



Ethical aspects & professional code of conduct in dentistry

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Abstract

In the modern scenario, health care awareness among society is at peak. This includes dental health care too. Thus responsibilities of dentist to practice dentistry in an ethical and more patient friendly way have also increased. To become a good dentist along with technical skills, education, knowledge and experience professionals should also have understanding of maintaining practice in an ethical way to avoid any medico-legal litigation. They should also maintain proper documentation to serve if required anytime. This article emphasizes basic ethical principles and codes of professional conduct that every dentist should keep in mind. Along with this, importance of consent, various types of consent and its usage in different circumstances has also been explained.

Keywords: dentistry, technical skills, education, knowledge and experience

Introduction

Dental health care professionals provide care to their patients in the similar manner as a physician would do. Thus dentists are also abiding by certain ethical regulations for themselves and for their patients' care. Main goal of every health profession is to serve patients above one's self interests [1]. In the recent years dental health care has gained popularity among society. A large fraction of this is due to increased number of awareness programs initiated by the government. In this profession a relatively long and focused preparation is needed and all these efforts are supervised by certain codes and principles of ethics [2].

Ethics are categorized under branch of philosophy and defined as the systematic study of conduct whether any act is right and good for patients [3]. Dentists hold a unique position of trust due to their continuous efforts for the health care advancement of society. In return, society offers certain privileges for dentists that are not offered to others and thus dentists commit that they will adhere to the highest possible standards of ethics and professional code of conduct. Ethics can also be defined as the study of moral behaviour. Morality is related with the decision making and human behaviour [4].

Nowadays, importance of ethics in modern dental practice is impeccable. For being a good practitioner one has to ensure that certain ethical aspects have been taken care of; such as – confidentiality of patients, dentist & patient relationship and obtaining informed consent from the patient. Dentists also need to develop the attitude to handle the practical ethical issues that may arise in their practice.

Principles of ethics

Health care professionals have the privilege of self-regulation. But this privilege comes along with the obligation to follow written codes of conduct and principles of ethics to guide all the existing and future members of the health care services. In 1997, to maintain standardization of dental services and to guide dentists' behaviour, FDI adopted certain guidelines (International Principles of Ethics). These guidelines provide a

broader framework of ethics and code of conduct but these do not cover all the possible national and international traditions & circumstances [2, 3].

To maintain the integrity of the healthcare profession and to ensure competency of the professionals these principles play an important role. There are 5 main principles: Patient Autonomy, Veracity, Non maleficence, Beneficence and Justice. These principles can be used in conjunction with each other or on the priority basis over each other (as per the situation). In any given scenario, more than one principle can justify the requirement and need to be balanced against each other [2, 3, 5]. Details of these principles is as follows-

Patient autonomy (Self-governance)

Word Autonomy is derived from two Greek words: Autos (self) and Nomos (Governance). According to this principle dentists need to respect patients' rights to self-determination and confidentiality. This principle states that dentists have a duty to treat the patients as per their desire (within the limits of accepted treatment) and to maintain the confidentiality of data related to their health care. Primary obligation of the dentist is the inclusion of patients' desires in a meaningful way, with due consideration being given to the patient's needs and abilities. Dentists are also obligated to protect the confidentiality of the patient and to tell them the truth [2, 6].

Professional code of conduct

1. Patient involvement: During treatment planning dentists should encourage the involvement of the patients by explaining them the proposed treatment plan and any other alternatives available. This will give profound sense of trust and patients will feel more comfortable with the dentist.
2. Records of the patients: Dentists need to maintain all the records related to the healthcare of the patient and arrange these in such a consistent manner so that these can be provided whenever requested. Dentists have to maintain the confidentiality of all the data too.

Non Maleficence (do no harm)

Word Non Maleficence is derived from the Latin “primum non nocere”. This means “first, do no harm”. According to this principle dentists have a duty to do no harm to the patient. To achieve this purpose all dentists are required to update their knowledge and skills as per the changing scenario. They should know about their limitations and should be comfortable to refer a patient to the specialist whenever required. Dentist should have a stronghold in delegating the cases to the auxiliaries, if they feel it is necessary ^[2, 3, 6].

Professional code of conduct

1. Education: Dentists have a privileged status in the society because of their skills and experience. Thus they are obligated to keep their knowledge current.
2. Referral & Consultation: Dentist should always give preference to the welfare of the patient. If required, patient should get referred to the specialist to seek any kind of special services. Upon completion of check up, referred dentist should ask the patient to return to the primary care dentist, unless patient expresses the interest otherwise. They should inform the patient about the future dental care and if any other follow ups for the same treatment is required too.

Beneficence (do well)

Word Beneficence comes from the Latin word benefactum. It means “good deed”. According to this principle dentists have an obligation to do benefit to others and perform services for the betterment of patient’s health ^[7]. Main aspect of this principle is to provide competent and timely delivery of care to the patient under given clinical circumstances. This principle is applicable in all kind of agreements according to which a dentist agrees to treat the patient, whether this is fee for services, charity basis or any other contractual basis service.

Professional code of conduct

1. Regulation: Every profession performs to its best extent only when it is regulated by any governing body. Similarly dentistry also serves the society best only when it functions under stringent regulations and written principles. This is a self-regulated profession, thus every dentist has the obligation to be a part of such governing bodies and get their services reviewed, follow ethical principles and make an attempt to improve services and conduct to the standards created by such governing bodies. This helps in standardization of services in every manner.
2. Contribution by research: Dentists treat a variety of cases every day and make new learning and discoveries to treat the same issue with new improved methods. When they encounter any such kind of new methods, then they should share this knowledge with the fellow dentists and contribute in safeguarding patient’s interest & in the promotion of health of the public.
3. Community service: Through their skills, knowledge and experience dentist serve the community for public health promotion. At the same time, they should also engage in the other educative programs for the society to create

awareness regarding oral health issues and to minimize the chance of occurrence of these problems. Dentist should emerge as a health care leader and perform their best to improve basic hygienic standards of the society.

4. Report abuse and neglect: Dentist should have knowledge regarding signs of abuse and neglect in the patients (Both minor and major). Whenever they see these signs they should report about these suspected cases to the concerned authorities and follow laws consistent with their region.

Justice Fairness

According to this principle, dentist should treat patients fairly without any discrimination against patient’s creed, colour, race, sex, origin etc. ^[8] they have the duty to improve access to care for all in society. Society often determines about what is justified and what is not thus dentist should take cues from this and ensure to perform according to the ethical principles.

Professional code of conduct

1. Patient selection: Dentist has the right to do reasonable discretion in selecting patients for their practice but they should not refuse to treat any patient on the basis of their creed, colour, sex, origin etc.
2. Infected patients: Patients who are infected with blood borne pathogens such as: HIV, Hepatitis B, C etc cannot be refused for the treatment by the dentist according to this ethical principle. All the decisions regarding their treatment plan, referrals should be made as per the same protocol that is followed for the other patients. Dentists should also discuss with the patient’s primary care physician if dental treatment would compromise the overall health of the patient. In this case, treatment should not be provided at the cost of the general health of the patient.

Veracity (truthfulness)

According to this principle, dentist has an obligation to communicate with the patients in a truthful manner without any deception and should maintain professional and intellectual integrity. This is applicable mainly on the referrals, credentials and billing issues. Dentist should always be truthful regarding their skill, experience and knowledge ^[2, 3].

Professional code of conduct

1. Treatment planning and execution: Dentists should be truthful regarding communication of problem and the treatment planning. They should not represent any misleading and false information to the patient regarding their treatment plan.
2. Representation of the data: When a dentist prescribes any treatment plan and diagnostic method then it should be substantiated by the scientific knowledge. When such representations are not in consistency with the current scientific methods then it comes under unethical and illegal practice.
3. Fee structure: Dentist should discuss the fee structure with the patient before initiating any treatment plan. There should be no hidden charges and dentist should not bill the patient for any services which have been provided in a

false manner or without consent of the patient.

Ethical problems

Dentists need to practice precaution under certain circumstances to avoid the risk of violation of ethical principles and code of conduct. Some of the cases are as follows:

1. **Advertising:** Dentists can advertise about their practice but they should not provide any false or misleading data in the ads. They should refrain from communicating in such manner that can create confusion among patients. Advertising should be clear in the language, communication and in the message delivery. It should never deceive or mislead by relatively lesser disclosure of the data or omission of some of the information. This should never create false expectations about the outcome after final treatment plan ^[3, 9, 10].
2. **Usage of non health related or false degrees:** Dentists can use the prefixes related to their dental profession. Usage of unearned or non health degrees can mislead the patients and it is also unethical and illegal. After looking at non health degrees patients may have the impression that this is somehow related to the profession and it can interfere with their decision of getting care.
3. **Confidentiality:** Dentists have an obligation to maintain confidentiality about their patient's health care records. But they can disclose the data in case of any infectious disease, if it increases the risk of other patient's getting infected ^[3].
4. **Care availability:** Dental health care should be available to all patients irrespective of their physical & mental status. Dentist should create a friendly environment to all physically and mentally impaired patients ^[2].

Dentist act and code of ethics by DCI

Dental Ethics encompasses code of professional conduct and judgement; created by the members of the dental profession and it is the moral duty of every dentist to follow these rules. These regulations were created by DCI ((Dental Council of India) in 1976 and later it got revised in 2014.

Ethical code includes certain responsibilities which dentists should fulfil such as: maintenance of dental health records, good practice, display registration number, maintain complete documentation etc. These codes elaborate responsibilities of dentists towards other dental surgeons, which may include dependence of dental surgeons upon each other for appointment of substitutes, seeking consultations, referrals, visitations and so on. Along with these responsibilities; duties and obligations of dentists towards their patients are also explained in detail. This encompasses confidentiality of patients, referrals, fees and other charges, treatment planning etc. Dentists are privileged members of the society and they should act as responsible citizens too.

Dentist act also elaborates unethical practices which may occur in this profession. Such as: Advertising, unhealthy price competition, sub standard services, discrimination among patients, copyright issues, soliciting, dentist and

pharmaceutical companies relationship, dentist and patient relationship etc. ^[9, 11].

Consent

Consent means agreement between involved parties in a voluntarily manner or seeking permission or getting compliant ^[12]. This is related to the ethical principle of autonomy and states that no patient can be touched and treated by the dental surgeons without their permission or in case of minor, authorization from the legal guardian is mandatory. When consent is being given, it acts as evidence that the dentist has sought the permission to intervene and can perform required steps to deliver the treatment prescribed.

Types of consent

1. **Implied consent:** This is a form of consent which is not given to the dentist expressively but inferred from the actions and circumstances of a particular scenario. For example when a patient reaches to the dentist it is implied that he/she is ready to be examined by the surgeon ^[13]. During most of the cases of dental treatment, a patient can ask the dental surgeon to take a pause or to stop all together whenever they want to. Thus they do not need to provide any explicit consent at this time ^[7].
2. **Informed consent:** This is a form of consent which is given by a patient who has the clear understanding of the facts and has information about consequences of any action. This consent states that the conversation regarding nature of incident, its available alternatives, risks, benefits, uncertainties and consequences has been explained and patient has accepted it and wants to go further for the treatment ^[13].
3. **Expressed consent:** This is a form of consent which is not implied and expressed clearly by the patient. It can be in the different forms such as: Written, verbal etc. Written expressed consent is obtained in the major surgical procedures, for administration of the general anaesthesia, intimate examinations, medico-legal cases etc. Verbal expressed consent is obtained in the minor treatment procedures ^[14].
4. **Substitute consent (Proxy consent):** This is a form of consent that allows the legal guardian of minor or incompetent patients to make decision on their behalf ^[15].
5. **Loco (consent) parentis:** This consent comes into action in emergency situations when parents or legal guardians are not available to give consent. Then consent is obtained from the person who brings the patient to the hospital/clinic for the treatment ^[15].
6. **Blanket consent:** This is a form of written consent like forms of the clinic/hospital and covers almost everything which can be performed on the patient without mentioning anything specifically. This consent is not adequate enough for the legal purposes though ^[15].

For consent to be valid, certain parameters are prescribed. These are

1. **Factor of voluntariness:** Person who is giving consent should not be under any undue pressure. He/she should give the consent freely and only when he/she is comfortable.

2. Factor of ability: Person should be capable enough to understand the nature, implications and consequences of the incident for which he/she is giving consent. If a mentally challenged or minor patient is giving consent then it would be treated as illegal.
3. Factor of age: According to the literature, there are 2 thoughts regarding age for consent.

As per Indian Penal Code of 1860: Consent given by mentally incapacitated person or minor under age of 12 yr is not valid. Thus person above 12 years of age who can understand the complexity of the incident and relate with the consequences can give consent.

As per Indian Contract Act of 1872: consent given by the competent person of 18 years or older of age is valid and he/she can enter into a legal contract.

Conclusion

In India, Dental Council of India (DCI) supervises dentistry practice and ensures that all the dental surgeons adhere to the satisfactory standards of ethics. Still, to maintain integrity of the profession and to maintain highest standards of health care, every dentist should contribute in the best possible manner. Main factor to improve the dentist and patient relationship is to obtain the informed consent and to respect the privacy of the patient. To achieve the trust and to maintain the confidentiality, all dentists should maintain official records. In this way they can avoid many medico-legal issues too. If patients find themselves in an uncomfortable situation or not satisfied with the services, they can also seek redress in the Consumer Protection Act.

Health care is a noble profession and all the professionals in health care work towards betterment of society tirelessly. They take an oath to protect people and they do everything in their power to serve this purpose. Yet sometimes they need guidance and understanding from the society too. To provide guidance, DCI is in place and patients should also understand that no doctor would do harm to his/her patients intentionally. If we will work together (both dental surgeons and society) we can present Indian health care structure as a flawless and perfect health care system across the world.

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