

Case 200500701: A Dental Practitioner in the Lothian NHS Board area

Introduction

1. On 27 October 2005 the Ombudsman received a complaint from a man (referred to in this report as Mr C) that his Dentist (referred to in this report as the Dentist) failed to provide him with a denture that was fit for purpose.

2. The complaints from Mr C which I have investigated (and my conclusions) are:

- (a) the Dentist provided an ill-fitting denture (not upheld, see paragraph 13);
- (b) the denture caused Mr C an avoidable injury (not upheld, see paragraph 14);
- (c) the Dentist threatened and intimidated Mr C when he brought his complaint (not upheld, see paragraph 15);
- (d) the Dentist falsified Mr C's dental records (not upheld, see paragraph 16).

Dental Background

3. The adviser told me that making a set of dentures takes several appointments. Every patient presents with a unique shape of mouth and relationship of upper and lower jaws. The dentist will take initial impressions of the patient's upper and lower jaw. At the next appointment highly accurate impressions are taken using custom made impression trays constructed from the first set of impressions. The next stage is to register the correct bite for the patient, and this is carried out by using wax bite rims which have been provided by the dental laboratory. The wax is altered and adjusted by the dentist to establish the proper bite and orientation of the denture teeth for the laboratory. The shape and size of teeth are also selected at this stage (or at the first appointment stage). The next step is a trial fitting of the denture. The dental laboratory set the plastic teeth into wax so the dentist can check that the fitting, bite, and appearance are correct. At the final visit the denture is fitted and any appropriate adjustments made by the dentist. If a denture feels slack or loose,

then a new impression is taken in the existing denture to improve any fitting discrepancy (this is known as a reline).

Investigations and Findings of Fact

4. The investigation of this complaint involved obtaining and reading all the relevant documentation, medical records and complaint files. I have sought the view of a dental adviser (referred to in this report as the adviser). I have not included in this report every detail investigated but I am satisfied that no matter of significance has been overlooked. Mr C and the Dentist have been given an opportunity to comment on a draft of this report.

5. A number of the issues giving rise to Mr C's complaint concerned the exact nature of what was said or done by the Dentist or Mr C at appointments or meetings and the accuracy of the ensuing medical record. In some instances there is evidence to support one view over the other but this is not always the case and I have indicated this in the report.

6. Mr C attended the dental surgery on six occasions between 5 August 2004 and 7 October 2004 when the denture was fitted. There were a further two appointments on 9 November 2004 and 11 November 2004 to create and fit a reline.

7. Mr C complained that it took an excessive number of appointments to make the denture fit properly and that he sustained an injury to his mouth on 7 October 2004 within 10 minutes of the denture being fitted. Mr C also complained that the Dentist had acted in an intimidating way when he had attended a meeting to discuss his complaint about his denture and had falsified his dental records to indicate that he had had several trials of the new denture when in fact he had only had the wax model fitted once on 21 September 2004.

8. The adviser told me that the number of appointments needed to obtain the correct fit was reasonable and in line with good practice. The adviser said it often takes time for patients to get used to a new denture and it is not possible to predict how well each patient will adapt and that it is very common for sore spots to occur which require adjustment. The adviser also commented that the number of retrials of the denture showed an appropriate level of care by the Dentist as did the time taken over the reline.

9. The adviser concluded that the dentures did fit but that Mr C was likely to

be experiencing the common problems of adapting to new dentures.

10. The adviser commented that the dental records appear complete with no indication that they have been falsified, nor is there any indication that the Dentist was unprofessional or intimidating to Mr C.

11. Following sight of the draft report Mr C told me he considered that the records were falsified because the Dentist had stated that she required to reline the denture because Mr C had filed it down whereas a letter from the dental hospital dated 25 October 2004 confirmed his view that the denture had required to be relined on 7 October 2004 before he had filed down his denture.

12. I reviewed the dental record again and note that the record for 7 October 2004 states 'p(atien)t wishes other dentures relined'. I cannot find anything in the dental record or any statement from the Dentist to suggest that she has subsequently denied this original need for a reline.

Conclusions

13. The dental advice I have indicates that while several appointments were needed to obtain a good fit this is in line with good practice and does not indicate any failure on the part of the Dentist. I do not uphold complaint (a).

14. I am also aware that it is not uncommon for there to be sore spots and problems with a new denture. I recognise that this does not resolve the pain and injury experienced by Mr C, but accept that such pain or injury is not an indication of fault on the part of the Dentist. I do not uphold complaint (b).

15. The dental records make reference to the discussions between Mr C and the Dentist but give no indication of any disagreement. I note that the Dentist has co-operated fully at all times during the handling of this complaint, as did Mr C, and there is no indication of anything other than a professional attitude on her part. I do not uphold complaint (c).

16. The dental records are clear with no apparent signs of alteration but do not reflect Mr C's recollection of events. I do not consider that the letter from the

dental hospital contradicts the dental record and I have no other evidence that suggests any falsification of the records. I, therefore, do not uphold complaint (d).

30 May 2006

Explanation of abbreviations used

Mr C

The complainant

The Dentist

The complainant's dentist