

Standard of Care and Negligence

When we were in dental school, our instructors attempted to educate students about what was considered the right way to practice and produce dentistry that met the standard of care doctrine. Today, instructors continue to require students to perform treatment that meets their definition of this standard of care.

But in our dental profession, there are many definitions of the proper dental standard of care. That standard can also vary from state to state. The wise practitioner should check his own state dental practice act to be confident they are meeting the requirements set forth by the state.

A common concept for the standard of care might be 'dental treatment a reasonable competent practitioner in that locality would provide for that patient under similar circumstances.

But dentistry is a dynamic art constantly evolving with new technology and procedures. This results in a standard of care that must change to stay current with changing dental systems.

Hence the requirements to have continuing education as part of the standard of care is a fundamental of safe and risk lowered practice.

THE DEFINITION OF NEGLIGENCE

In law, negligence is the failure to do something that a reasonable person of ordinary prudence would do in a certain situation or the not doing of something that such a person would not do. Negligence may provide the basis for a lawsuit when there is a legal duty, as the duty of a dentist to provide reasonable care to patients, and when the negligence results in damage to the patient.

In other words, there was an established relationship between the dentist and the patient, wherein the dentist provided care below the standard of care for that locality, resulting in an injury to the patient attributable to the treatment provided.

Finally, we may conclude that the standard of care encompasses the total manner in which a dentist practices this noble profession and is not easily defined in a specific term. All dentists need to provide reasonable care for their patients in a confident and professional manner that benefits the health of the patient.

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