

# Frequency of Dental Complaints Filed in the Medical Council Organization of Three Selected Cities of Mazandaran Province

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## Article History

Received: 12 July 2021

Accepted: 2 November 2021

## Abstract

**Background and Aim:** The frequency of patient complaints, and subsequent lawsuits filed by patients against dentists has been on the rise in the recent years. Given the importance of being aware of these issues and preventing them, the purpose of this study was to assess the frequency of dental complaints filed in the Medical Council Organization of three cities of Mazandaran Province (Sari, Babol and Amol) from 2011 to 2019.

**Materials and Methods:** This was a descriptive, retrospective, cross-sectional study. Complaints against dentists filed in the Medical Council Organization of three cities of Mazandaran Province (Sari, Babol and Amol) from 2011 to 2019 were retrieved and reviewed. The gender of plaintiffs and defendants, subject of the claim, defendants' field of expertise, and final verdict were assessed. Data analysis was done using SPSS 19 by the Chi-square test, independent t-test, and Mann-Whitney test.

**Results:** A total of 120 complaints were retrieved from 2011 to 2019; the highest frequency of complaints was related to 2019 (19.2%). Most complaints were related to Babol city (45%), and the frequency of lawsuits against male dentists was higher than female dentists ( $P < 0.001$ ). The highest frequency of complaints was related to root canal treatment (31.6%), prosthetic treatments (28.3%), and surgical procedures (25.8%).

**Conclusion:** The highest frequency of complaints was related to Babol city and from dental offices. Also, most complaints were filed against general dentists.

**Key Words:** Dentistry; Jurisprudence; Malpractice; Iran

**Cite this article as:** Zamanzadeh M, Rayani A, Moosazadeh M, Mazidi E. Frequency of Dental Complaints Filed in the Medical Council Organization of Three Selected Cities of Mazandaran Province.

**J Res Dent Maxillofac Sci. 2022; 7(2):86-90.**

## Introduction

Health is essential for happiness and prosperity of a community, and dentists are responsible for an important part of public health, since they play a fundamental role in provision of oral health. Physicians and

dentists serve as role models for people in many communities. Thus, they should fulfill the patient expectations in terms of skills in their specialized field as well as ethics [1]. The patients expect high professionalism, expertise, responsibility, respect, and reasonable

treatment cost from their dental clinicians. However, problems sometimes arise in patient-dentist communication. In medical profession, like any other profession, there is a possibility of error, which may lead to filing of lawsuits against the medical staff [1-3].

Medical malpractice refers to unintentional errors by the physicians that cause injury to the patient. Such errors cause a waste of resources in the healthcare systems and are especially important for the health policy makers. Nowadays, despite the efforts of the medical staff and advanced technologies, rate of patient dissatisfaction and complaints has increased. Lack of knowledge of medical professionals about the legal issues and regulations governing the medical profession, and physicians' responsibility to patients is among the main reasons for the increased number of patient complaints [2,3].

Negligence, carelessness, lack of skills, incompetence, and not adhering to the rules, regulations, and guidelines are the main reasons for the lawsuits filed against dental clinicians. The complaints may be related to diagnosis, treatment, or communication with patients. Lawsuits filed against dental clinicians are among the main reasons for occupational stress in dental clinicians and physicians, and can negatively impact on their performance [1,4].

In the recent years, the fields of dentistry and its specialties have rapidly evolved. Also, advances in technology have increased patient demands for professional treatments. Moreover, the increase in medical costs has increased patient expectations from treatment, and they feel that they have the right to file a complaint if they are not completely satisfied with the results.

The frequency of patient complaints, and subsequent lawsuits filed by patients against dentists has been on the rise in the recent years [1]. Assessing the patient complaints filed against dental clinicians can clarify the

current situation regarding the number of lawsuits filed in the Forensic Medicine Organization and the Medical Council. It also highlights the importance of having adequate knowledge about the related laws and regulations and the responsibilities of dentists. Furthermore, reviewing and interpreting the filed lawsuits enhances the knowledge of dentists and dental students in this respect, and can help prevent their occurrence. Thus, this study aimed to assess the frequency of dental complaints filed in the Medical Council Organization of three selected cities in Mazandaran Province from 2011 to 2019.

## Materials and Methods

This retrospective descriptive cross-sectional study was approved by the ethics committee of Mazandaran University of Medical Sciences (IR. MAZUMS. REC.1399.8001). In this study, lawsuits filed against dentists in three selected cities of Mazandaran Province namely Sari, Babol and Amol were evaluated. After making the necessary arrangements for conduction of the study and presenting to the Medical Council Organization and obtaining legal approvals, the dental lawsuits filed from 2011-2019 were retrieved from the archives. None of the patients were clinically examined, and the evidence was examined based on the content of the lawsuit files.

The inclusion criteria were dental lawsuits filed against general dentists and dental specialists during the aforementioned time period in the Medical Council Organizations in the three aforementioned cities that had been closed or were pending. Cases with incomplete and inadequate information were excluded from the study. Data analysis was done using SPSS version 19 by the Chi-square test, independent t-test, and Mann-Whitney U test.

## Results

In the present study, 120 complaints from dentists in Sari, Babol and Amol cities from

2011 to 2019 were examined. Table 1 shows the frequency of filed complaints. The majority of complaints were related to 2019, and the lowest was related to 2011. The mean age of

the plaintiffs was 36.79±13.7 years, and 54.2% of the plaintiffs were male. There was a significant difference among the cities in the frequency of complaints, and the highest frequency of complaints was related to Babol city (P=0.014).

**Table 1.** Frequency of complaints by different variables (Chi-square test)

Variables	Group	Number (%)	P-value
<b>Year of complaint</b>	2011	2(1.7)	<0.001*
	2012	9(7.5)	
	2013	7(5.8)	
	2014	13(10.8)	
	2015	10(8.3)	
	2016	18(15)	
	2017	18(15)	
	2018	20(16.7)	
	2019	23(19.2)	
<b>Gender of plaintiffs</b>	Male	65(54.2)	0.361
	Female	55(45.8)	
<b>Gender of dentists</b>	Male	79(65.8)	<0.001*
	Female	41(34.2)	
<b>Specialty of dentists</b>	General dentists	94(78.3)	<0.001*
	Oral and maxillofacial surgeons	11(9.2)	
	Endodontists	5(4.2)	
	Orthodontists	4(3.3)	
	Prosthodontists	3(2.5)	
<b>City</b>	Periodontists	3(2.5)	0.014*
	Sari	38(31.7)	
	Babol	54(45)	
<b>Center against which the lawsuit was filed</b>	Amol	28(23.3)	<0.001*
	Hospital	4(3.3)	
	Medical center	13(10.8)	
	Clinic	27(22.5)	
	Private Dental Office	76(63.3)	

\* Significant at < 0.05

In our study, the frequency of complaints was significantly different based on gender of dentists (P<0.001), and the rate of complaints from male dentists was higher. The highest number of complaints was from general dentists (78.3%) and private dental offices (63.3%).

As shown in Table 2, the frequency of complaints based on the type of service provided was significantly different (P<0.001), and the highest number of complaints was related to root canal treatments (31.6%), prosthetic treatments (28.3%), and surgical procedures (25.8%).

**Table 2.** Frequency of complaints based on the type of provided service

Complaint	Number (%)	Chi-square test		
		Statistic value	df	P-value
<b>Orthodontic treatment</b>	7(5.8)	124.6	8	<0.001*
<b>Prosthetic treatment</b>	34(28.3)			
<b>Restorative treatment</b>	7(5.8)			
<b>Surgical treatment</b>	31(25.8)			
<b>Root canal treatment</b>	38(31.6)			
<b>Periodontal therapy</b>	3(2.5)			

In most of the complaints (43.3%), malpractice of dentist was confirmed, and in 42.5% of the complaints, malpractice of dentist

was rejected. Also, 14.2% of patients withdrew their complaint.

## Discussion

In the present study, a total of 120 complaints were investigated during 2011 to 2019, with the highest number of complaints related to 2019 with a prevalence of 19.2%. Also, 54.2% of the complainants were males, and complaints against male dentists were significantly higher than those against female dentists. In a study by Montagna et al. [5], most lawsuits were brought against male dentists (93%), which was consistent with the results of Castro et al. [6], (53%) and Zanin et al. [7] (69%) and the present findings.

In the present study, most of the complaints were filed against general dentists (78.3%). In a study by Movahhed et al. [3] the majority of complaints were filed against general dentists with a rate of 87%. In a study by Thomas et al. [8] that examined the complaints filed between 2011 and 2016, the highest numbers of complaints were against general dentists and prosthodontists, which was in line with the present results.

In this study, the highest number of complaints was from private dental offices (63.3%) and the lowest was from hospitals with a frequency of 3.3%. In this regard, our results were in line with those of Movahhed et al. [3] who reported that the lowest number of complaints was from hospitals with a frequency of 2.8%. Also, Bagheri et al. [9] reported results similar to the present findings, such that the highest number of complaints was from private offices with a frequency of 72%.

In our study, maximum complaints were related to root canal therapy. In the studies by Bagheri et al. [9] and Castro et al. [6] as in our study, the highest numbers of complaints were related to root canal therapy with a frequency of 30% and 28%, respectively. However, in the study by Hedjazi et al. [4] on 107 cases of

complaints in Shiraz, the greatest number of complaints was related to the field of maxillofacial surgery and damage to adjacent structures. In a study by Zanin et al. [7] prosthodontics, oral and maxillofacial surgery, orthodontics, and implantology were the specialties most frequently concerned by complaints. Their results were consistent with the results of other studies [6,10,11]. and showed that prosthodontics, oral and maxillofacial surgery and orthodontics are the specialties most criticized. According to Santoro et al. [12] high number of complaints against prosthodontic treatments, especially in the upper anterior region of the mouth, was related to the significance of dental esthetics in today's world.

In the present study, most of the complaints led to confirmation of dentists' malpractice (43.3%) while in 42.5% of the complaints, the dentists' malpractice was rejected. Also, 14.2% of patients withdrew their complaint. In this regard, Ozdemir et al. [13] showed that out of 11 treatments performed, 8 cases reported negligence and incorrect treatment. It means that in about 72% of the complaints, dentists' malpractice was confirmed, which was different from the present findings. In the present study, dentists' malpractice was confirmed in less than 50% of the complaints.

In the study by Zanin et al. [7] like our study, the dentists were guilty in 44.32% of the cases, which was consistent with the rate reported by Castro et al. [6] (47%) and Bjørndal and Reit [10] (43%). However, in a study by Manca et al. [14] in Rome, Italy, this rate was higher, and 74% of dentists were guilty.

Considering all the above, enhancing the public knowledge about the patient rights makes dentists, physicians, and medical staff aware of their rights and responsibilities as well.

## Conclusion

The greatest number of complaints was related to Babol city and private dental offices with a frequency of 63.3%. Most complaints were from general dentists and from root canal treatments, prosthetic treatments, and surgical procedures.

Dentists should consider the possibility of malpractice and update their professional knowledge and enhance their information about the legal issues related to their practice. Training regarding legal and ethical issues should be included in dental curricula as well.

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