

Peer Review

Peer Review: Member Benefit vs. Member Loss

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As I've stated before, Peer Review is a member benefit that provides members with an avenue to resolve patient disputes without going to court, hiring an attorney or spending as much as 5 years of sleepless nights until a verdict is reached. It allows you to be judged truly by your peers and is not reported to the National Databank of Practitioners.

It is a confidential process that is an alternative to being reported to the Office of Professional Discipline (OPD) where financial penalties of up to \$10,000 per charge (and there can be multiple charges) can be imposed by the state and can potentially jeopardize your dental license.

We all know how to try to avoid Peer Review – with excellent documentation, good patient communication skills, high quality of work and a warm personality of the doctor and staff.

Sometimes we can try to do all of this and yet a patient who is upset, fearful, short on time, or under a lot of pressure may not have really listened to us about the treatment or limitations of care or the treatment fee agreement. This can happen to any dentist.

A member should understand that whether going into court with a jury or judge, or into Peer Review, that one can lose the case. Losing is part of the risk you take in many aspects of life. It is a fair system where one can be found right or wrong and win or lose despite your own truths.

I have noticed in my two years involved with NYCDS Peer Review that many dentists who lose are not only upset from a financial point of view, but from their pride and ego as well. This is totally understandable, but keep in mind that even a loss will keep you from being reported to OPD.

If you do not want to subject yourself to a potential Peer Review hearing, then talk with your patient and return some or all of the money and be done with it in the best way possible. (Note: you can return money during the mediation stage of Peer Review which provides legal protections.) Personally, when necessary, I have returned money because I do not want to have an angry patient and someone being a negative voice on social media or by word of mouth. "Bite the bullet" and refund the money and you will soon get the issue behind you. If you want to fight it because you feel you are right, have issues with refunding fees or are a "it's the principal that matters" person, that is fine but remember your truth and other people's truth are different and do not condemn the system.

My belief is that one of the secrets to life is to know yourself. When you truly know who you are, you make the best decisions going forward that are in harmony with who you are; if things do not go your way you still have your self-esteem, tried your best, and can live with the results. Understand who you are and choose the best path for yourself in dealing with a disgruntled patient.

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