

Terminating Dentist-Patient Relationships

Dentist-patient relationships can end for many reasons. For example, patients may terminate the relationship because they are relocating, displeased with the care provided, or have financial motivations.

Dentists can end the relationship for virtually any reason, provided they give the patient proper notice. However, some exceptions apply to this seemingly unfettered right to terminate the relationship. For example, you may not terminate a patient for any discriminatory purpose or in violation of any state or federal laws or rules prohibiting discrimination, such as the Americans with Disabilities Act. In addition, dentists cannot withdraw from care when a patient's oral health is not stable or is in jeopardy.

Dentists will often end the relationship with a patient because the patient:

- Is uncooperative or non-compliant – does not follow advice.
- Has a lack of trust.
- Does not keep appointments.
- Does not pay their bill(s).
- Has unreasonable expectations regarding treatment outcomes.
- Is unruly or hostile to staff.

When you decide to terminate a patient, you should follow safeguards to ensure the relationship is appropriately ended and does not endanger the patient's oral health. If not handled appropriately, it could lead to a malpractice claim.

Always handle discharging a patient warmly and professionally. Consult local, state, and federal law to determine specific requirements for terminating a patient in your practice location. Review provider agreements to ensure compliance with termination processes and procedures that you are contractually obligated to. Reduce the risk of an allegation of abandonment by providing notice to the patient in writing or in-person. Upon proper authorization, provide them with a copy of their chart. Withholding records or dental information because the patient has an outstanding balance on their account is never recommended – doing so may create liability exposure.

The dentist should end the relationship – not a member of the office staff. Send the patient a termination letter. The letter should be marked “personal/confidential” and mailed to the last known address via certified mail and regular mail. If the patient has authorized email communications, and you have a HIPAA-certified email server, email is acceptable.

The letter should inform the patient of the dentist's intent to terminate the relationship with a clear suggestion for continuing care (in an emergency) for a reasonable time (usually 30 days.) Offer resources for finding a subsequent dentist -- your local dental society can be a good resource. Provide details of specific at-risk conditions for which the patient should seek timely care and maintain a copy of the termination letter in the patient's chart.

Inform your staff of the termination. Once the patient has notice of the end of the relationship, staff should not schedule an appointment with the patient without consulting with you during the 30 days of emergency care or any time after that. Doing so may reestablish the relationship.

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