

FROM THE GC'S DESK



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If you have any questions about the information in this column, please email me at scott@gadental.org or call the GDA office at 404.636.755 x103.

Greetings GDA Members! Starting this month, I am going to publish my responses to some of the more frequently asked questions I receive at the office. Hopefully you and your staff will find this column to be a useful resource. GDA staff will also start compiling these questions and responses and create a FAQ that will be hosted on the members section of the GDA website.

Q: If a patient asks for a copy of her dental records but has an outstanding balance owed to the practice for the treatment she received, am I allowed to withhold her records until she pays?

No. GA BOD Rule 150-8-.01(d)(8) specifies that “a dentist must send a patient a copy of his/her records upon request where the request complies with O.C.G.A. Title 31-33, et. seq., even if the patient has an outstanding balance with the dentist, but the patient may be required to pay costs of copying and mailing records and for search, retrieval, certification, and other direct administrative costs related to compliance with the request.” The Georgia Department of Community Health maintains a medical record retrieval fee schedule, which can be viewed here: <https://dch.georgia.gov/medical-records-retrieval-rates>.

O.C.G.A. § 31-33-2 further specifies that “upon written request from the patient or a person authorized to have access to the patient’s record under an advance directive for health care or a durable power of attorney for health care for such patient, the provider having custody and control of the patient’s record shall furnish a complete and current copy of that record.” Such written request shall be signed by the patient or a person indicating that he or she is authorized to have access to the patient’s records AND accompanied by a HIPAA authorization executed by the patient. The provider then has thirty (30) days of receiving the written request to furnish the records.

NOTE: If the record request is associated with a lawsuit involving your practice or is requested by a third party engaged in a lawsuit involving the patient, other laws/rules/exceptions may apply, so please make sure to consult with your personal attorney before producing any documents. You may also contact me at the GDA office if you have any questions about a record request notice you receive.

Q. In Georgia, how long is a dental office required to keep copies of patient records?

Pursuant to Georgia Board of Dentistry (“GA BOD”) Rule 150-8-.01(h)(4), a Georgia licensed dentist is required “to maintain a patient’s complete treatment record for no less than a period of ten (10) years from the date of the patient’s last office visit.”

This rule also specifies that the following items shall be considered part of the “patient’s complete dental record, which may include, but is not limited to, the following: treatment notes, evaluations, diagnoses, prognoses, X-rays, photographs, diagnostic models, laboratory reports, laboratory prescriptions (slips), drug prescriptions, insurance claim forms, billing records, and other technical information used in assessing a patient’s condition.”

Q. Can periodontal maintenance (D4910) be performed by my hygienist without the supervising dentist being present in the office?

No. The GDA submitted this as a formal question to the GA BOD for consideration at its April 2018 meeting, and we were advised that D4910 is not a procedure that is eligible to be performed by Georgia licensed dental hygienists working under general supervision. “General Supervision” means that a licensed dentist has authorized the delegable duties of a licensed dental hygienist but does not require that a licensed dentist be present when such duties are performed.” See O.C.G.A. § 43-11-74(a)(2).

Q. Can dental assistants in Georgia now do prophys?

No. As part of the hygiene supervision rule that the GDA passed in 2017, Georgia dental assistants are now allowed to perform “rubber cup prophys,” which the GA BOD has reclassified as “Coronal Polishing (Rubber Cup Propy).” Coronal Polishing can be performed by general duties dental assistants under the direct supervision of a Georgia licensed dentist and can only be performed on patients with primary dentition, which the GA BOD defines as those between the ages of one (1) and twelve (12).

Furthermore, dental assistants cannot remove calculus; that can only be done by a Georgia licensed dentist or dental hygienist. Finally, dental assistants must receive additional training in order to perform Coronal Polishing. The GDA is offering the first GA BOD approved course in this state, details of which can be found here: gadental.org/education.

To view the applicable GA BOD policy on Coronal Polishing, see Page 12 of the current GA BOD Policy Manual: https://gbd.georgia.gov/sites/gbd.georgia.gov/files/related_files/site_page/Dental%20Policy%20Manual_Updated%20June%205%2C%202018.pdf.

