LEGAL AND ETHICAL RESPONSIBILITIES of DENTAL HYGIENISTS
American Dental Hygienists' Code of Ethics

Preamble
As dental hygienists, we are a community of professionals devoted to the prevention of disease and the promotion and improvement of the public's health. We are preventive oral health professionals who provide educational, clinical, and therapeutic services to the public. We strive to live meaningful, productive, satisfying lives that simultaneously serve us, our profession, our society, and the world. Our actions, behaviors, and attitudes are consistent without commitment to public service. We endorse and incorporate the Code into our daily lives.

Purpose
The purpose of the professional code of ethics is to achieve high levels of ethical consciousness, decision-making, and practice by the members of the profession. Specific objectives of the Dental Hygiene Code of Ethics are:

- To increase our professional and ethical consciousness and sense of ethical responsibility;
- To lead us to recognize ethical issues and choices and to guide us in making more informed ethical decisions;
- To establish a standard for professional judgement and conduct; and
- To provide a statement of the ethical behavior the public can expect from us.

The Dental Hygiene Code of Ethics is meant to influence us throughout our careers. It stimulates our continuing study of ethical issues and challenges us to explore our ethical responsibilities. The Code establishes concise standards of behavior to guide the public's expectations of our profession and supports existing dental hygiene practice, laws, and regulations. By holding ourselves accountable to meeting the standards stated in the Code, we enhance the public's trust on which our professional privilege and status are founded.

Key Concepts
Our beliefs, principles, values, and ethics are concepts reflected in the Code. They are the essential elements of our comprehensive and definitive code of ethics, and are interrelated and mutually dependent.

Basic Beliefs
The following basic beliefs guide our practice and provide context for our ethics:

- The service we provide contributes to the health and well being of society;
Our education and licensure qualify us to serve the public by preventing and treating oral disease and helping individuals achieve and maintain optimal health;

- Individuals have intrinsic worth, are responsible for their own health, and are entitled to make choices regarding their health;
- Dental hygiene care is an essential component of overall healthcare, and we function interdependently with other healthcare providers;
- All people should have access to healthcare, including oral healthcare;
- We are individually responsible for our actions and the quality of care we provide.

**Fundamental Principles**

The following fundamental principles, universal concepts, and general laws of conduct provide the foundation for our ethics:

**Universality**

The principle of universality assumes that, if one individual judges an action to be right or wrong in a given situation, other people considering the same action in the same situation would make the same judgement.

**Complementarity**

The principle of complementarity assumes the existence of an obligation to justice and basic human rights. It requires us to act toward others in the same way they would act toward us if roles were reversed. In all relationships, it means considering the values and perspective of others before making decisions or taking actions affecting them.

**Ethics**

Ethics are the general standards of right and wrong that guide behavior within society. As generally accepted actions, they can be judged by determining the extent to which they promote good and minimize harm. Ethics compel us to engage in health promotion/disease prevention activities.

**Community**

This principle expresses our concern for the bond between individuals, the community, and society in general. It leads us to preserve natural resources and inspires us to show concern for the global environment.

**Responsibility**

Responsibility is central to our ethics. We recognize that there are guidelines for making ethical choices and accept responsibility for knowing and applying them. We accept the consequences of our actions or the failure to act and are willing to make ethical choices and publicly affirm them.
Core Values
We acknowledge the following values as general guides for our choices and actions:

- **Individual Autonomy and Respect for Human Beings**
  People have the right to be treated with respect. They have the right to informed consent prior to treatment, and they have the right to full disclosure of all relevant information so that they can make informed choices about their care.

- **Confidentiality**
  We respect the confidentiality of client information and relationships as a demonstration of the value we place on individual autonomy. We acknowledge our obligation to justify any violation of a confidence.

- **Societal Trust**
  We value client trust and understand that public trust in our profession is based on our actions and behavior.

- **Nonmaleficence**
  We accept our fundamental obligation to provide services in a manner that protects all clients and minimizes harm to them and others involved in their treatment.

- **Beneficence**
  We have a primary role in promoting the well being of individuals and the public by engaging in health promotion/disease prevention activities.

- **Justice and Fairness**
  We value justice and support the fair and equitable distribution of healthcare resources. We believe all people should have access to high quality, affordable oral healthcare.

- **Veracity**
  We accept our obligation to tell the truth and assume that others will do the same. We value self-knowledge and seek truth and honesty in all relationships.

Standards of Professional Responsibility
We are obligated to practice our profession in a manner that supports our purpose, beliefs, and values in accordance with the fundamental principles that support our ethics.

We acknowledge the following responsibilities:
To ourselves as individuals...
- Avoid self-deception, and continually strive for knowledge and personal growth;
- Establish and maintain a lifestyle that supports optimal health;
- Create a safe work environment;
- Assert our own interests in ways that are fair and equitable;
- Seek the advice and counsel of others when challenged with ethical dilemmas;
- Have realistic expectations of ourselves and recognize our limitations.

To ourselves as professionals...
- Enhance professional competencies through continuous learning in order to practice according to high standards of care;
- Support dental hygiene peer-review systems and quality-assurance measures;
- Develop collaborative professional relationships and exchange knowledge to enhance our own life-long professional development.

To family and friend...
- Support the efforts of others to establish and maintain healthy lifestyles and respect the rights of friends and family.

To clients …
- Provide oral healthcare utilizing high levels of professional knowledge, judgement and skill;
- Maintain a work environment that minimizes the risk of harm;
- Serve all clients without discrimination and avoid action toward any individual or group that may be interpreted as discriminatory;
- Hold professional client relationships confidential;
- Communicate with clients in a respectful manner;
- Promote ethical behavior and high standards of care by all dental hygienists;
- Serve as an advocate for the welfare of clients;
- Provide clients with the information necessary to make informed decisions about their oral health and encourage their full participation in treatment decisions and goals;
- Refer clients to other healthcare providers when their needs are beyond our ability or scope of practice;
- Educate clients about high-quality oral healthcare.

To colleagues...
- Conduct professional activities and programs, and develop relationships in ways that are honest, responsible, and appropriately open and candid;
- Encourage a work environment that promotes individual professional growth and development;
Collaborate with others to create a work environment that minimizes risk to the personal health and safety of our colleagues;
Manage conflicts constructively;
Support the efforts of other dental hygienists to communicate the dental hygiene philosophy of preventive oral care;
Inform other healthcare professionals about the relationship between general and oral health;
Promote human relationships that are mutually beneficial, including those with other healthcare professionals.

To the Dental Hygiene profession...
- Participate in the development and advancement of our profession;
- Avoid conflicts of interest and declare them when they occur;
- Seek opportunities to increase public awareness and understanding of oral health practices;
- Act in ways that bring credit to our profession while demonstrating appropriate respect for colleagues in other professions;
- Contribute time, talent, and financial resources to support and promote our profession;
- Promote a positive image for our profession;
- Promote a framework for professional education that develops dental hygiene competencies to meet the oral and overall health needs of the public.

To the community and society...
- Recognize and uphold the laws and regulations governing our profession;
- Document and report inappropriate, inadequate, or substandard care and/or illegal activities by any healthcare provider to the responsible authorities;
- Use peer review as a mechanism for identifying inappropriate, inadequate, or substandard care and for modifying and improving the care provided by dental hygienists;
- Comply with local, state, and federal statutes that promote public health and safety;
- Develop support systems and quality-assurance programs in the workplace to assist dental hygienists in providing the appropriate standard of care;
- Promote access to dental hygiene services for all, supporting justice and fairness in the distribution of healthcare resources;
- Act consistently with the ethics of the global scientific community of which our profession is a part;
- Create a healthful workplace ecosystem to support a healthy environment;
- Recognize and uphold our obligation to provide pro bono service.

To the community of scientific investigation...
- Conduct research that adheres to fundamental principles underlying our ethical beliefs and complies with universal codes, governmental standards,
and professional guidelines for the care and management of experimental
subjects;
• Conduct research that contributes knowledge that is valid and useful to our
clients and society;
• Use research methods that meet accepted scientific standards;
• Use research resources appropriately;
• Systematically review and justify research in progress to insure the most
favorable benefit-to risk ratio to research subjects;
• Submit all proposals involving human subject to an appropriate human
subject review committee;
• Secure appropriate institutional committee approval for the conduct of
research involving animals;
• Obtain informed consent from human subjects participating in research
that is based on specifications published in Title 21 Code of Federal
Regulations Part 46;
• Respect the confidentiality and privacy of data;
• Seek opportunities to advance dental hygiene knowledge through research
by providing financial, human, and technical resources whenever possible;
• Report research results in a timely manner;
• Report research findings completely and honestly, drawing only those
conclusions that are supported by the data presented;
• Report the names of investigators fairly and accurately;
• Interpret the research and the research of accurately and objectively,
drawing conclusions that are supported by the data presented and seeking
clarity when uncertain;
• Critically evaluate research methods and results before applying new
type and technology in practice;
• Be knowledgeable concerning currently accepted preventive and
therapeutic methods, products, and technology and their application to our
practice.
Responsibilities of the Dental Hygienist

Refusal of Treatment
The professional cannot refuse to treat a patient of record (patient examined by a dentist in clinic) unless there is a reason to refer. In cases where the relationship must be terminated, written notice of intent to withdraw, including a statement of care remaining to be performed and suggestions for obtaining the care should be sent to the client. If this is not accomplished, the patient may feel abandoned. Abandonment is the stopping of the professional connection between professional and client and may be grounds for a lawsuit.

The provider is obligated to make provisions for access to care during periods of absence. At the clinic, a patient will be referred to his or her regular dentist if the clinic is closed.

A dental professional is required to refuse to treat a patient if the professional does not have the skill level necessary to provide the appropriate treatment. In this case, the professional is expected to refer the patient for further care. For example, a hygienist could be subject to a lawsuit if he or she failed to refer a patient with a serious periodontal condition to a specialist, resulting in a more severe periodontal state.

Lawsuits
Lawsuits may result if a healthcare professional is negligent or careless in the use of professional judgment by not doing something a prudent person would do or doing something a prudent person would not do. Common areas of risk include failure to:

- Evaluate and treat existing conditions (e.g., periodontal disease, Temporomandibular Joint Dysfunction T.M.D., etc.);
- Obtain informed consent;
- Identify and protect a patient with a medically compromising condition;
- Take radiographs needed for a complete diagnosis;
- Follow accepted infection control guidelines;
- Meet the standard of care for the profession in the area;
- Refer a client to a specialist, resulting in the progression of a condition.

The law doesn't expect the health care provider to be perfect and never make a mistake, but does expect any mistakes made to be rectified in a prudent manner. For example, the hygienist should inform the patient of any mistakes and take immediate steps to rectify them.
Risk Management and Record Keeping
Risks can be minimized using the following guidelines:

- Develop good communication (between professionals and with the patient) and document thoroughly.

- Obtain a complete medical history and dental history with every question answered from each client. Utilize the information gained in the treatment plan.

- Document all existing conditions legibly, in ink, using approved abbreviations. Date and sign all notations. Any errors should have a single line drawn through them with a notation that it is incorrect followed by the correct notation. Correction products are not to be used. If additions are made to the chart, they should be added with the date the notes are made, along with a note that they were omitted.

Documentation on the patient record should include specific information about:
- Data collected and results, i.e., plaque level, gingival and periodontal health, IO/EO dental chart, radiographs…
- Treatment provided,
- Areas treated,
- Education,
- Discussions with the client,
- Oral hygiene recommendations,
- Plans for future treatment (see the section on Guidelines for Treatment).
- Maintenance protocol,
- Student and Faculty signature.

- Record all contacts with the patient including:
  - No-shows, late arrivals and cancellations,
  - Phone conversations,
  - Future appointments,
  - Tests ordered, prescriptions,
  - Recommendations for consultations or referrals,
  - Copies of letters sent, and messages received from the patient and others,
  - Refusal by the patient to accept treatment, obey instructions or take medication, and
  - Any negative or positive comments made by the patient about their treatment, along with the professional's response

- Records should reflect objective information only.
  (See also Section 9 Clinic Policies for more details on Dental Chart entries)
Patient records should remain intact and accurately filed unless in use. They are not to be taken home, stored in lockers or student mailboxes. Charts of patients whom treatment has been completed and/or referred/terminated will be filed in inactive files and maintained for at least 7 years.

**Consent**

*No treatment will be provided without patient’s informed consent.* To provide treatment without valid informed consent is considered technical assault.

To be valid, consent must be given by a legally competent adult of sound mind. Consent must be for a particular treatment, the act consented to must be legal and the consent must not have been obtained by fraud. Consent must be "informed."

For consent to be "informed," the patient must understand the nature of the condition, proposed treatment and alternative procedures, risks involved, chances of failure, results likely (prognosis). All this must be explained to the client and the client must have an opportunity to ask questions before giving consent for treatment.

Treatment of minors (18 and under) requires written consent by a parent or court-appointed guardian.

Special written consent is required for: photographs, use of new drugs, experimentation, care of minor children treated in a public program, use of any type of restraint, and when treatment requires more than one year.

**Confidentiality**

All information in patients’ records is confidential. Patient information used in the context of a learning experience, case presentation, or research will be anonymous.

Patient information will not be released to any referring dentist, physician, or agency without the permission of the patient. Patients are asked to sign the first page of the Medical History form, which includes a statement of permission allowing their records to be released for the purpose of referral or insurance.

Patient records and/or personal information which can be linked to a patient’s name should not be taken out of the clinical teaching area.

**Any breach of confidentiality will result in disciplinary action, up to and including possible termination of employment or suspension from the dental hygiene program.**
Nondiscrimination
The SJC Dental Hygiene Department and the American Dental Hygienists’ Association (ADHA) support the availability of preventive programs and emergency dental care to all people.

Both believe that Dental Hygienists are ethically and morally responsible to provide care to all patients including those who may have (or have been exposed to) infectious diseases such as AIDS and hepatitis, utilizing nationally accepted infection control and barrier techniques.