

Root Cause

IN THIS CASE: In a dental malpractice lawsuit in the State Court of DeKalb County, State of Georgia, it was alleged that a general dentist did not meet the accepted standards of care while performing root canal therapy on tooth number 18, leading to permanent hypoesthesia. This case underscores the importance of acknowledging the risks and intricacies of root canal therapy and the responsibility – ethical and legal – to refer patients to a specialist when it is in their best interest.



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The Patient & Condition

The female patient went to her dental office with symptoms in the lower left mandible. A diagnosis determined that the symptoms were related to the need for a root canal on teeth numbers 18 and 19.

The Treatment

The doctor performed traditional root canal therapy on tooth number 18.

The Allegations

Through expert witness testimony, it is claimed that the doctor was negligent in accurately diagnosing the need for root canal therapy. Additionally, a rubber dam was not utilized. The doctor also failed to determine the working length of tooth number 18 before performing the procedure and did not promptly refer the patient to a specialist when complications arose after the procedure. It is alleged that the doctor's negligence led to over-instrumentation of the canals and leakage of chemicals outside the apex of the tooth, resulting in damage to the nerve, permanent numbness, and chronic pain in the lower section of the patient's face.

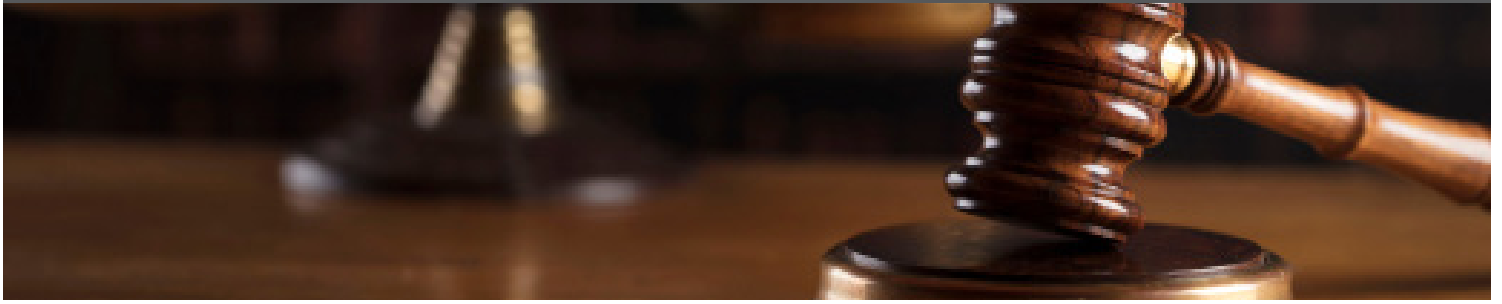
Relevant Facts

The doctor performed a root canal procedure; however, the working length of tooth number 18 was not determined before instrumentation on the canals, which deviates from accepted standards of care, resulting in the over-instrumentation of the canal and subsequent nerve damage. Evidence showed that this was a "complex" root canal therapy, and an expert witness believed the case should have been referred to an endodontic specialist. After the procedure, the patient reported experiencing pain and numbness in her lip, chin, and cheek, but it wasn't until two months later that the doctor referred the patient to an oral surgeon. The patient underwent left alveolar nerve repair and reconstructive surgery, but unfortunately, the surgery did not relieve the numbness and pain. Expert witnesses characterized the condition as permanent.



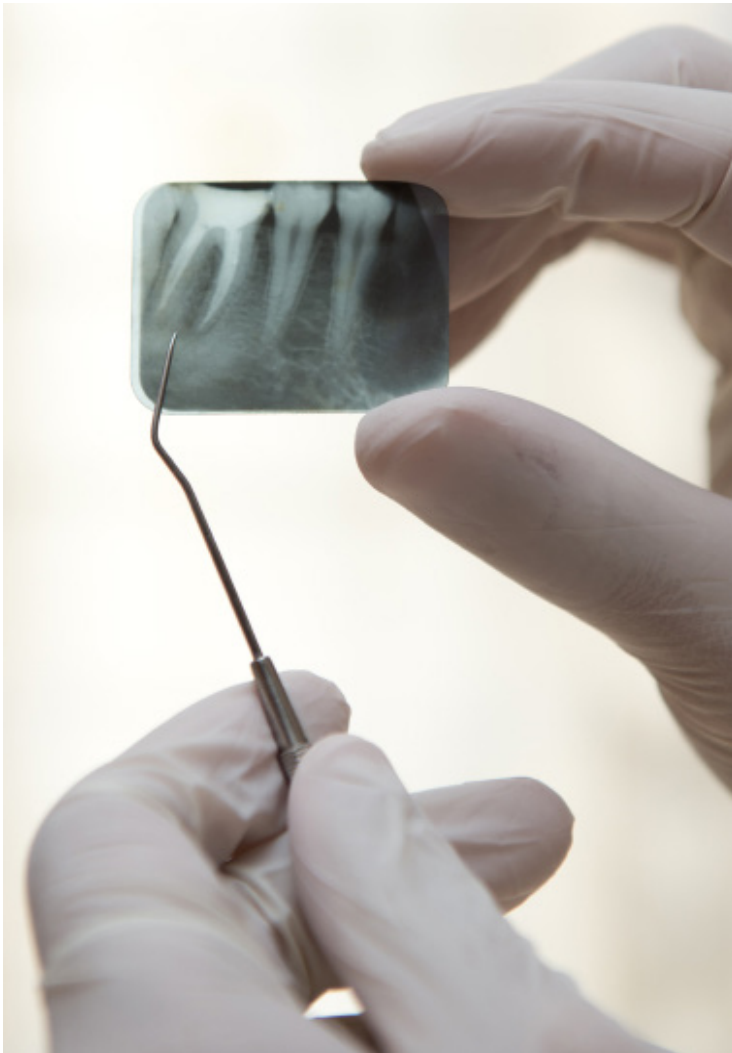
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The Outcome

A jury determined that the doctor's treatment was negligent and the cause of the patient's permanent injuries. Considering the life-altering nature of the damages, the jury returned a 10-million-dollar verdict in favor of the patient.



Risk Management Pointers

This case underscores the importance of acknowledging the risks and intricacies of root canal therapy and reminds us of the following:

- **Exercise caution when determining a procedure's level of difficulty.** When a general dentist performs a procedure typically done by a specialist, the general dentist will be held to the same standards as the specialist.
- **Do not stray from established standards of care.** A dentist's ethical and legal "duty" is always to strictly adhere to accepted standards of care for a particular procedure.
- **Refer when necessary - and refer quickly if there is a complication.** A general dentist should always consider "transferring" the risks of a complex procedure to an appropriate specialist. Promptly refer patients to the appropriate specialist to address serious complications.
- **Adhere to accepted protocols for a particular procedure.** The importance of adhering to accepted protocols when performing root canal therapy include:
 - Pre-treatment evaluation of the difficulty of the case
 - Use of a rubber dam¹
 - Ascertaining the working length of the canal(s) before treatment

¹ While the failure to use a rubber dam was not alleged to have caused harm, it would have impacted the treating doctor's credibility with jurors.