



ETHICAL MOMENT

What do you do when a parent does not obtain needed treatment for a minor child?

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Q A 5-year-old patient brought to an initial visit to my office had multiple extensive carious lesions. The child's mother requested the child be treated under sedation for his comfort, so a referral was made to a pediatric dentist. Five months later, the patient returned with pain, swelling, and a fever. On examination, it was observed that a carious tooth diagnosed at the last visit was infected. Extraction of the tooth was recommended, and a referral was made to the local oral surgeon to extract the tooth under nitrous oxide sedation. The mother stated that they had not gone for the consult to the pediatric dentist, as she thought it would be too expensive. To help the mother financially, she was offered treatment for the patient's sibling at no charge. Today, 3 years from the initial visit, no treatment has been rendered, and at this point, all posterior molars are nonrestorable. The mother continues to state that finances are preventing her from following up with her child's care, and she still prefers the child to be sedated for the procedures. I am concerned for the child's health; do I have an ethical obligation to report this as neglect?

A This case raises both legal and ethical concerns. As a health care provider, you are legally mandated to report any abuse or

neglect of a child. Satisfying this mandate may differ from state to state, so I would advise you to seek legal counsel on this matter, as this would be beyond the scope of our discussion, which focuses only on this ethical dilemma.

The American Dental Association Principles of Ethics and Code of Professional Conduct (ADA Code) provides both general and specific guidance on the issue you raise. As stated in Section 1, Patient Autonomy ("self-governance"), "... professionals have a duty to treat the patient according to the patient's desires, within the bounds of accepted treatment ..."¹

In the case you describe, the patient is a minor, and thus the parent is the decision maker and the parent must be involved in treatment decisions in a meaningful way...¹ Although the needs of the patient remain paramount, parental consent is still necessary, and you must be mindful of the goals and values expressed by the parent. You have the responsibility to provide detailed information about the necessary treatment, the risks and benefits of the proposed treatment plan as well as alternatives, and the potential risks and benefits of no treatment at all.

The second principle to consider in addressing the care of this patient is that of Nonmaleficence ("do no harm"), as "[t]his principle expresses the concept that professionals have a duty to protect the patient from harm."¹

The mother possibly requested sedation for the child based on the child's experience with dental treatment. To ensure that you are not creating a problem for treatment in the future, it would be important to have a better understanding of why the request is being made so that you could then discuss with the parent if this is the best course of treatment or if another course of treatment may be as effective. Because of the request for sedation, you did make a referral to a specialist which, under ADA Code was an ethically appropriate course of action. The ADA Code obligates dentists to

... seek consultation, if possible, whenever the welfare of patients will be safeguarded or advanced by utilizing those who have special skills, knowledge, and experience.¹

As stated in Section 3, Beneficence ("do good"), "... professionals have a duty to act for the benefit of others."¹ Under this principle, you will find specific discussion in the ADA Code about reporting abuse and neglect. The ADA Code obligates dentists "... to become familiar with the signs of abuse and neglect and to report suspected cases to the proper authorities, consistent with state laws."¹ To be sure that you are familiar with what the laws in your state are, please seek legal counsel.

Advisory Opinion 3.E.1. speaks specifically to dentists' ethical obligations regarding reporting abuse and neglect. The ADA Code states that "[a] dentist's ethical obligation

to identify and report the signs of abuse and neglect is, at a minimum, to be consistent with a dentist's legal obligation in the jurisdiction where the dentist practices."¹ The ADA Code goes on to state that

[d]entists, therefore, are ethically obliged to identify and report suspected cases of abuse and neglect to the same extent as they are legally obliged to do so in the jurisdiction where they practice.¹

Understanding how your state law defines abuse and neglect, and thus when you must report, is critical in the scenario you describe.

Finally, Section 5, Veracity ("truthfulness"), must be considered:

This principle expresses the concept that professionals have a duty to be honest and trustworthy in their dealings with people. Under this principle, the dentist's primary obligations include respecting the position of trust inherent in the dentist-patient relationship, communicating

truthfully and without deception, and maintaining intellectual integrity.¹

To be honest when communicating with the mother, you need to discuss with her the consequences of delaying treatment of the patient's carious teeth while acknowledging her desire to have the patient sedated.

Your concern for the patient's welfare is well appreciated. In satisfying your ethical obligations as outlined above, you can hope that you have provided the necessary information to the patient's mother, better enabling her to make the decision that is in the patient's best interest given your guidance through the decision-making process. In addition, adhering to your state's requirements regarding reporting of abuse and neglect is necessary to satisfy both your legal and ethical obligations. ■

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1. American Dental Association. American Dental Association principles of ethics and code of professional conduct, with official advisory opinions revised to December 2016. Available at: http://www.ada.org/~media/ADA/Publications/Files/ADA_Code_of_Ethics_2016.pdf?la=en. Accessed June 14, 2017.