

Risk Management: Minimizing Dental Losses

The following information is provided by Preferred Physicians Medical to its policyholders. These guidelines were developed to respond to a significant number of questions and concerns regarding dental injuries and their handling.

Before a Dental Injury Occurs

In order to minimize losses caused by dental injuries, it is recommended that the risk of dental injury be discussed with all patients undergoing general anesthesia and that this risk be included on anesthesia consent forms. During the pre-anesthesia evaluation, attention should be directed to the condition of the patient's teeth. Any existing damage should be noted on the record. Patients with existing dental problems should be advised that they are at increased risk for dental injury. Patients with existing bridges are particularly susceptible to injuries, which frequently require expensive repairs.

After a Dental Injury Occurs

In the event dental injury occurs, the patient should be notified and advised to consult with a dentist. During these discussions, the patient will often ask, "who is going to pay my dental bill?" Unless the anesthesiologist has previously discussed the manner in which dental claims are handled, please contact Preferred Physicians Medical before assuming responsibility for a patient's dental bill. This provides Preferred Physicians Medical with an opportunity to review and discuss the options for handling such claims.

It is extremely important to avoid an assumption of responsibility. First, dental injuries, especially those involving bridges, may be more expensive than expected. Assuming responsibility in advance may contractually obligate the anesthesiologist to pay damages that did not result from the anesthesia. In a large percentage of the dental injuries reported,

Preferred Physicians Medical discovers that the patient has significant pre-existing dental disease or conditions, which caused or contributed to the injury. Assuming liability before the patient's dental history is known may obligate the anesthesiologist to take responsibility for years of dental neglect. Second, assuming responsibility may prevent Preferred Physicians Medical from handling the claim appropriately.

Preferred Physicians Medical recommends that patients be referred to their own dentist. If the patient does not have a dentist, the anesthesiologist may suggest a known dentist. Again, because the anesthesiologist wants to avoid an assumption of responsibility for the dentist's bill, Preferred Physicians Medical recommends having the patient schedule the appointment.

If pressed by the patient to assume the cost associated with the dental consult and injury, the anesthesiologist should instead advise the patient to forward the dental bills to the anesthesia office for review. If the anesthesiologist has an office administrator, Preferred Physicians Medical recommends that this individual be given responsibility for gathering information regarding a patient's dental claim. By utilizing an office administrator, the anesthesiologist is often able to avoid an immediate assumption of responsibility for the dental bills. The anesthesiologist or office administrator should then contact Preferred Physicians Medical to report the dental claim and to discuss the options for handling the claim.

OPTIONS FOR HANDLING DENTAL CLAIMS

Direct Handling by Policyholder

In order to avoid a blemish on their credentialing report or just the additional paperwork, many anesthesiologists prefer to handle dental claims without reporting them to Preferred Physicians

Medical. Under this scenario, dental claims are commonly resolved by a direct payment to the patient's dentist or by discounting the patient's anesthesia bill to cover any dental charges that are not reimbursed by the patient's insurance. This option avoids the National Practitioners Data Bank reporting

requirement, most state reporting requirements, and does not appear on credentialing reports provided on the policyholder's behalf to hospital and insurance organizations.

In the event the anesthesiologist decides to make a direct payment to the patient or to the patient's dentist, the anesthesiologist should ask the patient to sign a general release. Preferred Physicians Medical can assist you by providing a sample documents form.

Note: In the event you require assistance, PPM will establish an incident file. Such reports, however, are not reflected on your credentialing report.

PPM Claims Handling

In situations where the anesthesiologist wishes to turn over responsibility to Preferred Physicians Medical, you should do so prior to assuming responsibility for payment. This provides Preferred Physicians Medical with an opportunity to review the claim and make recommendations for its resolution. In the event the patient presses for a commitment, Preferred Physicians Medical suggests that the patient be informed, "we are referring your claim to our insurance carrier, Preferred Physicians Medical." Preferred Physicians Medical will then assume the responsibility of interacting with the patient.

As a general rule, Preferred Physicians Medical recommends payment of dental claims only in cases where the injury results from a failure to meet the appropriate standard of care. Preferred Physicians Medical believes it is appropriate to defend dental claims when there is no evidence to suggest a breach of the standard of care. In order to maintain low premiums, Preferred Physicians Medical does not pay dental claims under a no-fault provision. At the same time, Preferred Physicians Medical is committed to evaluating dental claims on a case by case basis consistent with our policy.

As an example, Preferred Physicians Medical may recommend payment for dental injuries that result from multiple intubation attempts if there is no anatomical structure or condition to explain the difficulty with intubation. On the other hand, Preferred Physicians Medical would typically recommend denying a dental claim that cannot be reasonably prevented, e.g., patients who bite down on the oral airway in the recovery room.

Note: In order for PPM to handle your dental claim, PPM is required to establish a claim file. This file will be reflected on your credentialing report, and you may need to disclose it on applications for hospital or insurance company privileges.

Other Options

Preferred Physicians Medical recognizes that it has been customary in some communities for the anesthesia group to reimburse patients for dental injuries on a strict liability basis. Preferred Physicians Medical recommends discussing this and other options with us. Increasing dental costs and fewer patients with dental insurance have led a number of anesthesia groups to re-evaluate the cost effectiveness of this approach.

After selecting the appropriate claims handling option for a particular situation, Preferred Physicians Medical will continue to be available to assist the anesthesiologist in resolving the dental claim in an expedient manner.

Based on the options discussed above, Preferred Physicians Medical has resolved or assisted our policyholders in resolving dental claims quickly and efficiently. The majority of claims turned over to Preferred Physicians Medical are resolved without litigation or payment. Our experience in this regard indicates that the majority of dental claims are defensible.