

General Information

Peer review will not accept a complaint if legal action has been initiated or if the complaint has already been submitted to the Board of Registration in Dentistry. Attorneys may not represent either party in the peer review process.

In certain instances, the committee may be unable to make a recommendation for resolving a complaint due to insufficient information. This does not necessarily indicate approval or disapproval of the treatment that was rendered.

All information regarding a particular complaint is kept strictly confidential.

Limitations to Peer Review

Although the peer review process can satisfactorily resolve most complaints, there are limitations which disqualify a complaint from being reviewed. The following are examples of complaints that are not eligible for review in peer review:

- ✓ Complaints against non-member dentists (unless they become members)
- ✓ Complaints already in litigation
- ✓ Complaints requesting reimbursement for time lost from work, pain and suffering, or for additional dental care that may be needed
- ✓ Complaints not related to dental treatment such as fees charged; insurance payments or policies; attitude and communication problems of a dentist or dental staff; dental office policies



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Peer Review

in

Massachusetts





Peer Review in Massachusetts



What is Massachusetts Dental Society Peer Review?

Peer review is the process by which the Massachusetts Dental Society Peer Review Committee reviews and resolves problems or misunderstandings regarding dental treatment. Peer review is available for patients, third-party payers, and member dentists. Complaints concerning the quality of the dental care or the appropriateness of dental treatment rendered can be submitted to peer review for resolution. Should the committee decide in the patient's favor, it can make recommendations for partial refunds, full refunds, or that the treatment be re-done by the original dentist. It cannot recommend reimbursements beyond the actual cost of the original treatment. Should the committee find in the dentist's favor, it can affirm that the treatment in question is appropriate and meets the community standard of care.

What is the Massachusetts Dental Society Peer Review Committee?

The peer review committee consists of dentists who volunteer their time and expertise to review complaints and make recommendations for resolving them. The members of the committee are impartial and follow the policies and procedures as outlined in the Massachusetts Dental Society Peer Review Manual. There is a peer review committee in each of the thirteen district dental societies and a separate state appeals committee.

How does the Massachusetts Dental Society Peer Review Process Work?

- ① A written complaint/request for peer review must be submitted to the Massachusetts Dental Society. The request must include all necessary information and required forms.
- ② The request is reviewed for completeness, and processed, if appropriate.
- ③ The state peer review chair notifies the appropriate party (member dentist, third-party payer) that a complaint has been submitted and their participation in peer review is requested.
- ④ Following an agreement to participate, the complaint is referred to the appropriate district mediator and the peer review committee chair.
- ⑤ The mediator contacts all parties by telephone, gathers information, and attempts to resolve the complaint. A clinical examination is not conducted during the process of mediation.
- ⑥ If the mediation is successful, a written report is submitted to the state peer review chair and the complaint is closed. All parties are notified of the mediated resolution.
- ⑦ If mediation is not successful, the district chair appoints a committee of at least three members to conduct the peer review hearing.
- ⑧ The parties involved in the complaint are notified of the date and time of the hearing.
- ⑨ At the hearing, the committee may review clinical records, examine the patient, and talk to the parties involved. Any other involved parties (specialists, subsequent treating dentists) may be contacted for the relevant information they may have.

- ⑩ Following the review, the committee deliberates and informs the state chair of their findings and recommendations.
- ⑪ The state chair notifies each of the parties in writing of the recommended resolution and of their right to appeal the recommendation to the appeals committee. Each party is informed of the criteria necessary to request an appeal. Appeals can be granted if it can be shown that the committee followed improper procedures, new information has become available that was not presented to the original committee, or that the recommendation appears to run counter to the information presented.
- ⑫ If an appeal is not requested, the recommendations of the committee for resolving the complaint stand and the parties to the complaint are expected to comply with the recommendations.
- ⑬ If an appeal is requested and granted, a new committee is appointed to hear the complaint and a second hearing is scheduled. At this hearing, the committee may review clinical records, examine the patient, and talk to the parties involved. If the appeal is denied, the original recommendation stands.
- ⑭ The recommendations of the appeals committee are final within the Massachusetts Dental Society Peer Review process. The appeals committee can confirm, reverse, or change the district committee recommendation.
- ⑮ If a peer review committee recommends a refund or a partial refund to the patient and/or insurance company, the patient must sign a notarized release prior to the release of the refund.