

POLICY REGARDING ABANDONMENT OF A PATIENT

Preamble: The purpose of this policy is to clarify the Board's position regarding what constitutes abandonment of a patient and the ramifications of this conduct on the part of the licensed dentist.

Currently, the Dental Practice Act does not specifically address the issue of abandonment of a patient. However, the Board has traditionally taken the position that if a dentist has abandoned a patient, he or she potentially has violated the standard of care for the profession, which is grounds for discipline pursuant to Ohio Revised Code 4715.30 (A)(7).

Webster's New World Dictionary, Second College Edition states the following: abandonment "implies leaving a person or thing.....as a complete rejection of one's responsibilities, claims, etc."

With that simple definition in mind, the Board issues this policy to set forth criteria that may be considered in making a determination as to whether abandonment of a patient has occurred. The reason for the termination is not necessarily important to the Board.¹

The key factor is whether the dentist has considered the effect of the termination of the dentist/patient relationship on the dental health of the patient. The criteria that the Board will review are:

- Lack of notification or adequate notification to patient. Lack of patient consent to the termination of a patient relationship with the dentist, or lack of documentation in the record referencing discussions with the patient in this regard.
- Failure to supply patient or patient's subsequent dentist (upon request) with necessary documentation, i.e. patient records, etc. (including x-rays and models). Failure to provide an appropriate referral when necessary.
- Patient's treatment plan and status of care. Unilateral termination of a patient relationship during the course of a treatment plan. Placing patient's dental health in jeopardy.

Policy, Abandonment

June 12, 2002

Page 2

Some risk is always inherent when a dentist decides to terminate a relationship with a patient. However, careful timing and cooperation with the patient can alleviate some of this risk, as well as documentation of the actions taken by the dentist.

Upon receipt of a complaint alleging patient abandonment, the Board Secretary will consider the above noted factors along with other relevant facts of the case to determine whether administrative charges are warranted.

It is important to keep in mind that this policy deals with important aspects of the dentist/patient relationship. It is advisable that when issues arise, that you contact your personal attorney for legal advice as necessary.

(June 12, 2002)

¹ Note that there are guidelines which must be followed in dealing with HIV positive or AIDS patients. This policy does not address these issues.