the damage

# TYPE OF TORTS

- **Intentional** :- false imprisonment intentional infliction of emotional distress ,invasion of privacy defamation , trespass , computers torts.
- **Negligence** :- duty,breach of duty, causation , damages
- **Strict liability**:- inherently , dangerous , activities, product, liability.


# Negligence

- Failure to do something which a reasonable man would do or the doing something which a prudent and reasonable man would not to do.
- Determining a reasonable person depends on a number of factors:
  1. Today's standard for people.
  2. Professional standard
  3. Local standards
  4. Environmental factors at time.

# Common types of negligence

- **Gross negligence** -In these cases the negligence was so careless it showed a complete lack of concern for the safety of others. Gross negligence is a much more serious form of negligence that goes a step further than simple careless action. Eg: Hospital staff does not change a surgery patient's bandages for several days, resulting in a serious infection.
- **Comparative Negligence** – This is where the plaintiff is marginally responsible for the injuries to himself. The plaintiff may be required to pay a percentage of the damages in a comparative negligence case. Eg: You sustain serious injuries from RTA because you were not wearing a seatbelt



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- Criminal negligence - Arises in case of death or serious injury to a patient. The degree of negligence must be so grave as to go beyond a matter of compensation. The doctor may be prosecuted by police or charged in a criminal court for culpable homicide.
  - Contributory negligence- Concurrent negligence by the patient and the doctor, resulting in delayed recovery or harm to the patient. Burden of proof on doctor
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  - Professional negligence - absence of reasonable care and skill, or wilful negligence of a medical practitioner in the treatment of patient which causes bodily injury or death of patient

# Patient of Record

- A patient of record is someone the dentist has already accepted as a patient.
- The dentist is not legally compelled to accept or treat a new patient just because an emergency exists, however, the dentist is obligated to provide emergency treatment for a patient of record.

# Liabilities in Dentistry

The dentist may be held liable in the following ways:

1. Breach of contract
2. Maligning a patient
3. Permitting a hazard in the dental office
4. Technical assault
5. Malpractice




# Malpractice

1. Professional misconduct
2. Any unreasonable lack of skill
3. Lack of fidelity (faithfulness) in performance of professional duties
4. Practice contrary to established rules



# Dentist's Responsibilities to the Patient

- Must be properly licensed
- Must exercise reasonable skill, care, and judgment
- Must do only those things consented to by the patient
- Must refer unusual cases to a specialist
- Must use standard drugs, materials, and techniques

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- Must complete agreed upon treatment within a reasonable time
  - Must hold inviolate the patient's privacy
  - Must give adequate instructions to the patient.
  - Must make a reasonable charge for the services rendered

# Patient's Responsibilities to the Dentist

- Must follow instructions during and after treatment
- Must pay a reasonable fee or a fee agreed upon between dentist and patient






# Patient Records

The patient's dental record, commonly referred to as "the chart", provides a chronological record of the clinical justification for treatment received by the patient.

These records are important legal documents.


# Guidelines For Clinical Record Entries


- Use the next available line
- Make the entry as soon as possible after the patient's visit
- Date the entry
- Sign or initial the entry to clearly identify who made the entry
- Make the entry clear, concise, and complete
- The entry must be typed or in ink (blue or black)
- Handwritten entries must be legible

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- **Good Samaritan Law** is protection for those individuals who are not seeking payment but are rendering medical assistance to the injured (emergencies).
  - What to do if a dentist is sued:-
    1. Say Nothing
    2. Be supportive
    3. Be cooperative
    4. Ask before acting

# Dentist's Pledge

- I, as a member of the dental profession, shall keep this pledge and these stipulations.
- I understand and accept that my primary responsibility is to my patients, and I shall dedicate myself to render, to the best of my ability, the highest standard of oral health care and to maintain a relationship of respect and confidence. Therefore, let all come to me safe in the knowledge that their total health and well being are my first considerations.

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- I shall accept the responsibility that, as a professional, my competence rests on continuing the attainment of knowledge and skill in the arts and sciences of dentistry.
  - I acknowledge my obligations to support and sustain the honor and integrity of the profession and to conduct myself in all endeavors such that I shall merit the respect of my patients, colleagues and my community.

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- I further commit myself to the betterment of my community for the benefit of all society. I shall faithfully observe the Principles of Ethics and Code of Professional Conduct set forth by the profession. All this I pledge with pride in my commitment to the profession and public it serves.



# Conclusion

- “Ethics warms the heart and cools the mind”
- Ethics means that majority of professional accept the right and also condemn the wrong
- Ethics can be printed , can be sermonized, can be dictated, or even documented ,but if not practiced it is only words.
- Ethics is not an object , it can't be bought or sold or bartered, but it can be shared.



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**Thank you**