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Proposed
Amendment

Article X

UNPROFESSIONAL CONDUCT DEFINED

Unprofessional conduct is defined to be any one of the following:

- A. The obtaining of any fee by fraud or misrepresentation.
- B. The willful betrayal of professional secrets.
- C. The employment directly or indirectly of any student or suspended or unlicensed dentist or dental hygienist to practice dentistry or dental hygiene as defined in these Rules.
- D. The aiding or abetting of an unlicensed person to practice dentistry or dental hygiene.
- E. The aiding or abetting of a licensed person to practice dentistry or dental hygiene unlawfully.
- F. Habitual intemperance.
- G. Gross immorality.
- H. The use of any false, assumed or fictitious name, either as an individual, firm, corporation or otherwise, or any name other than the name under which he is licensed to practice, in advertising or in any other manner indicating that he is practicing or will practice dentistry, except such name as has been approved in writing by the Board.
- I. The receiving of anything of value as a referral fee, a fee splitting, a commission, or rebate, when professional services have not been rendered by the licensee.
- J. The making or use of any advertising statements of a character tending to deceive or mislead the public.
- K. The advertising of professional superiority or the advertising of the performance of professional services in a superior manner.
- L. The advertising to guarantee any dental service, or to perform any dental operation painlessly.
- M. The willful violation of any of the provisions of law regulating the dispensing and administration of dangerous drugs or narcotics.
- N. Any licentiate may have his license revoked or suspended or be reprimanded or be placed on probation by the Board for unprofessional conduct, gross negligence, or inefficiency in his profession; for conviction of a felony or misdemeanor involving moral turpitude. (Inefficient: Waiting in ability; incompetent; wasteful of time, energy, or materials; not producing the intended result.)
- O. A dentist should not abandon a patient as defined as:
 - a. Unilateral termination of care without the patient's consent and/or knowledge, or without adequate notice, while the patient is still in need of treatment.
 - b. Severing the dentist-patient relationship without giving reasonable notice to

the patient or parent/legal guardian, if the patient is a minor or incapacitated adult, so that arrangements can be made for continuation of dental care by others.

- c. A dental practice that accepts patients and provides one, some, or all preventive services including examinations, prophylaxis, radiographs, fluoride treatments, and sealants but does not follow up with treatment when such treatment is clearly indicated is considered to be abandoning the patient. Follow up care can be provided by a dentist in the facility where the preventive treatment is provided or by referral, clearly documented in the patient record, to another dental facility. If a patient is dismissed from the practice prior to the completion of services, this must also be clearly documented in the patient record.