

Informing Clients that a Dental Hygienist Is Leaving One Practice and Moving to Another

Maintenance and Access to Client Records

The overriding principle when a dental hygienist leaves a practice is client care.

Dental hygienists have two separate legal obligations with respect to informing clients that they are leaving one practice and moving to another:

- (1) their professional obligation to the client
- (2) their contractual obligation to their employer

A prudent dental hygienist will clarify with the employing dentist **before commencing employment** what the arrangements will be on departure. Under the CDHO's recordkeeping regulation, dental hygienists have an obligation to maintain and have access to their own records for a period of at least ten (10) years. Access may be required to answer questions that clients, their insurers and the College might have later respecting dental hygiene treatment rendered.

This access can be achieved in one of two ways:

1. The departing dental hygienist can take a copy of her or his client records with her or him; or
2. The departing dental hygienist can leave the records behind on the understanding that they will be maintained for the required period of time and that she or he can have access to them if required.

Under either system, it would be appropriate for the departing dental hygienist to keep a list of client names and file numbers.

Informing clients about one's departure

If there will be no dental or dental hygiene care, from either a dental hygienist or a dentist, in the location that the dental hygienist is leaving, then clients should be so informed by the dental hygienist before the office closes. If the clinic will continue to operate, then it would be a normal professional courtesy, and in the interests of client choice, for clients to be told about the departure. Except in the case where the clinic is closing entirely, this notification is a professional courtesy, not professional obligation.

If a dental hygienist has a contractual obligation to refrain from informing her or his clients of her or his departure, s/he may be obliged to honour this obligation and should seek legal counsel. That is a private matter between the dental hygienist and her or his employer and the College will rarely intervene in those cases. The dental hygienist can assume that the remaining practitioners at the clinic will maintain their professional obligations in dealing with the dental hygienist's former clients. S/he may want to write a letter to the remaining practitioners stating something to the effect that since s/he has not been permitted to contact clients directly, s/he trusts that Dr. X, Ms. Y, etc., will continue to care for the dental hygiene needs of the former clients of the dental hygienist. The dental hygienist should retain a copy of this letter in case it becomes an issue in the future.

An ideal situation would be for the dental hygienist and the employer to agree upon a letter that will go to the clients of the dental hygienist prior to the departure.

When a departing dental hygienist informs her or his clients of the move, s/he must do so professionally. For example, a factual statement by letter, or at the last visit by the client before the dental hygienist departs, or in response to an inquiry by a client, would be acceptable.

The following is a sample letter that would meet with the College's approval. Please note that it is up to the dental hygienist to ensure that the letter is consistent with her or his contractual obligations to her or his employer.

Dear _____:

I have enjoyed being your dental hygienist at Dr. _____'s office. As a courtesy, I would like to inform you that, as of _____, I am moving my practice. My new address and telephone number will be _____. You may continue to receive your dental hygiene care with Dr. _____ or transfer your care to my new practice. As the client, the choice is yours.

Alternatively, the dental hygienist may choose to place a simple advertisement in the local newspaper informing the public of her or his new place of practice. The prudent dental hygienist will consult the CDHO advertising regulations prior to placing the advertisement.

The communication could become unprofessional if it is conducted in an intrusive manner or contains unprofessional content.

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