

# Discussing Fees Upfront

By Mike Maihofer, DDS  
Chair, MDA Committee on Peer Review/Ethics

**Q**uestion: One of my patients ended up in a local dental specialist's office while I was out of town. The patient was apparently in a lot of pain and agreed to treatment without first discussing the treatment fee. While grateful for relief from his pain, he was quite surprised and angry when presented the bill for services. What are the ethics concerning discussion of fees before treatment?

**Answer:** The *Combined Codes'* very first principle, found under Section 1, the Principle of Patient Autonomy, certainly applies here. It states: "This principle expresses the concept that professionals have a duty to treat the patient according to the patient's desires, within the bounds of accepted treatment, and to protect the patient's confidentiality. Under this principle, the dentist's primary obligations include involving patients in treatment decisions in a meaningful way, with due consideration being given to the patient's needs, desires and abilities, and safeguarding the patient's privacy."

Furthermore, under subsection 1.A., Patient Involvement, the *Code* offers additional clarification, stating: "The dentist should inform the patient of the proposed treatment, and any reasonable alternatives, in a manner that allows the patient to become involved in treatment decisions." The argument can be made that by not discussing the fees for the proposed treatment with the patient before beginning, the dentist is not allowing the patient to become involved in the treatment decision. It's conceivable that a patient informed of what he or she might consider an unreasonable cost for treatment might opt for no treatment or an alternative treatment. Failing to discuss the fees up front could be interpreted as a failure by the dentist to give due consideration to the patient's needs, desires and abilities — including the ability to pay for such services.

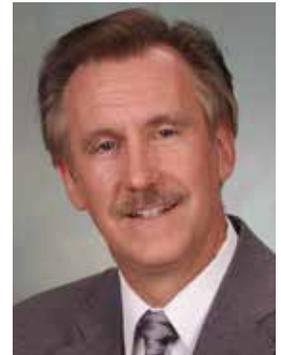
Section 4 of the *Code* deals with the principle of Justice. It expresses the concept that professionals have a duty to be fair in their dealings with patients, colleagues and society. How fair would it be to any patient to present an extensive bill for services if there had been no discussion of fees before treatment? How would that reflect on

you as a professional? How would that reflect on dentistry as a profession?

And then there is the principle of Veracity, found in Section 5. In essence, this principle expresses the dentist's duty to communicate truthfully. It states: "This principle expresses the concept that professionals have a duty to be honest and trustworthy in their dealings with people. Under this principle, the dentist's primary obligations include respecting the position of trust inherent in the dentist-patient relationship, communicating truthfully and without deception, and maintaining intellectual integrity."

Presenting what might be interpreted as an excessive or unreasonable bill for professional services rendered without first discussing it before treatment certainly doesn't promote the position of trust inherent in the dentist-patient relationship. In fact, many patients might claim that they were intentionally deceived through such an approach. Subsection 5.B. further states, "Dentists shall not represent the fees being charged for providing care in a false or misleading manner." Failing to discuss fees upfront could certainly be construed as misleading.

So, from an ethical/professional perspective, it is in the best interests of your patients and yourself to always discuss your fees upfront before performing treatment. ♦



Dr. Maihofer chairs the MDA Committee on Peer Review/Ethics. Contact him at [mgmdds@wideopenwest.com](mailto:mgmdds@wideopenwest.com).