

Possible problems with privacy laws

This is continued comment on the new privacy laws about to be instigated by the American government. These laws are designed to minimize the probability of the patient's medical records being observed and used by inappropriate parties. I support the overall intention of these laws wholeheartedly. Unfortunately, I am already beginning to see unintended negative consequences, mentioned in my last editorial.

I will cite an incident that recently occurred in my practice. A patient presented for an implant evaluation, having been referred by a periodontist in another state. The patient had not seen this periodontist but had contacted him through a mutual friend.

Upon presentation, the 35-year-old patient informed me that he was currently being treated by a dentist in my area. It so happens that I have a long-standing professional and personal relationship with this dentist and have been happy with the work from the office and with our professional relationship.

The patient's chief complaint was that his current dentist had placed a fixed provisional restoration from mandibular canine to canine replacing missing incisors. Clinical examination revealed a Class II malocclusion with a slight anterior open bite. The dentist's original plan had been to establish canine function in lateral excursion and increase anterior guidance in protrusive by increasing the coronal heights of the canine retainers and the incisor pontics. Unfortunately, when this was accomplished, the new fixed partial denture interfered with the patient's speech, and the provisional restoration had to be severely modified.

An additional concern on the part of the patient was the efficacy and longevity of the proposed final fixed partial denture. His research had led him to believe that dental implants would be a preferred alternative. This opinion was not shared by the restorative dentist, who according to the patient had not offered implants as an alternative.

This particular dentist and I have had a number of discussions on the relative merits of fixed partial dentures on implants versus fixed partial dentures on

teeth. The dentist understands that my feeling (see editorial, *QI* Vol 32, No. 7, 2001), based on the literature available, is that the longevity of the average implant-supported prosthesis is far greater than that of a tooth-supported FPD. I feel this is especially true in younger patients like the one discussed here.

The issue was not who was right or wrong but that communication should be established between professionals. I therefore requested that the patient allow me to contact his current restorative dentist. He initially denied my request and asked for time to decide on whether I would be allowed to make this communication. He called back the next day and said that he had decided to go to another restorative dentist and specifically requested that I not contact his current dentist. He said that he was going to contact his current dentist and ask for a refund on monies paid since he had previously paid for both the provisional restoration and the final restoration.

A few weeks later I had a very uncomfortable conversation that was initiated by the initial restorative dentist. I was questioned why I had not informed the dentist about the patient's concerns. I explained that my understanding of the current government regulations and the specific denial of my request to communicate with his current restorative dentist prevented me from doing so. The dentist pointed out our long-standing professional and personal relationship and questioned why no communication was initiated.

This incident has left a bad taste in my mouth and that of the restorative dentist, and has probably irreparably damaged our professional relationship.

Is this what the government intended? No. But it did happen, and I think it's going to get worse.



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