

The Dental Board is Conducting an Investigation. What Should You Do?

By *Madeleine Pfefferle*

The North Carolina State Board of Dental Examiners is an agency charged with regulating the practice of dentistry in the interest of public health, safety, and welfare and consists of six licensed dentists, one licensed dental hygienist, and one consumer member.

To-Do List

- ✓ Call your insurance carrier to determine if you have coverage for Dental Board investigations
- ✓ Call an attorney to assist you in responding to the complaint
- ✓ Review YOUR chart regarding the care at issue
 - Do not violate HIPAA by reviewing records other than your own
 - Ensure the patient's chart is stored where there is no potential for loss, damage, or alteration
 - Do not alter the chart; additional comments or clarifications may be included in an addendum
- ✓ If the investigation requires a written response, draft a response and send it to your attorney
 - Your attorney can assist you in tailoring your response to address the specific issues on which the Board will focus
 - A copy of the response will be provided to the patient
- ✓ If the investigation includes a hearing before the Board, prepare with your attorney; Request to be represented by an attorney if an investigator comes to your office
- ✓ Be cooperative: not every complaint is a crisis and your insurance carrier and attorney can assist you through the process so you can focus on providing care to your patients

Things to Include in Your Response

- ✓ Your training and experience
- ✓ Any awards or honors you have received
- ✓ Any leadership positions you have held
- ✓ Resume/CV
- ✓ Summary of care at issue explaining your decision making
- ✓ Records as Exhibits showing your decision making
- ✓ Applicable Dental Board position statements
- ✓ Whether you have or are going to change your practice in response to the claim

DENTAL BOARD

Investigations



Actions the Board May Take

- ✓ Reprimand
- ✓ Require Education
- ✓ Probation and Monitoring of Practice
- ✓ Revocation or Suspension of License
- ✓ It CANNOT require a dentist to refund a patient for services rendered or compensate a patient for personal damages



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