

ASPIRATION RISK MANAGEMENT

Responding to foreign body aspiration



BACKGROUND

During dental procedures, when the patient is in a reclined position and small restorative materials and dental components are introduced into the oral cavity, it's possible for the patient to accidentally aspirate or ingest a foreign body. What the dentist and dental team do after that is important in avoiding legal entanglements.

RECOMMENDED RESPONSES OF THE DENTAL TEAM

If a patient ingests or swallows something during a dental procedure, proper follow-up is to take a proactive stance. It's not advisable to adopt a "wait-and-see" approach.

The dentist should stop treatment immediately and assess the situation, even if it doesn't appear to be a significant problem. This is essential.

The patient should be stabilized, then the dentist should calmly explain what happened. It's important to check the immediate area to see if the object can be located. If it's not found, the patient should be referred to his or her physician for follow-up and referral for x-rays.

The dentist should ensure that the incident is properly documented. Any witnesses and their contact information should also be listed.

It's vital to follow up with the patient to check on his or her recovery. In addition, the practice insurance carrier should be contacted and an incident report filed.

DISCUSSION

Both communication and compassion are essential components of a proper response to possible patient injury. Showing compassion does not constitute an admission of guilt. If the dentist doesn't recognize the patient's distress and follow up appropriately, the patient may become more upset and seek legal recourse. Simply expressing concern and acknowledging the situation can avoid these feelings.

Patients may expect the dentist to cover the copay or other minor expenses as a gesture of good will. Before offering any payments or reimbursements, the dentist should check with the Risk Management Advice Line. Dentists can also speak with an analyst about any other patient demands, but may also need to contact a claims representative if more than a small monetary payment is expected.

Clinical Significance

Routine clinical procedures can be complicated by having a patient aspirate or swallow a restoration or other dental material. Dentists need to know how to respond in these situations so they can experience the best possible outcome for both themselves and their patients.

TDIC Risk Management Staff: Posttreatment care crucial in foreign object aspiration incidents. *Calif Dent Assoc J* 46:779-780, 2018

Reprints not available

DENTAL FRAUD

Embezzlement



THE LAKE HOUSE

The lake house was beautiful and located on one of the most amazing lots dentist Bill had ever seen. It was good to run into his friend Paul and have the chance to catch up while relaxing in this beautiful spot. When a couple arrived, Paul motioned for Bill to come over for an introduction, but then Bill realized

that the woman was Frances, his front desk employee, and the man was her husband. She turned abruptly and headed into the house, soon followed by her husband, who appeared to have received a call. Bill thought it was strange and asked Paul about the couple, who he said were neighbors. They had owned their place longer than he had his. His realtor had handled their sale,

which was how he met them. They seemed nice but didn't really seem to fit in with the neighborhood.

Bill continued to think about Frances and how she and her husband could possibly afford their lake house. He knew how much Frances made and knew her husband worked at an auto body shop but had been unemployed for a while. He decided to talk to Frances Monday when he returned to the office.

THE FIRE

That night Bill's phone woke him up. His wife was calling to tell him that his dental office was on fire. When he returned home Monday, he met the fire investigator, who told him his practice had been intentionally torched. After many questions about where Bill was and why, Bill eventually mentioned that he had seen his front desk employee at the lake house. Then a new line of questions began.

THE REVELATION

The investigator started asking about Frances and her employment at the dental practice. It turned out that she was never sick and never took vacations. She asked that no one else "mess" with her desk when she wasn't there. Bill mentioned that even though she didn't handle much cash, she did handle what money was present, ran credit cards, got the mail, and handled deposits. When the investigator asked why Bill was so surprised by the couple owning the lake house, he answered that it must have cost a fortune and he saw no way they could afford it.

The investigator also asked if Bill had talked to Frances since he'd returned, but he admitted that he couldn't get in touch with her. In addition, he had found out that service contract with the company who was supposed to be backing up the practice data offsite had been canceled years earlier, so there was no way to access any practice data.

The investigator then revealed that in his opinion the motive for the arson was embezzlement by Bill's employee Frances and her husband.

EMBEZZLEMENT FACTS AND FLAGS

Embezzlement can occur in any business setting. Usually it's clues such as those seen in this example that will lead to uncovering the crime and not the presence of damning evidence. Embezzlers constantly create new ways to steal others' money, which makes it so difficult to track them down. It's only through behavioral clues that are expressed in response to the pressures involved in committing and hiding the crime that they are exposed.

Red flags to look for in an employee who is embezzling from the practice include the following:

- Never takes vacation or days off
- Doesn't want anyone else hovering over or messing with his or her stuff
- Is the sole person who handles all financial matters
- Has had personal financial problems in the past
- Has property or possessions that cost significantly more than he or she could afford

To protect against embezzlement, it's important to have at least 2 people responsible for financial matters and to personally ensure that all practice files are backed up offsite so they won't be lost in the case of a fire or other damage to the facility.

Clinical Significance

Experts believe that fraud occurs in more than half of all dental practices, with possibly more who have not reported the crime. Dentists need to take steps to ensure that they don't become victims of this crime. Dentists need to protect themselves and the dental practice and know what to do if they believe someone is embezzling from them.

Baird S: True dental fraud: The lake house. *Dent Econ* 108:33-34, 2018

Reprints not available

ESTATE PLANNING

Planning ahead and making a will



BACKGROUND

Estate planning is often avoided by Americans because they either don't want to talk about death or they don't think they have enough money or possessions to need an estate plan. Having a plan makes life much easier for those who are left behind, regardless of the

degree of wealth involved, so virtually all Americans should undertake basic estate planning. Although many dentists don't consider themselves wealthy, an estate plan is essential for them because they need to consider not just their family but the practice, their staff, and their patients as well.