

Peace of Mind for Dental Hygienists

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Dental hygienists are the sixth-largest type of regulated health professionals in Canada with around 30,000 practitioners. Today, as many as 6% have established their own practice outside of a traditional dental office, and there are about 400 independent dental hygienists across Canada. (1)

Dental Hygienists are regulated oral health care professionals. They provide clinical assessments and oral therapy, oral health education, and promote oral care strategies to people at every stage of life.

They practice in a variety of settings, including private practice, public health units, hospitals, and long-term care facilities, educational institutions, the dental industry, and even in the client's home using mobile equipment. Collaborations and multi-professional teams can include denturists, physicians, nurses, physiotherapists, chiropractors, and massage therapists as well as dentists.

Liability Risks and Exposures for Dental Hygienists

Though it is true that dentists are sued more often, dental hygienists are still subject to liability.

Dental work is delicate, and as such, accidents can happen even if there are not other pressures like being rushed for time. For example:

- The sudden jerk of a patient's head or breakage of an instrument can lead to a laceration - or worse.
- An equipment malfunction can cause an injury.
- The hygienist may be distracted and may fail to detect some pathology in the patient's mouth.

Failure to update medical history:

A new medical history on most patients should be obtained every 3 years. However, the patient may view the task of filling out medical history update forms as an imposition. This is likely, either because the patient fails to see the necessity of the practitioner's ability to provide care safely and competently, or because of illiteracy that is understandably not something most people are eager to admit.

When patients express hesitation, a good practice would be for the clinician to complete the form for the patient by conducting a medical history interview and have the patient sign the interview at the end.

Also, in offices using paper charts, illegible handwriting can cause clinicians to provide incorrect treatment.

Failure to detect oral pathology:

While dental hygienists are not expected to be able to identify or diagnose every oral pathology that exists, they are expected to know when something in the oral cavity is abnormal, to identify periodontal diseases in general, and report this to the dentist.

They are expected to screen for oral cancer. The dental hygienist can be named as a co-defendant if the dentist/employer is sued for failure to detect oral cancer. Errors in clinical judgment, failure to follow up, failure to screen patients appropriately, and delays in evaluation can all lead to failure to detect oral cancer.

Failure to detect periodontal disease:

Dental hygienists are also typically responsible for identifying areas of the mouth where periodontal disease is problematic.

Injury to a patient:

Accidentally spilling a chemical on a patient or lacerating the tongue due to inadvertent instrumentation are just a couple of ways an injury might occur.

Other reasons that hygienists might be sued:

- Not protecting patient privacy/divulging protected patient information
- Practicing outside the scope of legal duties
- Not adhering to standards of care

- Breaching infection control standards
- Failure to ask if the patient has premedicated
- Failure to record thorough documentation
- Failure to identify or take precautions with a medically compromised patient
- Upcoding or incorrectly coding procedures
- Soliciting patients upon change of employment venue

Coverage and MedThree Advantage

With specialized experience in the healthcare industry, MedThree Insurance Group can help by providing tailored policies for dental hygienists and other regulated healthcare professionals. Our healthcare practitioners' coverage options make it easy for brokers to find the right policy for their healthcare clients.

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<https://medthreeinsurance.com/>

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Sources

1. https://www.dentalhygienecanada.ca/DHCanada/DHCanada/Preventive_Oral_Care/Dental_Hygiene_Facts.aspx