Presented by the
FDA Council on the New Dentist

HORIZON
RESOURCE GUIDE FOR THE FLORIDA DENTIST

florida dental ASSOCIATION

Presented by the
FDA Council on the New Dentist
The Florida Dental Association (FDA) Council on the New Dentist publishes *Horizon: A Resource Guide for the Florida Dentist*. It is designed to help dentists who are new to practicing in Florida.

The council is composed of FDA members who can help new dentists as they begin their careers in Florida. Council members represent each of the FDA’s six district dental associations. Consultants include representatives from the American Student Dental Association and the American Dental Association Committee on the New Dentist.

© Florida Dental Association, 2015
Dear Colleague,

Whether you are a new dentist, new to the state or a seasoned practitioner, your colleagues have provided this guide to help you succeed in Florida.

The Florida Dental Association (FDA) is the voice of dentistry in Florida. It officially represents 7,000 Florida dentists. If not for the FDA, your profession would be markedly different today.

Your membership in the FDA signifies to the public your commitment to excellence. It demonstrates your resolve in keeping up with current scientific advances. And, it provides you with a forum of communication with colleagues throughout Florida and the nation.

The Florida Dental Association is blessed by a public persona that is unsurpassed in health care. We have maintained a standard of care that is unparalleled. Our legislative leaders respect our opinions and act on our efforts to maintain our autonomy and prestige. These leaders know when we speak to them, we speak with integrity and truth.

The benefits of membership, without a doubt, pay for the costs of membership many times over. Do you want to access dental-related information, services or products? Call us first! We may already have what you need to succeed.

The Florida Dental Association is dentistry in Florida. For the sake of this wonderful profession, it must remain strong and active. Your commitment to the future of your profession cannot be complete without membership in your FDA.

Join us and the many thousands of your colleagues who guide the course of our great profession.

Sincerely,
The FDA Council on the New Dentist
Log on at ada.org to access member benefits made available online exclusively for ADA members.

FORGOT YOUR ADA/ADA PASSWORD?
For user name and password assistance, contact the ADA Member Services Center at 800.621.8099. Then, save your login here!

User name: __________________________
Password: __________________________

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User name: __________________________
Password: __________________________

LOG IN!

TRUSTED SCIENCE

The ADA is respected worldwide for evidence-based science and careful evaluation of dental products.

ADA CENTER FOR EVIDENCE-BASED DENTISTRY
Find evidence to support your clinical decisions and obtain reviews, expert advice and answers to many of your clinical questions. Here you also can review guidelines and assessment of the benefits and harms of alternative care options. These are the strongest resources to aid dental professionals in clinical decision. Go to ebd.ada.org.

ADA SEAL OF ACCEPTANCE
Approximately 100 consultants, including members of the ADA’s Council on Scientific Affairs and ADA staff scientists, review and declare oral care products safe, effective and worthy of the ADA Seal. Only after a product has demonstrated its safety and effectiveness will the ADA Council on Scientific Affairs award the Seal to that product.

BUSINESS RESOURCES

Find a myriad of business resources provided to help you succeed on the ADA’s comprehensive website.

ADA CENTER FOR PROFESSIONAL SUCCESS
Practice, learn and live! Access a wide range of information to help manage your dental career, including content that helps you practice successfully, learn conveniently and live well. Find informative practice management information and tools. Go to success.ada.org.

- Career opportunities and options
- Managing yourpractice
- Maintaining a positive reputation
- Dental benefits
- Financial management
- Risk management
- Dental records
- Survey of dental fees

ADA BUSINESS RESOURCES
ADA members receive special pricing on endorsed business products and services to help manage your business. Products include: ADA credit cards, amalgam recovery program, apparel, appliances and vehicles. Go to adabusinessresources.com or call 800.947.4746.

- PRACTICE AND COMMERCIAL REAL ESTATE FINANCING
ADA members always receive preferred pricing, complimentary planning and educational resources, and project support. Contact Wells Fargo Practice Finance at 888.937.2321.

- ADA STORE
Purchase ADA products at ebusiness.ada.org or call 800.947.4746.

- Personalized products
- Patient education materials
- Managing your practice
- Current CDT code books, including the CDT app
- Go to the ADA catalog store to find special promo codes for additional member discounts

PUBLICATIONS

ADA members stay informed with ADA print and electronic publications. ADA e-communications alert members to breaking news affecting the profession and also provide topical updates and special promotions. For award-winning and well-respected publications, go to www.ada.org/en/publications.

- ADA News
- The Journal of the American Dental Association (JADA)
- Professional Product Review and Dental Product Guide

ADA LIBRARY
Members have 24/7 access to a full library with 15,000 titles on general and specialty clinical dentistry topics and the history of dentistry, and more than 600 journal titles. Member benefits include access to the University of Illinois at Chicago (UIC) Library of the Health Sciences, DynaMed, Dental & Oral Sciences source, Cochrane Library and PubMed/MEDLINE. For more information/search assistance: 312.440.2653 or library@ada.org.

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PUBLIC OUTREACH

MOUTHHEALTHY.ORG
Mouth Healthy is the public website of the ADA. It covers important dental health topics such as: preventive oral care, common dental procedures and nutrition. From pregnancy to adults over 60, patients can learn about the importance of their oral health.

FIND AN ADA MEMBER DENTIST
Your future patients are looking for you! ADA members automatically have a profile created on mouthhealthy.org. It can provide future patient’s with information to help them find a dentist nearby. Log on to the ADA website to update your information and profile picture.

GIVE KIDS A SMILE
Since 2003, more than five million underserved children have received free oral health services. These free services are provided by approximately 10,000 dentists annually, along with 30,000 other dental team members.

ETHICS

ADA PRINCIPLES OF ETHICS AND CODE OF PROFESSIONAL CONDUCT
The dental profession holds a special position of trust within society. The profession makes a commitment to society that its members will adhere to high ethical standards of conduct. These standards are embodied in the ADA Principles of Ethics and Code of Professional Conduct.

ADA ETHICS HOTLINE
The ADA Ethics Hotline is designed to assist members in resolving ethical dilemmas. It is not a legal resource, but helps members — much like an ethics consult service. Callers will be matched with a member of the Council on Ethics, Bylaws and Judicial Affairs who will arrange to call the member to discuss the dilemma and offer resources that may assist in finding a solution. Search “Ethics Hotline” at ada.org or call 800.621.8099.

ADVOCACY

Organized dentistry is represented on a national political level through the ADA’s office in Washington, D.C. For more information go to ada.org/en/advocacy. As your “voice” in Congress, the ADA focuses on laws and rules relating to these issues:

- Health Care Reform
- Coverage and Benefits
- Dental Education (Student Debt)
- Dental Products
- Practice Management
- Prevention and Education
- Science and Dental Research
- Workforce

YOUR ASSOCIATION: THE POWER OF THREE

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prohibits insurance companies from dictating to dentists how much they can charge for services not covered under their dental contract.

maintains Florida’s current educational standards for graduates of non-accredited dental schools.

changes the Florida licensure exam to the American Dental Licensing Examination (ADLEX) based on psychometric review that deemed both exams identical.

requires non-Florida licensed expert witnesses who want to testify in Florida to acquire a certificate from the Florida Board of Dentistry prior to testifying.

secures a $56 million Medicaid fee increase for Medicaid dental providers of children’s services, the first substantial dental fee increase in almost 20 years.

allows dental hygienists to apply fluorides and sealants in specified health access settings without prior authorization or supervision of a dentist.

allows patients to voluntarily contribute toward their dental lab costs when receiving free care, without jeopardizing the dentist’s sovereign immunity.

creates a public record exemption for dentists and dental hygienists when completing the voluntary workforce survey during licensure renewal.

There are many opportunities to get involved in the legislative process. See page 15 for details.

- Dentists’ Day on the Hill
- Legislative Contact Dentists
- FDA Political Action Committee

FDA SERVICES INC.

FDA SERVICES (FDAS) is a wholly owned insurance agency of the Florida Dental Association. With more than $1 million contributed to dues reductions each year, FDAS provides members with all of the insurance they need for their practice. Revenue from insurance sales goes directly toward helping FDA programs and lobbying efforts that are important to members.

Call an FDAS risk expert at 800.877.7597 for more information about these programs:

- Health insurance
- Life insurance
- Disability insurance
- Long-term care insurance
- Professional liability insurance
- Workers’ compensation
- Office package insurance
- Office overhead expense insurance
- Pension/retirement plan
- Auto and boat insurance

CROWN SAVINGS

EXCLUSIVE DEALS AND DISCOUNTS — FDA Services has researched and vetted business solutions so FDA members can take advantage of exclusive deals and discounts offered through the Crown Savings program. Members who participate will save time, money and hassle, putting the focus back on patient care. Crown Savings benefits members and the association as the program produces revenue for the FDA through use of the association’s trade dress and mailing list. Greater participation means more revenue for the association to add value and benefits to the FDA membership.

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- Disability insurance
- Long-term care insurance
- Professional liability insurance
- Workers’ compensation
- Office package insurance
- Office overhead expense insurance
- Pension/retirement plan
- Auto and boat insurance

CONRAD SAVINGS

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CONTRIBUTING EDUCATION

YOUR BEST SOURCE FOR CONTINUING EDUCATION! Look to the FDA for the best buy in continuing education in the Southeast. See pages 18 for details.

- Florida Dental Convention
- Offering free pre-registration and up to 18 hours of free CE to FDA members.
- FREE online continuing education: 24/7 access — some members have saved thousands of dollars!
- FREE webinars on practice and risk management

LEGAL RESOURCES

FROM FAQS TO COMPREHENSIVE HANDBOOKS, the FDA offers members a number of legal resources — information to help you navigate the complex set of laws and rules that govern the practice of dentistry. See pages 16, 18, 28 for details.

- Contract analysis
- Managed Care Handbook
- HIPAA and Florida Privacy Law
- Scope of practice
- Peer review
- Informed consent
- Prescription, Controlled Substance & Pain Management Laws
- Liaison to the Florida Board of Dentistry
- Patient abandonment

PUBLICATIONS

Today’s FDA — The FDA’s award-winning journal offers news, commentary, scientific studies and practice management articles. The journal keeps members apprised of association news and the latest advances in the dental profession.

News Bites — This monthly email publication keeps members informed about current dental industry news and FDA programs. News Bites Special Alerts are single subject priority email bulletins sent to inform members about changes in laws and regulations relating to dental practice and patient care, new member benefits and other important information.

PACPower — This biannual newsletter keeps members up to date on legislative issues, the impact of new state laws and state-level political campaigns.

Capital Report — During the annual session of the Florida Legislature, the FDA sends weekly reports about the dental-related legislation. Timely updates are sent during the rest of the year.

Beyond the Bite — The official FDA blog features posts from FDA members, leadership, staff and experts in their field. Find commentary on industry trends, tips to strengthen your practice, legal tips, FDA programs and more.

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District Dental Associations

Atlantic Coast District Dental Association
Michael Dvorak, Executive Director
3733 University Blvd. W., Ste. 2212 - Jacksonville, FL 32217
Voice: 904.737.7545 - Fax: 904.737.9934 - Website: www.acdda.org

AFFILIATE DENTAL ASSOCIATIONS
Clay County Dental Society
Jacksonville Dental Society

Central Florida District Dental Association
Marlinda Fulton, Executive Director
800 N. Mills Ave. - Orlando, FL 32803
Voice: 407.898.3481 - Fax: 407.895.9712 - Website: www.cfdda.org
COUNTIES: Alachua, Brevard, Flagler, Gilchrist, Lake, Levy, Marion, Orange, Osceola, Seminole, Sumter, Volusia

AFFILIATE DENTAL ASSOCIATIONS
Alachua County Dental Association
Brevard County Dental Society
Dental Society of Greater Orlando
Lake County Dental Association
Marion County Dental Association
Volusia-Flagler County Dental Association

Northeast District Dental Association
Debbie DeVille, Executive Director
3733 University Blvd. W., Ste. #212 - Jacksonville, FL 32217
Voice: 904.737.7545 - Fax: 904.737.9934 - Website: www.nedda.org

AFFILIATE DENTAL ASSOCIATIONS
Clay County Dental Society
Jacksonville Dental Society

Northwest District Dental Association
Angel Estep, Executive Director
2910 Kerry Forest Parkway, D4-309 - Tallahassee, FL 32309
Voice: 850.391.9310 - Fax: 850.391.9311
Website: www.nwdda.org
COUNTIES: Bay, Calhoun, Escambia, Franklin, Gadsden, Gulf, Holmes, Jackson, Jefferson, Leon, Liberty, Okaloosa, Santa Rosa, Wakulla, Walton, Washington
AFFILIATE DENTAL ASSOCIATIONS
Bay Dental Society
Escambia/Santa Rosa County Dental Association
Leon County Dental Association
Okaloosa/Walton Dental Association

South Florida District Dental Association
Yolanda Marrero, Executive Director
420 S. Dixie Highway, #2-E - Coral Gables, FL 33146
Voice: 305.667.3647 - Fax: 305.665.7059 - Website: www.sfdda.org
COUNTIES: Miami-Dade, Broward, Monroe
AFFILIATE DENTAL ASSOCIATIONS
Miami Dade Dental Society
North Dade-Miami Beach Dental Society
South Broward Dental Society

West Coast District Dental Association
Lissette Zukanick, Executive Director
1114 Kyle Wood Lane - Brandon, FL 33511
Voice: 813.654.2500 - Fax: 813.654.2505 - Website: www.wcdental.org
COUNTIES: Charlotte, Citrus, Collier, DeSoto, Glades, Hardee, Hendry, Hernando, Highlands, Hillsborough, Lee, Manatee, Pasco, Pinellas, Polk, Sarasota
AFFILIATE DENTAL ASSOCIATIONS
Charlotte County Dental Association
Collier County Dental Association
Greater Highlands County Dental Association
Hernando County Dental Association
Hillsborough County Dental Association
Lee County Dental Society
Manatee Dental Society
Pinellas County Dental Association
Polk County Dental Association
Sarasota County Dental Association
Upper Pinellas County Dental Association
West Pasco Dental Association

CLOSE TO HOME!

LOOKING FOR COLLEAGUES AND MAYBE SOME OF THE BEST FRIENDS YOU’LL EVER MAKE? District dental associations offer you the chance to share meals, opinions, advice, support, politics, continuing education and family events at local venues with your professional colleagues.

FLORIDA HAS SIX DISTRICT DENTAL ASSOCIATIONS that represent the interests and activities of dentists in those areas. Each district elects its own officers and conducts local meetings on a schedule decided by its members. Districts are comprised of local (affiliate) societies that have separate membership policies and programs, but often work in conjunction with their district associations.
The main reason that I maintain my membership at the state, district, and local levels is because of the advocacy these organizations provide for members. It amazes me how much of my professional career is affected by decisions made by the people who govern our state. As a new dentist, I value the efforts our associations make in advocacy for dentistry. Many of our members are people who have dedicated years to ensuring that the future of dentistry in Florida is bright for the next generation of dentists like myself, and it is because of this that I will continue to support these organizations.

— Dr. Sundeep Rawal • Merritt Island, Florida

The main reason that I maintain my tripartite membership because it is not only necessary, but beneficial. It is even more pivotal to maintain tripartite membership now than before, as the health care landscape is quickly changing. The unified voice of organized dentistry is what helps protect our profession and gives us clout to advocate for changes that will enrich our professional life as well as the lives of our patients. The networking opportunities and resources that organized dentistry brings are priceless. I would not be where I am today without those.

— Dr. Robin Nguyen • Trinity, Florida
Today’s FDA
Although we can’t promise a stay at a nice hotel, it is our pleasure to provide you with the services of our membership concierge! Get undivided attention and access to a wealth of information about benefits and opportunities for FDA members. Call us first for the latest information! To contact the FDA Membership Concierge: 800.877.9922 or membership@floridadental.org.

PROMOTING A POSITIVE IMAGE
The FDA takes a proactive approach to public relations by developing campaigns promoting a positive image of dentistry and building coalitions with state agencies and organizations. The association regularly consults with a public relations firm about the best way to promote good practices and the value of oral health. High profile events like the Florida Mission of Mercy catch the attention of legislators and the media, showing dentists making an positive impact on Floridians and their smiles.

Today’s FDA Reception Room issue
The FDA publishes a special edition of Today’s FDA once a year. This issue is written especially for members’ patients, featuring articles about oral care, pediatric dentistry, orthodontics, smokeless tobacco, sugarless gum, brushing and dental disease, among other dental topics.

Press releases about members and issues
The FDA sends press releases about new FDA officers and award winners, issues related to current legislation, and responses to dental-related topics in the media.

Active social media
Consistent posts on Facebook and Twitter feature members, the Florida Dental Convention, other events and amusing dental trivia — all presenting a positive image of oral health and dentists!
Members of the Alliance of the FDA, the organization for spouses or significant others of FDA dentists, are advocates for the profession of dentistry and oral health. They participate in legislative and educational programs, as well as fundraising activities. The Alliance of the FDA sponsors Dentists’ Day on the Hill in Tallahassee each year. Alliance members are committed to supporting the Alliance of the FDA, and the national organization, the Alliance of the ADA — Alliance members participate and pay membership dues to both organizations.
Recently, I spoke with Peer Review (PR) chairs from around the state about their experiences as mediators in the program. While Dr. Edward Daniel thinks that PR is the best reason to join the FDA, Dr. Andrew Adelson says that one of his biggest obstacles is convincing the dentist that he is on their side and doing them a favor by helping to resolve a case, even means they must apologize or refund money. Together, these dentists have almost 130 years of service in the Peer Review program.

Dr. Philip Glatstein, South Florida District Dental Association.
Dr. Alan Price, Central Florida District Dental Association.
Dr. Andrew Brown, Northeast District Dental Association.
Dr. Andrew Adelson, Atlantic Coast District Dental Association.
Dr. Edward Daniel, Escarola Dental Society.

Dr. Edward Daniel is a general dentist in West Palm Beach. He can be reached at edward.daniel@gmail.com.
Dr. Andrew Brown is an orthodontist in Orange Park. He can be reached at dabrown@bellsouth.net.
Dr. Andrew Adelson practices family and cosmetic dentistry in Winter Park. He can be reached at ddsbrown@bellsouth.net.
Dr. Philip Glatstein is a general dentist in South Miami. He can be reached at gatort2th@aol.com.
Dr. Alan Price practices family and cosmetic dentistry in Winter Park. He can be reached at ddpb@bellsouth.net.
Dr. Andrew Adelson is a general dentist in Winter Park. He can be reached at medinfo@fda email bulletin.

WHAT TO DO IF YOU'RE A DENTAL RECOGNITION AT YOUR JOB?
Dr. Daniel: It's the best reason to join the FDA PR is a very friendly, low-key, nonadversarial process that looks out for the best interests of the dentist and the patient. Ninety-five percent of cases are easy to resolve and it’s obviously better than the legal system.
Dr. Adelson: You are about to make the biggest mistake of your life! If you do not resolve the issues, it will either yield a civil lawsuit or a malpractice case.
Dr. Price: If PR is able to reach an acceptable compromise for you, the patient will sign a legal binding agreement before any money is refunded. Sometimes PR doesn’t work. If it happens, all the PR records are shredded.
Dr. Brown: Sometimes a dentist doesn’t want to use PR because he or she doesn’t want another dentist to know about a problem in their office. Since PR is confidential, fewer people will know about it if what becomes a malpractice case.

WHAT’S THE BIGGEST PROBLEM? ALL AGREE, “IT’S MISCOMMUNICATION!”

Dr. Daniel: There is breakdown in communication when the dentist doesn’t listen to the patient and/or address their concerns adequately. We don’t see much treatment that doesn’t meet the expected standard of care.
Dr. Adelson: Miscommunication happens when there are assumptions on both sides, the dentist assumes the patient knows or understands the procedure and the patient assumes the dentist understands their expectations.
Dr. Glatstein: The practitioner doesn’t fully understand the patient’s needs or make the patient understand the procedure. Many cases involve a patient who has high expectations and/or an advertisement creates an expectation and a patient ends up with something else, something unexpected.
Dr. Price: Some patients are dissatisfied with results, i.e., dentures are not like your own teeth and the dentist should explain possible problems in the beginning and not say that they will be as good as real teeth.
Dr. Brown: The treatment plan and costs should be discussed up front so there are no surprises at checkout. Your staff and front desk employees should be trained to communicate clearly, too.

WHO MIGHT SELL TO A DENTAL RECOGNITION AT YOUR JOB?
Dr. Daniel: It’s usually the relationship to the patient, their practice or their office. Sometimes PR has been referred to a dentist in the past.
Dr. Adelson: Often, PR is the first step in a patient’s complaint process and sometimes PR is the last stop in the complaint process.
Dr. Price: Sometimes PR is the only way to deal with a disgruntled patient. Sometimes, we have to be reminded to tell the patient that their complaint doesn’t fall under peer review — like the letter we received complaining about a dentist having an affair with their ex-wife’s spouse.

WHAT ARE THE MEDIATOR’S TOOLS?
Dr. Price: Of the cases I see, 75 percent can be resolved without clinical review. When I ask the patient involved in these cases what they want, they tell me that they want their money back. I then go to the dentist and explain to them that the clinical review, they can resolve the case by refunding the fees for the treatment in question. Usually the dentist will opt to refund the fees in this situation.
Dr. Adelson: Mediation makes sense. The patient and dentist both agree.
Dr. Price: The patient or the dentist may be angry, but I don’t pass on that emotion when speaking with the parties. I try to convince the patient and the dentist that compromise is necessary to make PR work — the dentist has lab costs, the patient has a concern in the dentist is evidenced by seeing him numerous times. The dentist sometimes gets defensive about the quality of his work. I encourage him to refer to placing his unhappy patient, which usually resolves the complaint.
Dr. Brown: I listen to both sides. Most dentists appreciate the mediation, even if something was wrong. In about 60 percent of our cases, something went wrong. I explain the exposure and risk of fighting the patient and encourage the dentist to settle the bill, write it off, or offer a refund, or refer to another dentist.

Sometimes a patient just needs to rant, and I am happy to listen. Sometimes, I may be able to unfreeze some feuds. Sometimes, we have to let the patient know that their complaint doesn’t fall under peer review — like the letter we received complaining about a dentist having an affair with their ex-wife’s spouse.

WHAT IS THE MEDIORE REVIEW PROCESS: How It Works
by Luis E. Martinez, DMD, PA
I have been involved in the Peer Review process for more than 10 years. You can often avoid costly legal fees and malpractice suits by using this free service available only to members. This is usually where the description of the program ends, without much insight into what actually happens. Here is how Peer Review at the Pinellas County Dental Association (PCDA) works:

1. Usually, a patient calls the PCDA office with a complaint about a dental care outcome. Many times our office staff can resolve the issue over the phone. As Peer Review chairman, I don’t see a lot of complaints until they are beyond minor mediation.
2. Once I get involved, I generally review the patient’s complaint and the dentist’s records, then, I begin using my mediation skills to try to resolve the issue. Generally, it involves money — as in, the refunding of money.
3. If the complaint is not resolved by refunding all or part of the money, the next step is arbitration. This involves bringing in the patient. A team of three dentists interviews the patient and evaluates the treatment. After the patient leaves, the dentist under review comes in and explains his or her side of the dispute and treatment.
4. The Peer Review team then recommends a solution, which could involve returning the money, but also what it would cost to correct the issue. A recommendation is made that neither the dentist nor the patient has to abide by.
5. I have learned a lot from my involvement in the Peer Review program, including improving my own record keeping. I offer a few recommendations gleaned from my decade of experience:

1. Peer Review doesn’t always have to be started by a disgruntled patient. A frustrated dentist who feels that everything has been done to satisfy the patient, with no success, also can recommend Peer Review.
2. Although it’s a natural reaction, a phone call from me (or your district’s Peer Review chair) shouldn’t be looked on as a bad thing. This is a service we provide to our members to help mediate problems, and most of the time avoid costly and emotionally draining litigation or Board of Dentistry complaints.
3. Don’t let your ego get in the way when trying to resolve the issue. It is not a direct reflection of your abilities as a dentist — and returning fees paid for service is much less troublesome than having to pay someone else to re-treat along with refunding all or some of the fees.
4. Be assured that when the evaluators review a case, it is in strict confidence. Be assured that when the evaluators review a case, it is in strict confidence.
5. Always keep in mind when someone comes into your office complaining about another dentist’s treatment — next week, a disgruntled patient could be in a colleague’s chair complaining about you. Do your best not to pass judgment and give the dentist a courtesy call. It could make a real difference.

Peer Review is only possible when members work together to support each other. Dr. Martinez is the Peer Review chair for the Pinellas County Dental Association. He can be reached at GATOR2TH@aol.com. This column first appeared in an info@fda email bulletin.
LEGAL RESOURCES

Contract Analysis: This service provides written legal analyses of insurance contracts members are considering. Find out about the merits and drawbacks of particular plans and provisions that might be confusing or could cause unexpected future liabilities. Unsigned contracts should be sent to the FDA.


Informed Consent: Find the forms that dentists should expect to see when treating an elderly patient suffering from dementia or any other patient who lacks the ability to act on matters involving their health.

Prescription, Controlled Substance and Pain Management Laws: Find out how your practice is affected by Florida law, including rules for dispensing practitioners and authorized prescribers, detailed definitions and explanations of Florida statues.

See page 28 for highlights of the FDA’s Legal FAQs.

You Want Me to Sign What? A Florida Dentist’s Handbook on Managed-care Contracts: This FDA members-only handbook has everything you need to know about managed-care contracts, including: the types of health care delivery systems; various forms of MCO models; reimbursement methods; the different risks with MCOs; how to negotiate with MCOs step by step; and, much more!

Delegation of Duties: This “cheat sheet” lists duties with their corresponding supervision level a dentist can delegate to dental assistants and hygienists in Florida. It separates the duties by the form of training the dental assistant or hygienist must obtain, pre-licensure education, formal training or on-the-job training.

HIPAA & Florida Privacy Law: FDA members have access to all the forms needed to comply with both federal HIPAA and Florida confidentiality law on the FDA website. These forms are Word docs that you can edit with your practice information and are free to members.

PRACTICE RESOURCES

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When I started dental school, I chose to be a member of ASDA and a student member of the tripartite because of its goal to protect the dental profession. The mentorship and network of dentists was most valuable during dental school, especially because I attend a new dental school. Without upperclassmen at my school, I found the network of dentists welcoming and helpful to my success in dental school. When I graduate, I will remain an active member of the tripartite and hope to return the same mentorship to future students.

— Stephanie Mazariegos • LECOM School of Dental Medicine, DMD Candidate, Inaugural Class of 2016

MEET UP!

Florida Dental Convention (FDC)

FDC annually offers quality professional development and innovative educational technologies. These are challenging economic times. Save money by staying in Florida to get your CE! Dollar for dollar, our convention is one of the best values you’ll find anywhere. Come for the CE. Stay for the fun!

Packed Exhibit Hall: more than 500 exhibitors
Nightly Social Events: including karaoke on Thursday, Friday night Member Party and New Dentist After Party; and, Saturday excursion to Disney World
Free Pre-registration: for FDA and ASDA members
World Class Speakers: Clinical lectures and hands-on workshops
Free CE: up to 18 hours of free CE offered for FDA members
State-required courses: airway management, CPR, domestic violence and medical error
Alumni & Allied Association Meetings: meet your colleagues and catch up with old friends from your specialty or dental school.
CE Broker: all your courses are recorded at CE Broker automatically
Keynote Speakers: see page 28 for highlights of the FDA’s Legal FAQs.

For more information, go to www.floridadentalconvention.com

District and Affiliate Meetings

Looking for CE and camaraderie close to home? Take a look at your district and affiliate websites for a schedule of local meetings and social events.

America’s Dental Meeting

The annual meeting of the American Dental Association offers members a unique meeting experience!

Stack up: 550+ exhibitors
Learn: 350+ continuing education courses
Network: 150+ dental-related groups
Influence: help chart the future of dentistry on the national level.

ADA New Dentist Conference

Out of dental school less than 10 years? Don’t miss this incredible opportunity! In 2015, the New Dentist Conference coincides with the ADA annual meeting. Participate in both meetings this year and enjoy these exclusive opportunities only for New Dentist Conference attendees.

High-level networking: opportunities during Leadership Day
Exclusive, customized CE track—real-time interactive technology
A VIP lounge in the Convention Center to relax and network
New Dentist Reception

For more information, go to www.floridadental.org under Member Benefits.
The Florida Department of Health is responsible for the licensing and regulation of various aspects of the health care industry. This includes public health and safety, occupational health, and environmental health. The department also serves as the regulatory agency for the Florida Board of Dentistry.

Division of Community Health Promotion
4052 Bald Cypress Way, Bin C-13
Tallahassee, FL 32399-3271
850.245.4535
floridahealth.gov/programs-and-services

The Public Health Dental Program
4052 Bald Cypress Way, Bin C-14
Tallahassee, FL 32399-1274

The Biomedical Waste Program
floridahealth.gov/environmental-health/biomedical-waste

Bureau of Radiation Control
705 Woods Way, Ste. 100
Orange Park, FL 32073
904.278.5730
myflorida.com/radiation-control

Florida Department of Environmental Protection
850.245.8717
www.floridaparks.org

Florida Department of Health
850.245.8735
floridahealth.gov/health

Florida Department of Environmental Protection
850.245.8717
floridahealth.gov/environmental-health

Florida Medicaid Provider
800.465.3203

American with Disabilities Act
800.514.3333 (TTY)
www.ada.org

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PRACTICE RESOURCES

American Dental Hygienists’ Association
National Headquarters
444 North Michigan Ave. Ste. 3400
Chicago, IL 60611
312.440.8900 • www.adha.org

Florida Dental Hygiene Association
P.O. Box 1367
Tallahassee, FL 32303
Fax: 850.242.0470 • Email: OFDAinfo@wtdba.org • www.wtdba.org

Florida Dental Laboratory Association
355 John Knox Road, Ste. 1105
Tallahassee, FL 32317
Fax: 850.242.0470 • www.wtdla.net

OTHER RESOURCES

Florida Division of Emergency Management
www.floridaem.org

Florida county EM listing
www.floridaem.org/countylisting

Florida Dental Hygienists’ Association
National Headquarters
444 North Michigan Ave. Ste. 3400
Chicago, IL 60611
312.440.8900 • www.adha.org

Florida Dental Hygiene Association
P.O. Box 1367
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Top Five Risk Management Principles FOR FLORIDA DENTISTS

What is Risk Management?

It is proactive (before the occurrence) establishing a culture for your practice where patient safety comes first. Common medical errors include misdiagnosis, failure to diagnose and lack of medical necessity, so focus on risk management to prevent these errors. But risk management also applies to business and personal risks, not just malpractice risk. In dentistry, prevention is more effective and cheaper than restorative care. The same is true in legal and risk management issues.

Effective risk management is 90 percent avoiding a crisis, rather than 10 percent reacting after the fact. Planning ahead might not keep you from being sued, but it will help mitigate problems when they occur. It is working closely and continuously with your staff to eliminate duplication of effort, waste of time and excessive costs. It is investigating adverse occurrences and determining what caused them and how to eliminate them in the future. It is not about judging or blaming; it is about protecting patient safety and quality of care which, in turn, protects your reputation and assets.

1 Create a Business Plan and Get Your Team Together.

As a dentist you also are a small-business owner and employer. You thereby need a plan that keeps you current on changing rules and regulations that affect your business, one of the most highly regulated in the nation. Board of Dentistry rules are merely the start of government oversight of your profession. Health care laws are myriad, at both the state and federal level, and they change often.

Violating an applicable regulation may legally amount to negligence per se. As a member of organized dentistry, you have access to up-to-date dental-specific guidance on HIPAA, OSHA, employment law, advertising regulations, dealing with managed-care payors, etc. Keep looking to the ADA to keep you current on new rules and to help with patient relations peer review. There is no “one size fits all” compliance product, so always have a personalized plan for how to handle business issues before they arise. For example, you should have a written records-management plan; a disaster plan; an employee handbook with written job descriptions; and, contracts with associate dentists, etc. Decide whether you want to incorporate or operate as a sole proprietorship. Do you have trade names or business logos you need to protect? Do you need restrictive covenants and confidentiality agreements, etc.? Have you thought about emerging trends like telemedicine, Internet reviews and patient satisfaction surveys?

You need a team of accountants, insurance agents, practice management experts and lawyers familiar with dentistry’s unique challenges and your business operations. Like an experienced dentist who is better able to diagnose and form a cost-effective treatment plan, the same is true of insurance agents and lawyers who have experience with dentistry in Florida are better able to assist you. Get them on your team!

As a business owner, make sure you get appropriate insurance coverage. Always keep originals of all insurance policies. What type of insurance should you have? A great question to ask FDA Services (800.877.7597)? At a minimum, you should have professional liability (covers patients) and general liability, also known as business owners (covers visitors for exposures such as slip and fall and your business for loss of income due to covered events). It’s usually also a good idea for Florida dentists to have workers’ compensation; Directors and Officers (D&O) coverage (covers the corporation’s leadership for discrimination, claims and other potential hazards pose serious threats to businesses everywhere. The tools and information provided on this page are designed to help Florida businesses stay prepared and to ensure the continued health of Florida’s economy.

Businesses today must plan for more than just supply and demand. Hurricanes, floods, fires, terrorism and other potential hazards pose serious threats to businesses everywhere. The tools and information provided on this page are designed to help Florida businesses stay prepared and to ensure the continued health of Florida’s economy.

Find information for protecting your practice:

Business disaster planning
Florida county EM listing
Florida county EM contacts and websites
Helping your family and employees be prepared for a disaster
Protecting your most important assets
FEMA
Protecting your business
Business insurance basics
Information to guide your business through important insurance decisions
Cybersecurity issues
Storing hazardous materials
For more information about hurricane preparedness, see page 32.

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Know what to do
Avoid “cut and paste.”

Know adverse events need to be reported
Be consistent and legible.

Practice resources
Keep it professional.

Dentists need to communicate effectively in the doctor/patient relationship, but also as human beings. Learn about active listening, body language and conflict resolution techniques. Medical malpractice allegations are far more likely if a patient doesn’t like and trust you as a person. Meet patient expectations. Let them see you putting on a new pair of gloves. Even if you’ve made a mistake, patients who feel they have a connection with you and have confidence in you are less likely to sue. Patients don’t expect to socialize with you outside the office, but take the time to ask how the kids are doing or about hobbies or interests listed on the intake form.

Be nice! Or, Be Rude and Get Sued
The first impression a patient, a prospective employee, a visitor, or a workers’ compensation, X-ray equipment, BOD investigator or OSHA inspector has of your practice most likely does not even involve you. By the time a patient actually meets the dentist, they already have checked your website, reviewed you on Yelp, called your office to schedule an appointment, driven into your parking lot, been checked in at the front desk and waited in the reception area. Make sure your first impression is warm, welcoming and courteous. Risk management should address front-desk etiquette and customer service. For example, always smile; be friendly, don’t be sarcastic; be compassionate; calm patients down, don’t excite them, etc.

One of the biggest complaints patients have with health care professionals is not related to the actual work done, but the way they were treated by staff and the amount of time they had to wait. Being able to efficiently schedule patients is a valuable skill. Bad attitudes and poor communications cause more patient complaints than poor clinical outcomes.

Manage expectations and be honest
Dentists learn about informed consent in school, but this risk management principle takes it further. Patients often have unrealistic expectations that you need to recognize and manage from the start. It’s better to have an open and honest discussion about outcomes before you start the procedure. Avoid surprises! If you don’t allow Mom and Dad in your operatory, tell them before they bring their child to see you. Don’t say “you might feel a pinch” when you know it will hurt. Never guarantee a procedure’s outcome. Instead, discuss the alternatives and the risks as well as possible outcomes and how likely they are to occur. Know when you need written informed consent and have forms ready. Talk to patients about gaps in their insurance coverage and what their financial obligations will be before you start the work. More information is always better than less.

Records, records, and more records!
Poor record keeping is the fastest way to get in trouble with a malpractice jury and the Board of Dentistry. Failing to maintain records justifying treatment is almost always a second count to a standard of care violation. Here are some record keeping tips:

If it is not in writing in the patient’s record, it is almost impossible to prove it did or did not happen.

Choose one format and stick to it: Most dentists use electronic health care records (EHR). Take care when transferring from paper records to EHR. If you scan paper records, make sure they remain legible. At a minimum, EHR software must be HIPAA-certified, backed up daily, searchable and restricted in terms of who can access what types of records. You should maintain a data trail of who made corrections and entries and when, and be capable of printing hard copies.

Correct paper records, never erase, white-out or cover up. Instead, strike through the mistake, write the correction, date it and initial it.

Avoid “cut and paste.” Never speed up the process by copying another patient’s records with similar diagnosis and treatment plan. You will eventually overshoot your highlighting and add inappropriate language that will destroy credibility.

Be consistent and legible. Use standard abbreviations and use them consistently. If an expert witness has to guess at what a notation means, you are already in trouble.

Know what adverse events need to be reported (e.g., anesthesia-related), to what governmental agency and within what time frame. Reportable events always should be reported, or else liability will be presumed.

Know what conduct almost always will guarantee that your license will be revoked or suspended — improper delegation of duties, sexual misconduct, fraud and scheduled drugs.

Know what to do when you get a request for medical records or a notice of intent to sue.

Know renewal dates of insurance policies and other important contracts (managed care, employment, lease, etc.). These dates almost never dovetail, so maintain a “ticker” system that automatically flags when your action or attention is needed.

Keep it professional. Patient records are crucial as evidence, so keep them credible by never using offensive language or making derogatory comments.

Keep them with at least as much detail and for at least the minimum period required by the Board of Dentistry, but realize that managed-care contracts or hospital privileges may obligate you to keep them longer. Always bill using the proper code, even if the payer doesn’t reimburse for that procedure. Never up-code. Know when you can, and cannot, balance bill a patient (if they have PLHSO or HMO coverage, you cannot balance bill!).

Know your duties.
Malpractice is based almost exclusively on negligence, rather than intentional, actions or inactions. It is not that you meant to hurt the patient, but that you “knew or should have known” that what you did or did not do would “more likely than not” hurt the patient. It can be proved by either commission (action) or omission (a failure to act).

Know the “four D’s” of a negligence cause of action:
1. You owe a DUTY to the patient. Your duty is not to be perfect in clinical outcome, but to provide care within the norm of what a reasonably prudent, similarly situated dentist would have done (or not done), in light of all the surrounding circumstances.
2. You cannot be DERELICT in performing your duty. You must never do, or fail to do, what another doctor would have done under the standard of care.
3. You are liable if your negligence DIRECTLY resulted in the patient’s harm. If what the patient is complaining about is not, in hindsight, proximately caused by your allegedly negligent behavior, then you are not liable.
4. Proximate cause means the adverse outcome was foreseeable based on what you did. For example, if you did not and could not have known that a pharmaceutical new on the market would have an adverse side effect, you may avoid liability. As another example, if the patient’s injuries were caused by a subsequent intervening event (e.g. a car accident on the way home from your office or, more likely, negligence of a subsequent treating provider), then there is no proximate cause and no duty has been breached by you.

Your negligence resulted in DAMAGES to the patient or plaintiff. Damages mean emotional, psychological or physical injuries that are compensable in court. Economic damages include things like loss of wages, past and future medical expenses, and loss of earnings capacity. Non-economic damages include things like pain and suffering, mental anguish, loss of enjoyment, loss of consortium, etc. In Florida, there is a liability cap on non-economic damages, although the Florida Supreme Court is chipping away at it.

One of the best things about being a dentist is being your own boss, but that means you also are an employer with a duty to manage (and be held legally responsible for) the acts/omissions of your employees when acting within the course and scope of their employment. Just as a hospital is liable for the negligent acts of its employed medical staff, you as the owner of the dental practice, can be held vicariously liable under a legal doctrine known as respondeat superior (“let the master answer”) for negligence of your staff.

Some final thoughts on risk management
As leader of the dental team, commit to always follow the rules and hold your staff and yourself accountable. Lead by example. Put the rules in writing. Get them off the bookshelf and post them where they need to be! Checklists in operatories are great, but don’t forget the front desk, the records room and prescription storage areas. Customize the rules for your practice. Some of the risk-management examples given here may not address the problem in your practice. That’s okay, don’t use them. Write rules that address your business and practice, not somebody else’s. Keep the rules simple! For example, never disclose records without the doctor’s permission; never refuse to hire or treat based on disability, race, sexual orientation, national origin. Always turn on the alarm if you are the last one to leave for the day. Procedures won’t be followed if they are hard to understand or have exceptions. Get help! Talk to other doctors in your area and please call the FDA for any risk management or legal questions you have. We have experts in health law and licensed risk managers on staff who want to help members succeed. This is a members-only benefit of belonging to your dental association, so please use it.
Best Management Practices for Scrap Dental Amalgam

THE DOS AND DON'TS OF SCRAP AMALGAM MANAGEMENT

- Do use the smallest amount of amalgam necessary.
- Do use precapsulated dental amalgam only.
- Do use disposable amalgam traps, if practical.
- Do sterilize reusable amalgam traps if disposable ones are not appropriate for your practice facility.
- Do install at least two filters on the vacuum pumps.
- Do change vacuum pump filters at least once a month.
- Do keep written records of your generation and disposal of scrap amalgam.
- Do recycle all elemental mercury and amalgam.
- Do store amalgam in a container with an air-tight lid.
- Do label scrap amalgam containers with your name, address and phone number and the date.
- Do disassemble and clean the amalgamator on a regular basis.
- Do properly seal all amalgam capsules before amalgamation.
- Do reassemble capsules immediately after dispensing the amalgam.
- Do determine if your dental office is a conditionally exempt small-quantity generator.
- Do select a recycler that meets all federal and state regulations for amalgam waste reclamation.
- Do place mercury spill kits in convenient locations for easy access in your dental office.
- Do hold training sessions and develop written procedures to ensure all dental-office personnel know the proper techniques for handling and using mercury; how to immediately clean up a mercury spill; and how to manage scrap amalgam.
- Don’t rinse amalgam traps over drains or sinks.
- Don’t discard amalgam, extracted teeth containing amalgam or amalgam traps in the garbage, red bags or sharps containers.
- Don’t handle mercury or mix amalgam near carpet.
- Don’t use a regular vacuum cleaner to clean up a mercury spill.

INSURANCE CHECKLIST FOR DENTAL PRACTICES

- **PROFESSIONAL LIABILITY INSURANCE**
  Malpractice coverage for individuals, corporations or employees. The policy covers damages for a variety of dental incidents. A policy also can cover hygienists and assistants employed in your office.

- **WORKERS’ COMPENSATION INSURANCE**
  Mandatory for all offices with four or more employees, but strongly recommended as protection for all dental offices.

- **DENTAL OFFICE POLICY**
  Covers general liability, office furnishings, equipment, building, improvements to leased space and build-outs. Can include business income, accounts receivable and wind/hail coverage.

- **FLOOD INSURANCE**
  Property insurance does not include damage from flood waters, regardless of the source. The National Flood Insurance Program operated by the federal government provides most policies for damage from flooding.

- **COMMERCIAL UMBRELLA/EXCESS LIABILITY**
  Provides coverage in the event of a catastrophic liability loss in excess of underlying policy limits. Can cover general liability, employer’s liability and commercial auto insurance liability.

- **EMPLOYMENT PRACTICES LIABILITY**
  Responds to allegations of wrongful termination, failure to promote, harassment or discrimination.

- **DATA BREACH/PRIVACY INSURANCE**
  Responds to risk involving personal health information.

- **CYBER LIABILITY**
  Protection for exposures arising out of Internet communications, including privacy issues, the infringement of intellectual property and virus transmission.

- **DIRECTORS & OFFICERS**
  Liability coverage for allegations against the dental practice’s officers or board members.

- **GROUP OR INDIVIDUAL HEALTH INSURANCE**
  PPO, POS, HMO and HSA plans for your practice. FDA Services offers expert help navigating the new health exchange environment.

- **DISABLED INSURANCE**
  Coverage to protect your loss of income due to a disability.

- **OFFICE OVERHEAD**
  Protection to continue business operations should you become disabled.

- **LIFE INSURANCE**
  To facilitate buy-sell agreements should a partner die, protect the practice, protect the family or replace the income derived from a key employee.

- **LONG-TERM CARE INSURANCE**
  A voluntary benefit for you and your employees covers costs of home care, assisted living or nursing home.

- **BONDS**
  ERISA compliance for pension and profit-sharing plans.

- **PERSONAL AUTO INSURANCE & UMBRELLA**
  Personal auto protection and excess liability protection.

To get quotes on insurance programs designed for dentists, contact FDA Services Inc. at 800.877.7597 or visit their website – www.fdaservices.com.
What are the most frequent/most serious disciplinary violations?
Practicing below the standard of care is number one. Failing to maintain adequate patient records is the second most frequent violation. It is mandatory that the board suspend or revoke your license for improper delegation and felonies under Chapter 409 (Medicaid fraud), Chapter 817 (fraudulent practices) or Chapter 893, F.S., (drug abuse prevention and control).

What does the FDA do to help members comply with the standard of care?
Peer review is available at no charge for patients of FDA members. Peer review will help you quickly and confidentially resolve patient care complaints. If necessary, a panel of local dentists can assist with determining minimum acceptable standard of care. We also routinely publish informational articles on how to comply with federal and state law. Don't terminate or refuse to treat a patient without proper evidence. They may deny you an admission to the American Dental Association. Make it your written office policy to send patients leaving your practice written notice or confirmation that your office is no longer treating them as a patient of record. Always do it for every patient who leaves or is terminated from your practice. Keep a copy of the letter with the patient's chart. Treat the letter with equal dignity as you would any other medical or business record.

Don't make the letter effective “immediately.” Immediate termination doesn't give the patient enough time to locate another doctor. Please remember that you remain legally and ethically responsible for providing emergency care. Don't deny it to them by a poorly worded notification letter that might be admissible as evidence against you.

How much time must you give the patient to locate another dentist? Thirty days is commonly used in termination letters. Also, please remember that it may be legally and ethically improper for you to refuse treatment. Most dental practices are “places of public accommodation” under federal and state law. Don't terminate or refuse to treat a patient based on actual or perceived disability status such as HIV, deafness, obesity (contact the chair manufacturer or supply house if you think the patient is too heavy) or mental illness. Termination or refusal to treat based on age, race, sex, national origin, marital status, etc. is extremely high-risk.

For more information about patient abandonment, go to the Convention/CE page at floridadental.org. The FDA offers a free two credit Legal CE course on patient abandonment, a members-only benefit.

What does the FDA want members to know about “patient abandonment” and terminating the doctor/patient relationship? Improperly terminating the doctor/patient relationship is commonly known as “patient abandonment.” If the patient suffers harm because of how you or your employees terminated the relationship, you may be held liable.

Florida courts recognize patient abandonment as a tort and some federal courts also recognize it as a breach of contract (or implied contract) claim. Make it your written office policy to send patients leaving your practice written notice or confirmation that your office is no longer treating them as a patient of record. Always do it for every patient who leaves or is terminated from your practice. Keep a copy of the letter with the patient's chart. Treat the letter with equal dignity as you would any other medical or business record.

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What is the best way for dental students to pick up their handskill speed without losing the quality in their work?
Dr. Zuknick: Time — it is not called the practice of dentistry arbitrarily. Repetition builds confidence and speed. Try to put yourself in a position of low stress where income is not directly affected by speed. Many associateships allow new dentists to earn a salary based on the number of days worked, versus pay for a percentage of dental production.

Dr. Lemieux: First, remember that it's not necessarily production you want to focus on, it's profitability. Looking back at my first few months of practice, I produced more than I thought I could because I had a chairside assistant for once! After three or four months, I became more comfortable with my surroundings and my production started to pick up.

How do you avoid liability issues in the real world?
Dr. Zuknick: Understand your limitations. Refer procedures you have difficulty with to a talented specialist. Surround yourself with knowledgeable professionals such as accountants, insurance agents and financial planners.

Dr. Lemieux: When you graduate from dental school, an associate ship can be very beneficial as you are growing professionally and developing your clinical skills. When looking for an associate ship or partnership, find someone committed to excellence with whom you will feel comfortable working — they will have a vested interest in helping you succeed. As an associate dentist, I had the flexibility and freedom to conduct any treatment plan I was comfortable doing. However, some of my friends found themselves only doing a lot of cleanings, exams and simple restorative procedures. Be sure to discuss the expectations of the senior dentist before accepting employment. Most of my friends who had trouble entered agreements on a handshake instead of signing a clear contract.

How did you recruit new patients?
Dr. Zuknick: Marketing, but it can sometimes be expensive and ineffective. Get involved in family activities and community events. It can be very beneficial to live where you practice.

Dr. Lemieux: As a new dentist, your initial focus will be simply survival. You may be interested in attracting any one with a pulse, but ultimately you will want people who appreciate your care, are friendly to your staff and are responsible enough to pay their bills. The best long-term way to recruit is to treat your existing patients well and they will sing your praises to their friends and family.

What is the best way for dental students to pick up their hand-speed without losing the quality in their work?
Dr. Zuknick: Time — it is not called the practice of dentistry arbitrarily. Repetition builds confidence and speed. Try to put yourself in a position of low stress where income is not directly affected by speed. Many associateships allow new dentists to earn a salary based on the number of days worked, versus pay for a percentage of dental production.

Dr. Lemieux: First, remember that it's not necessarily production you want to focus on, it's profitability. Looking back at my first few months of practice, I produced more than I thought I could because I had a chairside assistant for once! After three or four months, I became more comfortable with my surroundings and my production started to pick up.

How do you avoid liability issues in the real world?
Dr. Zuknick: Understand your limitations. Refer procedures you have difficulty with to a talented specialist. Surround yourself with knowledgeable professionals such as accountants, insurance agents and financial planners.

Dr. Lemieux: When you graduate from dental school, an associateship can be very beneficial as you are growing professionally and developing your clinical skills. When looking for an associateship or partnership, find someone committed to excellence with whom you will feel comfortable working — they will have a vested interest in helping you succeed. As an associate dentist, I had the flexibility and freedom to conduct any treatment plan I was comfortable doing. However, some of my friends found themselves only doing a lot of cleanings, exams and simple restorative procedures. Be sure to discuss the expectations of the senior dentist before accepting employment. Most of my friends who had trouble entered agreements on a handshake instead of signing a clear contract.

How did you recruit new patients?
Dr. Zuknick: Marketing, but it can sometimes be expensive and ineffective. Get involved in family activities and community events. It can be very beneficial to live where you practice.

Dr. Lemieux: As a new dentist, your initial focus will be simply survival. You may be interested in attracting anyone with a pulse, but ultimately you will want people who appreciate your care, are friendly to your staff and are responsible enough to pay their bills. The best long-term way to recruit is to treat your existing patients well and they will sing your praises to their friends and family.
THE BUSINESS OF YOUR PRACTICE

BUSINESS TAXES

COUNTY TAX assessors can provide personal property tax worksheets to list tangible assets, such as equipment and furnishings, used in dental practices.

For more information, go to dor.myflorida.com/dor/property.

EMPLOYEE TAXES

Dentists are required to withhold certain taxes from each employee’s paycheck. Dentists in business for themselves should consult an accountant.

REQUIRED TAXES ARE:

- Federal
- Medicare
- Social Security
- Federal unemployment.

USE TAX ON OUT-OF-STATE PURCHASES

Florida law imposes a 6 percent use tax on out-of-state purchases if sales tax was not paid at the time of purchase. The use tax normally applies to items purchased outside Florida, including another country, which are brought or delivered into this state, and would have been taxed if purchased in Florida.

EXAMPLES INCLUDE:

- Purchases made through the Internet
- Mail-order catalog purchases
- Purchases made in another country
- Furniture purchased from dealers in another state
- Computer equipment ordered from out-of-state vendors advertising in magazines

If an out-of-state seller fails to collect sales tax, the burden to voluntarily comply with Florida law is yours. You can submit payment directly to the Florida Department of Revenue. For information and forms go to www.myflorida.com/dor or call 800.352.3671.

FLORIDA RE-EMPLOYMENT TAX

For re-employment (formerly unemployment) guidelines, call Employer Taxpayer Information Services at 800.352.3671 or dor.myflorida.com/dor/taxes/reemployment.html/how.

PATIENT RECORDS

ELECTRONIC FILES: Back up your electronic patient files daily. Your files may be backed up securely onsite or offsite with an encrypted, cloud solution. If a backup is maintained onsite, also make backups using an offsite, encrypted solution regularly to protect your records in case of a catastrophic event.

PAPER FILES PROCEDURES FOR DISASTER: Even if you have converted to all electronic patient files, you may have older paper files. In the event of a disaster, there are no published rules governing the disposition of soiled or damaged paper patient files (i.e., flood damage). In the absence of rules, treat your damaged files as confidential patient health information and a potential biohazard risk. Use a licensed, bonded disposal company to safely and securely dispose of paper PHI. See page 28 about retaining undamaged paper records.

ELECTRONIC MESSAGING

Electronic messaging (i.e., email) is becoming the standard for transmitting electronic patient health information (EPHI). With the advent of electronic health records, transmission of EPHI (specifically protecting it from internal and external risks) has never been a bigger issue in the dental community.

Penalties for violations are staggering — one incident could put a practice out of business. They range from $50,000 per page to a maximum of $1,500,000 per patient and enforcement is stepping up. A HIPAA-compliant service includes:

- Automatic log off
- Transmission security (encryption)
- Uses the “DIRECT” federal protocol
- Third-party verification and authentication
- Emergency access procedures and audit controls

Many products on the market today are secure, but may not meet these standards for HIPAA-compliant messaging protocol designed to protect your practice from federal violations.

FDA Services’ Crown Savings merchant iMedicor provides HIPAA-compliant secure messaging. Go to www.fdaservices.com/crownsavings/.

CROWN SAVINGS

SAVE time, money and the hassle of researching solutions to RUN and GROW your DENTAL PRACTICE.

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- Web Site Development

Learn how Dr. Ann DOUBLED THE SIZE of her dental practice with Crown Savings at www.FDAServices.com/CrownSavings | 1.800.877.7597

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DENTAL PRACTICE FINANCING

AT THE APPROACH OF THE HURRICANE

■ Check floor drains and sumps—are they clear of debris and fully functional?
■ Check all storm water catch basins and grates to be sure they are clear of debris.
■ Make sure that doors and windows will remain latched.
■ Protect windows from flying debris.
■ Walk the grounds; move objects inside that could become missiles in high winds.
■ Anchor any equipment stored outside that could be moved by high winds.
■ Move supplies stored outside to inside storage.
■ Assemble supplies for the emergency crews and for emergency repairs. Supplies include: tarps, plywood, waterproof tape, tie-down materials and water.
■ Protect vital records against flooding and wind.
■ Inspect fire protection equipment.
■ Top off fuel in the emergency generators and test run.
■ Watch for reverse winds after the eye of the storm has passed. They will effect different areas and perhaps break trees that had been blown in the other direction.
■ Inspect sewers and drains.
■ Close the office and evacuate if you are in an evacuation area.

AFTER THE HURRICANE

■ Assess the damage.
■ Check for safety hazards (downed trees, branches, downed power wires, leaking gas, blocked roof drains, displaced reptiles).
■ Make temporary repairs to protect the structure and supplies.
■ Photograph and document any damage.
■ Begin salvage operations.

BEFORE THE HURRICANE

At the beginning of Hurricane Season June 1

■ Establish a Business Continuity Management Plan (BCM) that takes prevention, emergency response and disaster recovery into consideration. If a BCM is already in place, review and update it as needed for hurricane readiness.
■ Designate a BCM coordinator and a BCM team. Assign responsibility to specific employees for advance arrangements to initiate the plan.
■ Brace outside storage tanks and outer structures.
■ Inspect sewers and drains.
■ Check all drainage pumps.
■ Check the supply and serviceability of sandbags.
■ Check all drainage pumps.
■ Take shelter in interior rooms
■ Protect windows from flying debris.
■ Inspect the roof and flashing for serviceability.
■ Photograph and document any damage.
■ Protect vital records against flooding and wind.
■ Inspect sewers and drains.
■ Close the office and evacuate if you are in an evacuation area.

DURING THE HURRICANE

■ Take shelter in interior rooms and corridors if evacuation is not needed.
■ Watch for flooding. Use sandbags when necessary.
■ Watch for reverse winds after the eye of the storm has passed. They will effect different areas and perhaps break trees that had been blown in the other direction.
■ Check the landscaping and prune dead branches.

Information provided by FDA Services Inc. and The Hartford.
Dr. Reza Ardalan has trusted FDA Services with his insurance needs throughout his entire dental career. From his first years out of dental school, through opening a practice and beyond, we have been there to help every step of the way.