

# *Litigation-Proof Your Practice*

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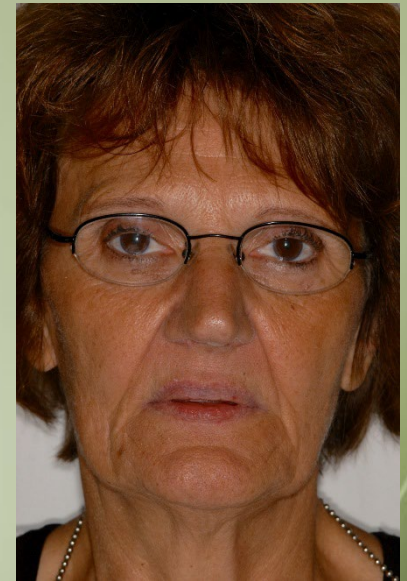
UNMC College of Dentistry

125<sup>th</sup> Anniversary

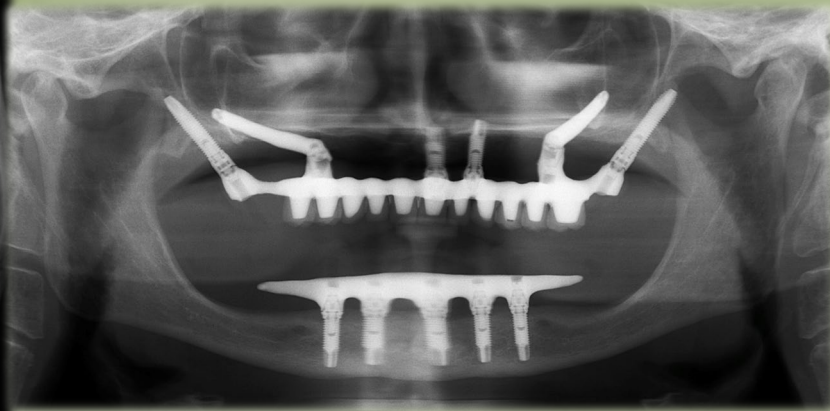
October 4, 2024



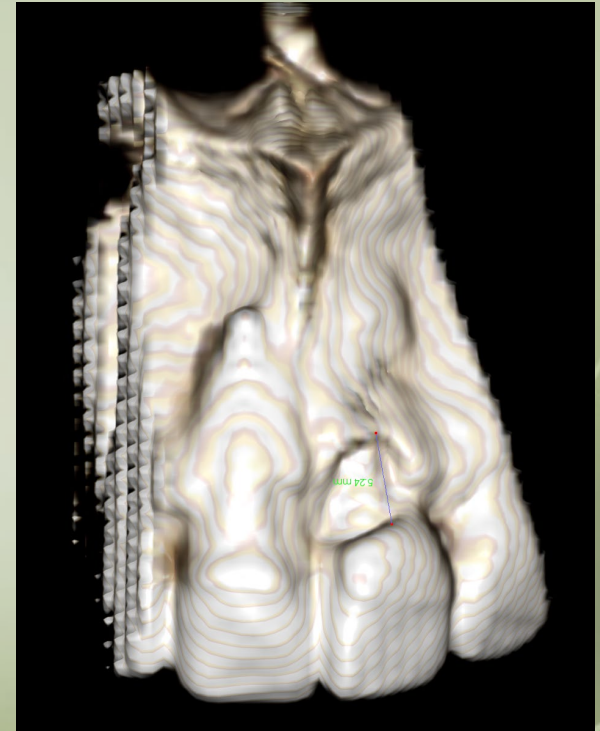
# How do we Treatment Plan for the Edentulous Patient







# *What is the Standard of Care*



*To determine  
if  
Standard of Care met*

- History
- Clinical Finding (existing restorations and pathoses)
- Radiographs
- Diagnosis or Differential Diagnosis
- Treatment Plan

*To determine  
if  
Standard of Care met*

- History
  - Dental history
  - Comprehensive Health history signed/dated
  - Regular signed /dated updates

*To determine  
if  
Standard of Care met*

- Clinical Findings
  - Vitals recorded each visit
  - Hard tissue comprehensive exam
  - Including Existing restorations (charted Odontogram)
  - Detailed findings of existing restorations



*To determine  
if  
Standard of Care met*

- Clinical Findings
  - Intraoral soft tissue exam
    - Full mouth probing/charting
    - Oral Cancer Exam
  - Extraoral soft tissue
  - TMJ/TMD

*To determine  
if  
Standard of Care met*

- Radiographs
  - CMS, Panx, BW: diagnostic quality
  - Documented radiographic findings

*To determine  
if  
Standard of Care met*

- Diagnosis
  - Are diagnostic casts, wax ups, assessment of OVD, Centric Relation necessary for diagnosis
  - Documented, dated diagnosis

*To determine  
if  
Standard of Care met*

- Treatment Plan
  - Is the Tx Plan documented, dated and signed
  - Is the explanation of Tx Plan documented
  - Do the clinical, radiographic findings, pt casts and diagnoses support Tx Plan

*To determine  
if  
Standard of Care met*

- Informed Consent
  - There should be a written, dated and signed form for each procedure

*To determine  
if  
Standard of Care met*

- Documentation System for:
  - Materials (ID, Lot #s Bone Grafting)
  - Reference #s, Lot #s, Bar Codes
  - Local Anesthetic: type, amount, %, [ ]

*To determine  
if  
Standard of Care met*

- Documentation System for:
  - Type of Abutment used: Ref. & Lot #s
  - Angled Screw Channel used
  - Laboratory utilized
  - Name of Assistant documented
  - Person entering a note dates and signs

*To determine  
if Standard of Care met*

- Procedural Specific Standards
  - Accepted protocol for each procedure
    - Rubber dam for endodontics
    - Rubber dam for Composites
    - Amount of Anesthetic allowed per weight



*To determine  
if  
Standard of Care met*

- Did Complications occur
  - Documentation of the event
  - Documentation of discussion with patient
  - Was referral to a specialist indicated
  - Follow-up with patient

*To determine  
if Standard of Care met*

- Mitigating Circumstances
  - Lessening the gravity of an offense or mistake
  - Examples:
    - Unrealistic Expectations
    - Uncontrolled Diabetic, Smoker, Immunocompromised
    - Post-Care instructions not followed

*To determine  
if Standard of Care met*

- Aggravating Circumstances
  - Making an offense or mistake worse or more serious
  - Examples:
    - Throwing a Colleague under the bus
    - Uncooperative or abusive patient
    - Post-Care instructions not followed

# *Auditing Your Practice Systems*

- Scheduling
- Chairside
- Post-Treatment
- Financial
- Communication
  - Patients
  - Lab
  - Other providers

# *Implementing Best Practices*

- Appoint a Risk Management Staff Member
  - List of required forms
    - Informed Consent, HIPAA, Release of Medical Information, Post-operative Care
  - Create Procedural Templates
  - Document Document Document
  - Use “xxx” when possible

*If it isn't Documented, It didn't Happen*

# *Documentation*

- Doctor should write treatment notes or review and make a separate entry with corrections: date and sign
- Don't delete or add to an original note
- Documentation should include the person typing the note
- Assistant take notes

# *Documentation*

- Lab Authorizations
  - Tooth Number
  - Type of Restoration
    - Screw-retained Screw-Mentable crown
    - Restoration material
  - Custom milled or stock abutment (Ref. #)
  - Straight or angled screw channel



# *Periodic Random Chart Audits*

- Develop the Audit checklist
- Quarterly staff meetings to review results
- Develop plan of Action
- Follow-up as needed

# *Resources*

- ADA
- Specialty Organizations

# *Summary*

- Honesty is Number One
- There is no such thing as too much documentation
- Fine detail matters a lot
- Good Doctor-Patient Relations

*Thank You*

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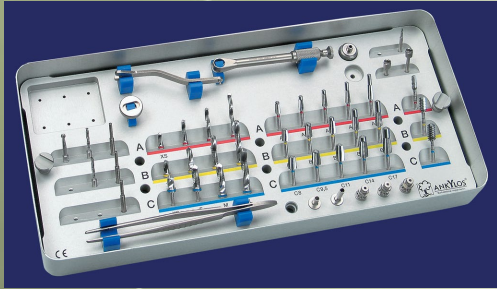








# How to Begin?



- ⊕ Select and purchase system(s)
- ⊕ Find patients
  - ⊕ *Pro bono* treatment in learning phase
    - ⊕ Free clinics
    - ⊕ Donated dental services
    - ⊕ Dental schools?
  - ⊕ Market to referral sources
    - ⊕ Informal survey
    - ⊕ Education
    - ⊕ Close communication
    - ⊕ Help them with diagnosis / Tx Planning
    - ⊕ Help them with restorative phase



# *The Bottom Line...*

- ⊕ Implants are here to stay
- ⊕ Incorporating them into an Endodontic practice has great rewards

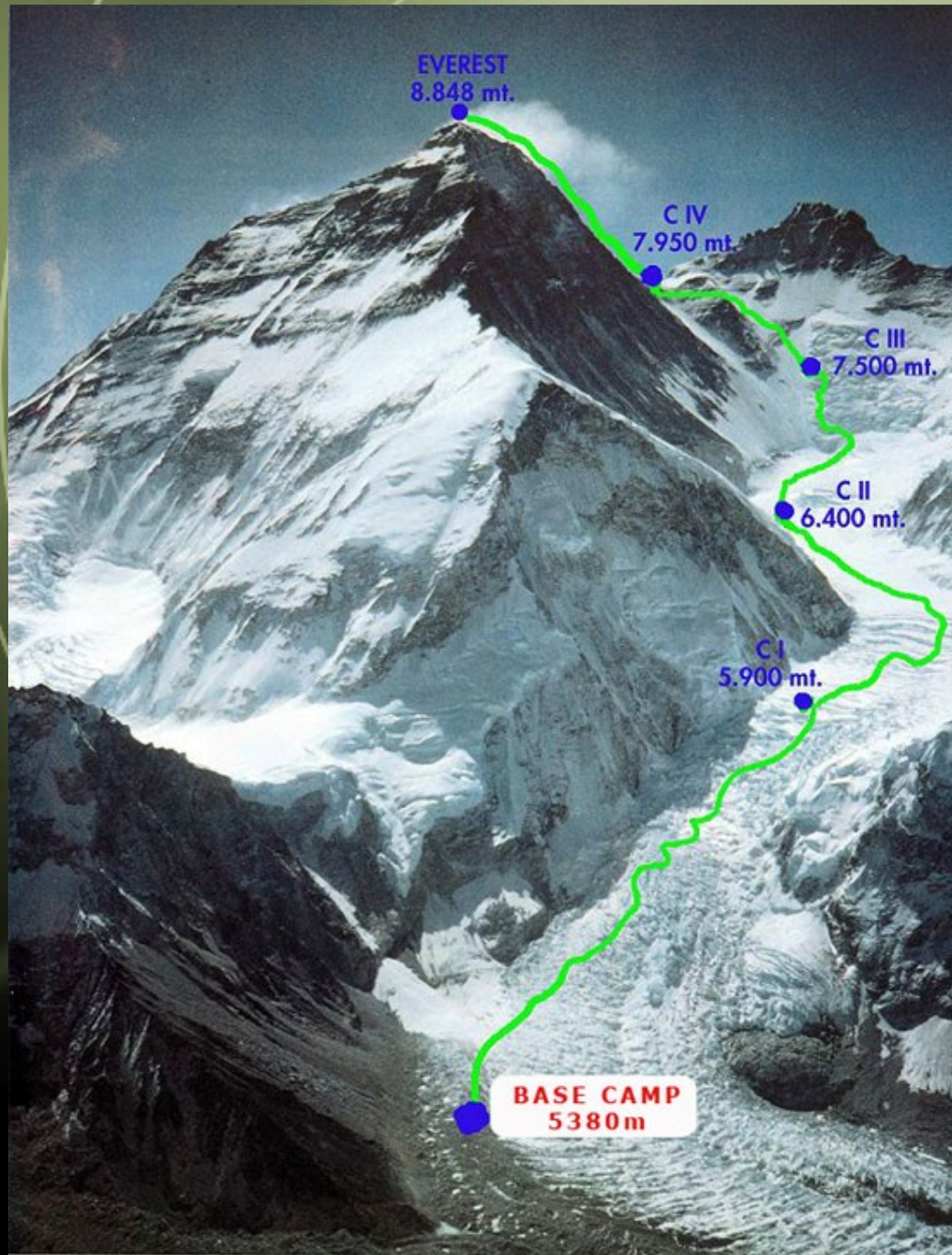
However...



# *The Bottom Line...*

- ⊕ There are significant challenges to overcome
- ⊕ Many (most?) existing Endodontists will not place
- ⊕ The challenges are not insurmountable
- ⊕ But whatever you choose to do...

**Perform all treatment to the  
highest standard**



*Thank You*