

Unannounced Visits or Calls From State Regulatory Board Representatives



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Anticipating unannounced visits or calls from state regulatory board members can help avoid confusion and missteps when these events occur. Formulate an unequivocal written policy to address these situations. Appoint and appropriately train the entire staff to follow the policy and respond so you can maintain your patient care schedule without disruption.

WHAT TO DO

- Politely request they schedule a time and date for a return call or visit.
- Formulate an up-front response, for example: "Office policy requires legal counsel be contacted before any requests of this type are considered."
- Contact your attorney and your dental professional liability insurance carrier, apprise them of the situation, and ask for their counsel and assistance.
- Provide notice to the practice entity/employer/owner, if applicable.

WHAT NOT TO DO

- Feel pressured or compelled to provide an opinion/response on the spot.
- **Do not** offer an "opinion" until you have consulted with counsel or others you may be obligated to provide notice to under your contractual obligations.
- Feel compelled to appease or please anyone; **do not** compromise your legal rights or those of the practice entity/employer/owner.

Remember, as a dentist, patient care is your primary obligation. You are not obligated to interfere with that duty to respond to an unannounced inquiry or visit. Don't risk engaging in "harrid" patient care, or unnecessarily delaying your patients awaiting care, because you feel it necessary to immediately cooperate. A board representative should fully appreciate and understand that overriding obligation to your patients.

Before responding, consider and understand your contractual obligations to the practice and your authority thereunder, if applicable. **Do not do anything without first consulting legal counsel, or contacting a Risk Resource Advisor at ProAssurance if legal counsel is not available.**

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