

**Tooth extraction recommended and performed without appropriate  
consent when restorative work an option  
(03HDC13742, 19 January 2005)**

*Dentist ~ Tooth extraction ~ X-ray ~ Treatment options ~ Communication ~ Informed consent ~ Standard of care ~ ACC ~ Professional standards ~ Documentation ~ Rights 4(1), 4(2), 6(1)(b), 7(1)*

A 38-year-old woman complained that a dentist did not give her adequate information about all the treatment options available, and did not provide an environment in which she could ask questions and make an informed decision.

The woman made an urgent appointment with a dentist after chipping her lower left molar. It was not the dental surgery she usually attended. At the initial consultation, an X-ray was taken and a further appointment was made to undertake routine dental work and to discuss the X-ray. The woman emphasized that she was keen that her tooth be saved, regardless of the treatment and the expense that that might entail. At the second consultation, another dentist began reconstructive work on the tooth, but stopped when she felt the tooth was compromised to a degree that other treatment options were needed. The dentist outlined the various options and costs, and extracted the tooth.

It was held that the decision to extract the tooth was clinically inappropriate and this was compounded by a proposed treatment plan that was inappropriate. In doing so, the dentist failed to observe the standard of care and skill expected of a dentist and breached Right 4(1).

It was also held that the dentist failed to provide a fair, accurate and balanced assessment of alternative options for the replacement of one of the teeth, and to keep careful, clear records setting out the discussion and decision process. The way in which consent to treatment was obtained was inadequate and inappropriate, and fell well short of what is required to gain a patient's informed consent. It also constituted a departure from appropriate professional and ethical standards. Accordingly, the dentist breached Rights 4(2), 6(1)(b) and 7(1).