



South Carolina Dentistry Dispute Resolution Program: A Mediation Process



The Dentist-Patient Relationship

Mutual Trust is the heart of every successful relationship, from friendship and family life to business. Trust is an important part of oral health care as well. The foundation of a good dentist-patient relationship, one that encourages and promotes good dental health, is good communication. A sincere effort on the part of the dentist and the patient to discuss the course and cost of treatment and the expectations of the outcome can go a long way toward establishing mutual trust. An unasked question or unexpressed concern can undermine trust. A simple conversation to discuss matters almost always resolves doubts and answers questions. In those instances where a problem or misunderstanding between a patient and their SCDA member dentist cannot be resolved, the recourse is mediation available through the South Carolina Dental Association.

About Mediation

Mediation is a process by which disputing parties, with the assistance of a neutral third party (a mediator), identify disputed issues and reach a settlement that is satisfactory to both parties by phone. In mediation decision-making rests with the two parties in the dispute, not the mediator. The two parties generate options for settling the dispute and agree upon a resolution that is acceptable to both of them. The mediator is a neutral facilitator, helping the parties identify their interests and prompting them to think through the issues and explore alternatives for resolving the dispute. The mediator's goal is to help the parties make a mutually agreeable decision. The mediator is not there to convince the parties to accept his/her decision or to convince them of his/her opinion on what is fair or best. The mediator will be impartial, and his/her services are available at no charge to those who wish to participate in the process. It is the South Carolina Dental Association's belief that all members of the South Carolina Dental Association shall participate in a good faith effort to resolve a dental dispute through the mediation process. All information pertaining to the Mediation process is kept strictly confidential.

The Mediation Process

- A written request for mediation and agreement form shall be submitted to the South Carolina Dental Association. The request should include copies of all necessary and appropriate documentation substantiating the circumstance without mention of monetary relief or refunds. Please note that SCDA is only able to mediate cases in which the dentist is a member of the association, the complaint is in regard to the work done and the complaint is not more than two years old.
- Once received at the Dental Association, the request is reviewed for completeness and referred to the appropriate mediator.
- The mediator contacts all parties and attempts to reconcile the problem. A clinical examination is not conducted during the process of mediation.
- If the problem is successfully mediated, a written report is submitted to each party involved by the mediator explaining the outcome and the necessary steps each party must take in order to close the case.
- If mediation is not successful the patient will be free to seek other means to resolve his/her dispute.

In Summary

Mediation provides an impartial, easily accessible and generally expedient means for resolving misunderstandings regarding dental treatment. It exists for the benefit of the patient and the dentist. Mediation is not a court of Law. It is a voluntary process that relies on the good faith between a dentist and a patient and their mutual interest in resolving the conflict. This is intended to be a legal and binding document.

Provided as a membership service by:

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