‘No’ Answers

What hygienists don’t know—or choose to ignore—can hurt them

- “You’re seeing a new patient to our office this afternoon. The dentist is out, though, so just do what needs to be done, and we’ll have the patient come back next week for an exam.”
- “We only take vitals on patients when something is wrong.”
- “I can’t leave this crown prep to initiate the nitrous oxide for your patient—I’m delegating you to go ahead and start it.”
- “There’s no need to use a lead apron. Radiation exposure in the dental office is minimal, and it takes too much time to fool with it.”

Each of these scenarios violates the Texas State Board of Dental Examiners Rules and Regulations. If it occurred in a Texas-based practice, the consequences could threaten your dental hygiene license.

No matter which state you work in, if you’ve practiced for more than a few years, you’ve probably encountered one or more of the scenarios above. How you respond to such predicaments will affect not only your professional career but also how well you sleep at night.
Dental hygienists are in a unique position: We hold and maintain professional licenses but are required to practice under the supervision of a licensed dentist. Hygienists can find themselves in positions where their boss, the dentist, requests that they perform tasks or make decisions that could put their dental hygiene licenses at risk. It’s difficult for most employees to refuse a request made by their employers; however, as the license holders (and ethical decision makers), hygienists must take a firm stand to uphold the requirements, rights and responsibilities set forth by their individual states.

The way you respond to the first situation you encounter that could compromise your license will likely set the tone for your employment in the office. If you’re asked to perform an illegal or unethical task, you must be ready to respond in a professional manner, supported by the documentation by which we make our decisions.

**Why would dentists ask hygienists to break the law?**

- **Simply because they don’t know better.** Regardless, ignorance of the law is no excuse, as the common phrase goes. All license holders on the dental team are obliged to read and understand rules and regulations. This can be a tedious task, but it’s critical information for the license holder. A good time to review this material is when renewing your license with the state.

- **Because it’s easy, convenient and patient pleasing.** Dentists want favorable reviews from their patients, so some allow patients to dictate treatment, which can have myriad consequences.

- **To maximize profits.** The foremost concern of the office being income, without taking anything else into consideration.

Some hygienists, meanwhile, justify breaking laws or bending rules because they think that if there’s an adverse result, the patient will sue or report only the dentist, not the dental hygienist. This is far from reality—hygienists are frequently named, either alone or with the dentist under whom they practice, in cases and lawsuits that could result in penalties or the loss of license for the hygienist. It’s naive to assume that the dentist
would be the only license holder held responsible for the actions of a licensed dental hygienist.

Other hygienists may disregard the law out of desperation to keep their jobs, but their first priority should be the possible consequences to the patient (and their ability to continue practicing dental hygiene). And some hygienists just unknowingly break the laws related to practice. This is why being familiar with the rules and regulations is crucial.

**Know how (and when) to react and respond**

Asking for a working interview, or observing for at least one day before accepting a position, might alert dental hygienists about potential red flags related to that position. These are great opportunities to witness the interaction between hygienists and the dentist and to get a sense of what the expectations are with each role.

If you do accept a position, though, and are asked to perform an illegal task, what might your response sound like? Using the examples from the beginning of the article, the dental hygienist could respond in the following manner:

**Office manager/front desk receptionist:**
“Your’s seeing a new patient to our office this afternoon. The dentist is out, though, so just do what needs to be done, and we’ll have the patient come back next week for an exam.”

**Hygienist:** “I understand that you don’t want to reschedule a new patient, but it’s against the law for me to treat a new patient before an exam by the dentist. Would you like me to contact the patient, explain the situation and arrange a new appointment for a time when the dentist is in the office?”

**Dentist:** “We only take vitals on patients when something is wrong.”

**Hygienist:** “The State Board requires that a medical history and limited physical evaluation, including blood pressure and pulse, be performed and updated at least annually. I’m more comfortable knowing that patients aren’t compromised medically, so I’ll update the medical history and take vitals as required.”

**Dentist:** “I can’t leave this crown prep to initiate the nitrous oxide for your patient. I’m delegating you to go ahead and start it.”

**Hygienist:** “It’s against the law for me to initiate nitrous oxide. I’ll explain to the patient that it may be a while before it can be initiated and see if they would like to begin without nitrous oxide until you’re available.”

**Dentist:** “There’s no need to use a lead apron. Radiation exposure in the dental office is minimal, and it takes too much time to fool with it.”

**Hygienist:** “The law states that all dental patients must be protected by a lead apron with the thyroid collar while directly exposed to X-rays. We don’t want to jeopardize the health of the patient by ignoring this law.”

Unless it’s unavoidable, you should always discuss situations like these outside the presence of the patient! Asking the dentist to speak with you privately at lunch or after hours allows sufficient time to express your stance and discuss solutions. Sending an email is another way that you can express your concerns and easily include a link to the information you are referencing. (Additionally, if there is written correspondence, the dental hygienist will have a record for future reference if needed.)

If you feel the discussion may be heated, it’s advisable to ask someone else from the team to be present.

**It’s your license—and your responsibility**

As dental hygienists, we must take ultimate responsibility for protecting the license we worked so diligently to receive. We must satisfy our professional obligation to be knowledgeable regarding the rules and regulations under which we practice. When faced with a situation that could jeopardize our license or ethical principles, we must be prepared to refuse to act and ready to provide evidence to support that decision.

If hygienists are not committed to upholding the laws and acting as professional health care providers, we are at risk for losing not only our licenses but also our standing as trusted and valuable members of society and the dental team. By adhering to the law, you can sleep well at night knowing that you did nothing to risk your license or the well-being of the patients we’re committed to serving.