

1 Resolution No. **03** New Substitute Amendment

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3 Date Submitted: **March 2022**

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5 Submitted By: **Dr. Thomas Goodsell, Delegate, Southwestern District**

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MDA Strategic Goal: Define and deliver exceptional member value
Staff Implications: None
Ethical Implications: None

Estimate of Financial Implications: \$0

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ADA/MDA CODE OF ETHICS: DENTIST /EMPLOYEE RELATIONSHIP

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10 **Background:** Dentists should avoid interpersonal relationships that could impair their
11 professional judgment or risk the possibility of exploiting the confidence placed in them by an
12 employee. This prohibition does not apply if a sexual relationship existed prior to the initiation
13 of the employee relationship. This prohibition does not apply to relationships between a
14 dentist and his or her spouse or equivalent domestic partner.

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16 Following is the rationale for this amendment to the code of ethics, though in 2022 it's hard to
17 imagine there's anyone who hasn't read and/or heard of the reasons for this. We are all aware
18 that the CEO of the McDonald's Corporation has lost his job for violating this human resources
19 ethical principle, the President of CNN the same, indeed the President of my beloved alma
20 mater the University of Michigan has been fired for violating this principle. Virtually every
21 Fortune 500 company in America has codified this guideline into their bylaws.

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23 The Society for Human Resource Management (SHRM), as the authority for all issues relating to
24 human resource management in America, has codified these principles as essential in any
25 workplace.

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27 The principle is obvious, simple and essential; it is widely recognized that an employer has a
28 position of power over an employee who relies on the good graces of their employer to feed
29 their family, keep a roof over their head. That position of power cannot be allowed to be
30 exploited, to do so is clearly unethical.

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32 The MDA may add provisions to the code of ethics that are more, but not less, restrictive than
33 the ADA provisions. Therefore, I am recommending an MDA Addition to 3.F. Professional
34 Demeanor in the Workplace, 1. Disruptive Behavior in the Workplace .

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36 The concept was provided to the Committee on Peer Review/Ethics (CPRV/E) and ADA Council
37 on Ethics, Bylaws and Judicial Affairs (CEBJA) for comment. Both do not believe that this issue
38 fits within the Code of Ethics as the Code focuses on the dentist/patient relationship and this

39 type of issues is a human resource and legal issue. At a minimum, the CPRV/E believes that it is
40 already covered under Section 3.F.1 of the Code, Disruptive Behavior in the Workplace and
41 believes including this language narrows the code unnecessarily.

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Addendum of Background for Proposed Ethics Amendment

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45 Please consider this addendum to the previous background presented for the proposed
46 amendment to the MDA Code of Ethics. The purpose of this addendum is to address concerns
47 expressed by the CPRV/E and ADA CEBJA to help shorten any debate at the HOD.

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49 Objections include:

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1. The issue does not fit within the Code of Ethics: 3.F and 3.F.1 states that “Dentists have the obligation to provide a workplace environment that supports respectful and collaborative relationships for all those involved in oral health care.” Clearly the code is not limited to dentist/patient relationships.

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2. This issue addresses a human resource and legal issues: Code 3.F makes clear that concerns in the workplace are appropriate to be addressed by our ethical standards. Ethical concerns in both the human resources and legal arenas are clearly under the purview of our Code, indeed important areas for our committee to consider and address.

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3. This language narrows the code unnecessarily: The language of this resolution, almost identical to the amendment to our code adopted years ago at the ADA House with regard to personal relationships with patients, does not narrow the code at all, any more than was done with the previous amendment regarding patients. Each simply spells out how we interpret the existing bylaws, and the previous approval of this concept with regard to patients shows that this is exactly the mechanism that our Association wishes to use to address this sort of clarification.

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Resolution

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Additions noted with [blue underline](#).

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03. Resolved, that the ADA/MDA Code of Ethics be revised to read as follows:

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3.F. PROFESSIONAL DEMEANOR IN THE WORKPLACE.

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Dentists have the obligation to provide a workplace environment that supports respectful and collaborative relationships for all those involved in oral health care.

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ADVISORY OPINION

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3.F.1. DISRUPTIVE BEHAVIOR IN THE WORKPLACE.

82 Dentists are the leaders of the oral healthcare team. As such, their behavior in the workplace is
83 instrumental in establishing and maintaining a practice environment that supports the mutual
84 respect, good communication, and high levels of collaboration among team members required
85 to optimize the quality of patient care provided. Dentists who engage in disruptive behavior in
86 the workplace risk undermining professional relationships among team members, decreasing
87 the quality of patient care provided, and undermining the public's trust and confidence in the
88 profession.

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90 **MDA ADDITION TO 3F PROFESSIONAL DEMEANOR**
91 A dentist, as a member of a profession, should provide a professional environment with conduct that
92 demonstrates moral character and professional competence, upholds the dignity and honor of the
93 profession and accepts its self-imposed disciplines.

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95 **MDA ADDITION TO 3.F.1. DISRUPTIVE BEHAVIOR IN THE WORKPLACE**
96 Dentists should avoid interpersonal and/or sexual relationships that could impair their
97 professional judgement or risk the possibility of exploiting their position of power over an
98 employee. This prohibition does not apply if a sexual relationship existed prior to the initiation
99 of the employer/employee relationship.

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VOTE REQUIRED:	Majority vote of delegates present and voting
VOLUNTEER RESOURCES:	Dr. Thomas Goodsell, Delegate, Southwestern District
	Dr. Seth Griffin, Chair, Committee on Peer Review/Ethics
STAFF RESOURCES:	Ginger Fernandez, RDH, RDA, Manager, Professional
	Review and Practice Management