



Technology continues to bring many positive changes to our profession but it also gives us unique ways of committing ethical violations against our patients and our colleagues. The case I am about to describe is real, but the names have been changed to protect the identities of the parties involved.

Jim McQuade, DDS, was a 66-year-old general dentist with a thriving solo practice in a large metropolitan area when a sudden illness forced him to stop treating patients. Jim and his wife needed to find a buyer for his practice, while also dealing with the stress and uncertainty his illness was placing on his family. Many of Jim's colleagues pitched in to help out, treating his patients' emergencies and finishing some of his larger cases for him.

But one local dentist attempted to profit from this tragic situation through a deceptive advertising campaign. Dr. Rawley Wilkes, a general dentist with 15 years' experience, purchased a series of Google AdWords advertisements online, using keywords such as "Jim McQuade DDS," "Dr. McQuade Dentist," "Jim McQuade Dentist," and even "Dr. McQuade Illness."

Patients searching online for information about Dr. McQuade would be shown a Google ad linked to Dr. Wilkes' website. Clicking on this link would reveal an advertisement stating "We wel-

come Dr. Jim McQuade's former patients into our practice." The advertisement also contained a special offer of a free examination for any patients who switched, from Dr. McQuade's practice to Dr. Wilkes. The advertisement gave patients the false impression that there was an agreement in place between the two doctors, and that Dr. McQuade had chosen Doctor Wilkes to take over his practice. Dr. McQuade was quite angry when he discovered what he considered to be a case of high-technology patient poaching, and so was the dentist who was actually taking over the practice.

Dr. Wilkes, on the other hand, stated that he saw nothing wrong with his advertising campaign. In his view, his advertisement contained no specific untruths, and Dr. McQuade's patients are not his property anyway. They are free to choose any doctor they like.

“We have all witnessed our profession become more commercialized over the years, since the days when we were forbidden to advertise at all. What about ethics and professionalism? Is this the kind of thing that should be acceptable within a learned profession such as medicine or dentistry?”

The ad never explicitly stated that he and Dr. McQuade had a business relationship with each other. The advertising campaign did not violate Google's terms of service, nor did it break any laws. Other companies use each other's brand names in online searches all the time, and the courts (so far) have consistently found this to be within the bounds of legality. Dr. Wilkes felt that as long as the ad campaign was legal, then it was fine.

Don't we still have a professional, ethical responsibility to assist our colleagues

when they need help or are our fellow dentists nothing more than competitors? Is it acceptable to take advantage of their misfortune, as long as we do nothing illegal? May we craft advertisements intended to deceive, as long as they don't contain any explicit falsehoods? These kinds of things may now be common in other types of businesses. What about ours?

It is a very competitive world out there. Young dentists are graduating with hundreds of thousands of dollars of debt, and they need to be successful in order to pay that money back. Without diligence on our part, that kind of financial stress can cause our ethical boundaries to shift in very unfortunate ways.

After a few phone calls from mutual colleagues, Dr. McQuade and Dr. Wilkes met with an intermediary to discuss their dispute and Dr. Wilkes agreed to voluntarily withdraw the advertisement. In the end, he said he had been too focused on using the internet to build his business to consider how his actions were affecting others.

We often think about our ethical duties in terms of our responsibilities to our patients. But our ethical responsibilities to our fellow doctors help define us as a profession. We should think about them carefully and not allow them to casually slip away.