

COMPILATION ARTICLE

RELEVANT EXCERPTS FROM DENTAL COUNCIL OF INDIA NOTIFICATION

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DENTAL COUNCIL OF INDIA (CODE OF ETHICS) REGULATIONS NEW DELHI, THE 27TH JUNE, 2014

No. DE-97-2014.—In exercise of the powers conferred by Section 20 read with Section 17A of the Dentists Act, 1948(16 of 1948), the Dental Council of India with the previous sanction of the Central Government, in supersession of the Dentists (Code of Ethics) Regulations 1976, except as respects things done or omitted to be done before such supersession, hereby makes the following Dental Council of India (Code of Ethics) Regulations:

CODE OF DENTAL ETHICS

A. Declaration

Every dentist who has been registered (either on Part A or Part B of the State Dentists Register) shall, within a period of thirty days from the date of commencement of these regulations, and every dentist who gets himself registered after the commencement of these regulations shall, within a period of thirty days from such registration, make, before the Registrar of the State Dental Council, a declaration in the form set out for the purpose in the Schedule to these regulations and shall agree to have read, understood and thence to abide by the same.

B. Duties and Obligation of Dentists in General

CHARACTER OF DENTIST / DENTAL

Surgeon

In view of the important role of a Dentist/Dental Surgeon as a health professional educated and trained in surgical and medical treatment of diseases of the Oral cavity, he shall:

Be mindful of the high character of his mission and the responsibilities he holds in the discharge of his duties as an independent health-care professional and shall always remember that care of the patient and treatment of the

disease depends upon the skill and prompt attention shown by him and always remembering that his personal reputation, professional ability and fidelity remain his best recommendations;

Treat the welfare of the patients as paramount to all other considerations and shall conserve it to the utmost of his ability;

Be courteous, sympathetic, friendly and helpful to, and always ready to respond to, the call of his patients, and that under all conditions his behavior towards his patients and the public shall be polite and dignified;

MAINTAINING GOOD CLINICAL

Practices: The Principal objective of the Dental profession is to render service to humanity with full respect for the dignity of profession and man. Dental Surgeons should merit the confidence of patients entrusted to their care, rendering to each a full measure of service and devotion. They should try continuously to improve medical knowledge and skills and should make available to their patients and colleagues the benefits of their professional attainments. The Dentist/ Dental Surgeon should practice methods of healing founded on scientific basis and should not associate professionally with anyone who violates this principle. The honored ideals of the dental profession imply that the responsibilities of the Dental Professionals extend not only to individuals but also to Society.

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Membership in Dental and Medical Associations and Societies: For the advancement of his/her profession, a Dental Surgeon should be encouraged to affiliate with associations and societies of dental, oral and allied medical professionals and play a proactive role in the promotion of oral health in particular and health of an individual in general.

A Dentist/Dental Surgeon should enrich his professional knowledge by participating in professional meetings as part of Continuing Dental and Medical Education programs/Scientific Seminars/Workshops as stipulated by the regulations made by the statutory bodies from time to time and should register any mandatory requirements with the state registration bodies or any other body as stipulated.

MAINTENANCE OF DENTAL/MEDICAL RECORDS:

Every Dental surgeon shall maintain the relevant records pertaining to his outpatients and in patients (wherever applicable). These records must be preserved for a minimum period of three years from the date of commencement of the treatment in a format determined by the Council or accepted as a standard mode of documentation.

If any request is made for medical or dental records either by the patients/authorized attendant or legal authorities involved, the same may be issued to the competent authority within 72 hours after having obtained a valid receipt for all documents. It is prudent to keep certified photocopies /carbon copies of such submissions.

A Registered Dental practitioner shall maintain a Register of Medical Certificates giving full details of certificates issued. When issuing a medical certificate he shall always enter the identification marks of the patient and keep a copy of the certificate. He shall not omit to record the signature and/or thumb mark, address and at least one identification mark of the patient on the medical certificates or report. The medical certificate shall be prepared as in Appendix 2 of this document, Revised Dentists Code of Ethics Regulations, 2012.

Efforts shall be made to digitalize dental/ medical records for quick retrieval. 3.4 Display of Registration Numbers:

Every Dental practitioner shall display the registration number accorded to him by the State Dental Council in his clinic and in all his prescriptions, certificates and money receipts given to his patients. (3.4.2) Dental Surgeons shall display as suffix to their names only recognized Dental degrees which are recognized by the Council or other qualifications such as certificates/

diplomas and memberships/honors/ fellowships which are conferred by recognized Universities/ recognized bodies approved by the Council and obtained by convocation in person or in absentia. Any other qualifications such as medical degrees, doctorates, post-doctoral egresses or any degree that has bearing on the person's knowledge or exemplary qualification may be used as suffix in a manner that does not convey to the observer or patient a false impression regarding the practitioner's knowledge or ability as a dental professional. Abbreviations of memberships in association or organizations of professionals should not be used as abbreviations in a manner that is misleading to the public[refer to Article 8.9.3 of this document, Revised Dentists Code of Ethics Regulations, 2012 for relevant details].

PRESCRIPTION OF DRUGS:

Every dental surgeon should take care to prescribe and administer drugs in a responsible manner and ensure safe and rational use of drugs. He should as far as possible, prescribe drugs in a generic form.

EXPOSURE OF UNETHICAL CONDUCT:

A Dental Surgeon should expose, without fear or favor, incompetent or corrupt, dishonest or unethical conduct on the part of members of the profession. It is the responsibility of the dental surgeon to report to the competent authorities' instances of quackery and any kind of abuse including doctor-patient sexual misconduct, misuse of fiduciary relationship, child abuse and other social evils that may come to their attention.

OBSERVATION OF STATUTES:

The Dental Surgeon shall observe the laws of the country in regulating the practice of his profession including the Dentists' Act 1948 and it's amendments and shall also not assist others to evade such laws. He should be cooperative in observance and enforcement of sanitary laws and regulations in the interest of public health. He should observe the provisions of the State Acts like Drugs and Cosmetics Act, 1940;Pharmacy Act, 1948; Narcotic Drugs and Psychotropic substances Act, 1985; Environmental Protection Act, 1986; Drugs and Magic Remedies (Objectionable Advertisement) Act, 1954; Persons with Disabilities(Equal Opportunities and Full Participation) Act, 1995 and Bio-Medical Waste (Management and Handling)Rules, 1998 and such other Acts, Rules, Regulations made by the Central/State Governments or local Administrative Bodies or any other relevant Act relating to the protection and promotion of public health.

DUTIES OF DENTAL PRACTITIONERS TO THEIR PATIENTS

OBLIGATIONS TO PATIENTS

Though a Dental Surgeon is not bound to treat each and every person asking his services, he should attend emergencies reporting to the clinic and should be mindful of the high character of his/her mission and the responsibility he discharges in the course of his professional duties. The Dental Surgeon should see patients at their hour of appointment as far as possible unless he is unable to do so due to unforeseen delays. He should never forget that the health and the lives of those entrusted to his care depend on his skill and attention. A Dental Surgeon should endeavor to add to the comfort of the sick by making his visits at the hour indicated to the patients. A Dental surgeon advising a patient to seek service of another Dental Surgeon or physician is acceptable. However in the case of medical emergency a Dental Surgeon must institute standard care including resuscitation in case of cardiac episodes, for which all dental surgeons must be adequately trained in basic life support.

A Dental Surgeon can refuse treatment using his discretion but it should not be on the basis of any discrimination of colour, caste, religion, nationality or the presence of ailments such as HIV or other contagious diseases. However in keeping with the dictum of medical care, the dental surgeon must continue to treat' if he/she has accepted the patient for treatment. Treatment can be terminated on the wishes of the patient or with the resolution of the complaint for which the patient sought treatment. Treatment can also be terminated if the patient is in need of additional or expert care for which the Dental surgeon is not equipped to treat or if it falls outside the range of his expertise.

In such instances, the patient should be referred to such specialists or higher centers where treatment is possible.

A Dental Practitioner having any incapacity detrimental to the patient or which can affect his performance vis-a-vis the patient is not permitted to practice his profession.

CONFIDENTIALITY:

Confidences concerning individual or domestic life entrusted by patients to a Dental Surgeon and defects in the disposition or character of patients observed during professionally attending to a patient should never be revealed unless such a revelation is required by the laws of the State. Sometimes, however, a clinician must determine whether his duty to society requires him to employ knowledge, obtained through confidence as a

health care provider to protect a healthy person against a communicable disease to which he is about to be exposed. In such instance, the Dental Surgeon should act as he would wish another to act toward one of his own family in like circumstances.

PROGNOSIS

The Dental Surgeon should neither exaggerate nor minimize the gravity of a patient's disease. He should ensure himself that the patient, his relatives or his responsible friends have such knowledge of the patient's condition as will serve the best interests of the patient and the family.

The Patient must not be neglected: A Dental surgeon is free to choose whom he will serve. He should, however, respond to any request for his assistance in an emergency. Once having undertaken a case, the Dental Surgeon should not neglect the patient, nor should he withdraw from the case without giving adequate notice to the patient and his family. He shall not willfully commit an act of negligence that may deprive his patient or patients from necessary Dental/Medical care.

DUTIES OF DENTAL SURGEONS AND SPECIALISTS IN CONSULTATIONS

CONSULTATION ETIQUETTES:

A Dental Surgeon should ordinarily be able to deal with all common diseases of the Oral cavity by virtue of his qualification and training. However, if the patient requires expert care of a specialist, appropriate references to Dental or Medical specialists may be made according to the nature of the problem. It is the duty of a specialist to refer the patient back to the patient's original dentist after the treatment for which the referral was made. While the specialist can collect his or her fees it would be unethical to pay commissions or any kind of gratuity to the referring dental surgeon.

A Dental Surgeon shall not receive from the radiologist, laboratory or dispensing chemist any kind of commission in the form of money, gifts or gratuity for referrals. All referrals for investigation should be judicious, justifiable and done in the best interests of the patient to arrive at a diagnosis.

FEES AND OTHER CHARGES:

A Dental Surgeon or the Clinic run by him shall clearly indicate the cost of treatment for the procedure and make an estimate of all costs likely to be incurred. Any increase in subsequent cost should be justified by the Dental surgeon. There is no bar on the display of fees and other charges in the Dental Clinic. Prescription

should also make it clear if the Dental Surgeon himself dispensed any medicine.

A Dental Surgeon shall write his name and designation in full along with the recognized dental degrees and the registration particulars in his prescription letter head.

RESPONSIBILITIES OF DENTAL SURGEONS TO ONE ANOTHER

Visiting another Case: When it becomes the duty of a Dental Surgeon occupying an official position to see and report upon a condition and appropriate treatment, he should communicate to the Dental Surgeon in attendance so as to give him an option of being present. The Medical Officer/Dental Surgeon occupying an official position should avoid remarks upon the diagnosis or the treatment that has been adopted.

DUTIES OF DENTAL SURGEONS TO THE PUBLIC AND TO THE PARAMEDICAL PROFESSION

Dental Surgeons as Citizens: Dental Surgeons, as good citizens, possessed of special training should disseminate advice on public health issues. They should play their

part in enforcing the laws of the community and in sustaining the institutions that advance the interests of humanity. They should particularly cooperate with the authorities in the administration of sanitary/public health laws and regulations.

Public and Community Health: Dental Surgeons, especially those engaged in public health dentistry, should enlighten the public concern in oral health and prevention of oral diseases such as dental caries, periodontal health, precancerous lesions and oral cancer. At all times the dental surgeons should notify the constituted public health authorities or hospitals of every case of communicable disease under his care, in accordance with the laws, rules and regulations of the health authorities.

SECRET REMEDIES:

The prescribing or dispensing by a physician of secret remedial agents of which he does not know the composition, or the manufacture or promotion of their use is unethical and as such prohibited. All the drugs prescribed by a dental surgeon should always carry a proprietary formula and clear name.

Foot Note: The Principal Regulations, namely, the "Dentists (Code of Ethics) Regulations, 2014", were published in Part II, Section 3, Sub-sec (1) of the Gazette of India, Extraordinary, on 21.08.1976.