

PREFACE

1. Practice of Dentistry:-

Section 2 (d) of the Dentists Act, 1948 defines the practice of dentistry as follows:

(i) The performance of any operation on and the treatment on any disease, deficiency or lesion of human teeth or jaws and the performance of radiographic work in connection with human teeth or jaws or the oral cavity.

(ii) The giving of any anaesthetic in connection with any such operation or treatment.

(iii) The mechanical construction or the renewal of artificial dentures or restorative dental appliance.

(vi) The performance of any operation on, or the giving of any treatment, advice or attendance to any person preparatory to or for the purpose of or in connection with the fitting, inserting, fixing constructing, repairing or renewing artificial dentures or restorative dental appliances and the performance of any such operation and the giving of any such treatment, advice or attendance, as is usually performed or given by dentists.

2. The duties and obligations of dentist towards the patients:-

(a) Every dentist should be courteous, sympathetic friendly and helpful. He should be ever ready to respond to the call of his patients and should be mindful of the high character of his mission and responsibilities he holds in the discharge of his professional duties. He should ever remember that the treatment of the patient and cure of the disease depends on the skill and prompt attention shown by him:

(b) He should observe punctuality in fulfilling his appointments;

(c) He should deem it a point of honour to adhere with much as uniformity as the varying circumstances will admit, to the compensation for professional service;

(d) The most worthy effective advertisement possible is the establishment of a well merited reputation for professional ability and fidelity;

(e) The welfare of the patient is paramount to every other consideration and should be conserved to the utmost of the practitioner's ability;

(f) A dentist will not permit considerations of religion, nationality, race, party politics or social standing to intervene between his duties and his patient;

(g) Information of a personal nature which may be learned about or directly from a patient in the course of dental practice should be kept in the utmost confidence. It is also the obligation of the dentist to see that his auxiliary staff observed this rule.

3. Duties of dentists towards one another:-

(a) Ever dentists should cherish a proper pride in his colleagues and should not disparage them either by act or word;

(b) When the dentist is entrusted with the care of the patient of another, during sickness of another, during sickness or absence, mutual arrangements should be made regarding remuneration;

(c) A dentist called upon in any emergency to treat the patient of another dentist, should, when the emergency is provided for, retire in favour of the regular dentist but shall be entitled to charge the patient for his services.

(d) If a dentist is consulted by the patient of another dentist and the former finds indisputable evidence that such a patient is suffering from previous faulty treatment it is his duty to institute correct treatment at once with as little comments as possible and in such manner as to avoid reflection on his predecessor.

(e) No rule debars a dentist from charging another dentist for professional service but ordinarily it should be regarded as a pleasure and privilege to render gratuitous services to a professional brother, his wife and dependent children.

4. Duties of dentists to the public:-

(a) It is incumbent on the dentist under all conditions has bearing towards patients, and the public should be characterized by dignified department;

(b) Police and Law Courts:

(i) A dentist is not bound to disclose professional secrets unless called upon by the Magistrate or Judge do so.

(ii) Knowledge of a patient gained in the course of examination and treatment is privileged and should not be disclosed without the consent of the patient or an order from the presiding judge in a court of Law.

5. Practice by unregistered persons:-

Save as provided in Section 49 of the Dentists Act 1948. The practice of dentistry except by registered dentist is prohibited. The penalty for contravening this provision is for the first conviction a fine which may extend to five hundred rupees and on any subsequent conviction an imprisonment which may extend to six months or a fine not exceeding one thousand rupees or both.

6. False claim to registration:-

Under Section 47 of the Dentists Act, 1948, similar penalties as in Rule 5 above are provided for a person who, not having been registered falsely, represents that he is so registered or uses in connection with his name or title any words or letters reasonably calculated to suggest that his name is so entered.

7. Mis – use of titles:-

Under Section 48 of the Dentist Act, 1948, If any, not being a person registered in a register of dentist takes or use the description of dental practitioner, dental Surgeon, Surgeon dentist or dentist or not possessing a recognized dental

qualification uses a degree or a diploma or an abbreviation indicating or implying a dental qualification, shall be liable to the same penalties as prescribed in Rule 5 above.

8. Unethical Practices:-

The Dental Council of India considers the following practices as unethical. This list may be added to as and when deemed necessary by the Council.

(a) Unregistered Assistants and Covering:-

A dentist is not permitted to employ in his professional practice as assistant except a dental hygienist or a dental mechanic, who is not registered either in the Dentists Register or in Medical Register and to allow him to practice dentistry as defined in Rule I. A dentist doing so renders himself liable, on proof of the fact, to the erasure of his name from the register.

Similarly, any dentist who by his presence countenance, advice, assistance or co-operation has knowingly enable an unregistered person, whether described as assistant or otherwise to practice dentistry renders himself liable, on proof of the facts, to have his name erased from the register.

Students enrolled at recognized dental institutions do not come within this category.

(b) Styling the Dental Clinic:

Styling of a dental clinic or chambers by the name of 'Dental Hospital'

(c) Drugs Act of 1940:

The contravention by a dentist of the provisions of the Drugs Act of 1940 and the rules made thereunder may be the subject of criminal proceedings, and any conviction resulting there from may be dealt with as such by the Council under the powers given to them by Section (4) (i) (ii) of the Dentists Act, 1948. But any contravention of the Act, or the rules involving an abuse of the privileges conferred thereunder upon dentist, whether, such contravention has been the subject of criminal proceedings or not, will be proved to

the satisfaction of the Council, render, a dentist liable to have his name erased from the Dentists Register.

9. Certificates:-

Any dentist who shall be shown to have signed under his named and authority any certificate which is nature, misleading or improper, is liable to have his name removed from the Dentists Register.

10. Advertising and Canvassing:-

The practices by a dentist - of advertising, whether directly, or indirectly, for the purpose of obtaining. Patients or promoting his own professional advantage; or for any such purpose of procuring or sanctioning or acquiescing in the publication of notices commending or directing attention of the practitioner's professional skill, knowledge, services or qualifications or of being associated with or employed by those who procure or sanction such advertising or publication and of employing any agent or canvasser for the purpose of obtaining patient or of sanctioning or of being associated with or employed by those who sanction such employment, are in the opinion of the Council to be contrary to public interest and discreditable to the profession of dentistry and any dentist who resort to any such practice renders himself liable, on proofs of the facts, to have his named erased from the Dentists Register.

The following amongst others, will be deemed as advertising:

- (i) The use of exhibition of any sign, other than a sign which in its character, position, size and wording is merely such as may reasonable be required to indicate to persons seeking them the exact location of and entrance to the premises at which the dental practice is carried on.
- (ii) The use of sign boards larger than 3 X 2 and the use of such words as "Teeth" "Painless Extraction" or the like, of notices in regard to practice on premises other than those in which a practice is actually carried on, of show cases, of large light signs, especially if intermittent; a dentist's sign should not show anything other than his name qualifications

(as defined under Section 2(j) of the Dentists Act, 1948), titles and the name of the speciality.

- (iii) To affix sign board on a chemists shop or in places where he does not reside or work.
- (iv) The insertion of all paragraphs and notice in the press and also the announcement of names in the trading lists, and the display of announcements at places of public entertainment. In any case the Council deems permissible the announcement of a change of address.
- (v) Allowing his name to be used to designate commercial articles such as tooth paste, tooth brush, tooth powders, mouth washes, liquid cleaners, etc., or circulars for such items; or permitting publication of this opinion on any such items in the general or lay papers or journals.
- (vi) Telephone Directory:- Printing of name in the telephone directory in the type other than that used for ordinary subscribers.

11. Issuing Circulars:-

A dentist begin or having been in the employment of another dentist shall not either during or after the termination of such employment send, cause or authorized to be sent any letter, notice, circular or written communication to or interview or cause to be interviewed or approach any person whom he (the employee) has professionally attended for or on behalf of his employer during such employment or any other patients of his principal or that he has commenced or will commence in another location.

12. Use of Bogus diplomas, etc.,:-

A dentist can put after his name only the recognized dental qualification as defined under Section 2 (j) of the Dentist Act, 1948. He shall not insert on sign boards, visiting cards, letter heads or anywhere else in indication of his practices of any profession other than dentistry provided that a dentist who is a qualified medical practitioner may insert his medical qualification also.

13. Allowing Commission:-

The Council disapproves of a dentist paying of allowing a commission or discount to any other person or body of persons as a return for patients being sent or recommended to him, or for dental services rendered by him to such patients and similarly of his accepting any proprietary or patented drugs appliance and tooth pastes, powder, etc.,

14. General:-

The giving of false certificates, immorally involving abuse of professional relationship, conniving at or aid in illegal practice by others, the giving of testimonials directly or indirectly concerning the supposed virtues of secret therapeutic agents or medicines, promise of radical cures by the employment of secret methods of treatment are all unethical practices.

15. Action for Unethical Conduct:-

When information is received by a State Dental Council of any dentist resorting to such unethical practice or practices, the Council may call upon him to explain and after him a reasonable opportunity for being heard, and after making such enquiries if any, as it may decide whether his action is tantamount to infamous conduct in any professional respect and then determine the action to be taken under Section 41 of the Dentist Act.