



**“Keeping Out of Harm’s Way”:
Pearls, Pitfalls, and Lurking
Perils of a Life in Dentistry**

If vigilance and planning aren’t your cup of tea, may we offer a courteous word to the wise? Everyone knows there is a lot to learn on the road to life as an adult, and everyone agrees there is a lot to handle once you get there. What just about everyone would like to ignore is the attention required to maintain that good forward momentum before the red lights start going off and “attention required” takes on a whole different meaning. The authors of our cover feature have put together a walk-through of stuff everyone should be prepared to revisit over and over on the journey. Expect asterisks, make having a Plan B second nature, respect the unexpected, and remember, there are a lot of other agendas out there just waiting to take a bite out of yours.

Keeping Out of Harm's Way

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In 2016, the *U.S. News and World Report* magazine ranked orthodontics and dentistry as the number one and number two best jobs in the U.S. According to the report, "A comfortable salary, low unemployment rate, and an agreeable work/life balance boost dentistry to a top position on our list of Best Jobs." I couldn't agree more! But even with great professions, there are pitfalls. Staff management, partnerships, associateships, third-party interference, OSHA, taxes, and patient expectations can all result in daily headaches and sleepless nights. How do we enjoy the full benefits of our great profession and maintain our personal peace and happiness throughout life? How do we stay out of harm's way and maintain emotional, legal, and physical health?

It takes a lot of preparation, knowledge, and focus to survive a career and thrive in retirement. Following are 10 tips to help you do just that.

Tip #1. Focus on Building Trust in Your Personal and Professional Relationships

Trust is your number one practice builder and your number one relationship builder. The most important thing patients want in a dentist is a caring attitude. They want to know that their dentist puts their needs first. David Horsager, in his book *The Trust Edge*, describes eight essential pillars of trust:

- clarity
- competency
- contribution
- compassion
- commitment
- consistency
- character
- connection

All are required to build trust, but the loss of just one pillar can destroy it.

Tip #2. Beware of "Get Rich Quick" Dental Programs

Although the vast majority of practice management consultants focus on helping us provide excellent patient care in an efficient and effective manner, there are a few practice management groups that focus on profit over compassionate care. These programs recommend breaking almost all of the trust building pillars, and frequently damage long-term patient relationships. Stick with management techniques that help you deserve high levels of patient confidence.

Tip #3. Be an Intentional Leader

Many of us would prefer to just be left alone to provide clinical care. Some of us are in practice situations that allow this. But those who own their practices must lead their staffs in a way that focuses on practice goals. This also includes taking responsibility to make sure your office follows all OSHA and HIPAA regulations.

According to Dr. Mary Smith, a former ADA Trustee, dental offices should not only have designated time devoted exclusively to regulation updates, they should have additional time in every staff meeting devoted to reviewing these regulations. These meetings should be documented, and this should include the staff members present. Even if all educational protocols are followed, the dentist is held responsible if a staff member violates an OSHA recommendation. If staff members refuse to comply, it is the dentist's responsibility to terminate that staff member. When it comes to HIPAA rules and regulations, however, if the dentist complies

with all education protocols and properly documents them, it is the staff member who bears responsibility for the violation.

When it comes to staff management, maintaining trusting relationships, setting clear expectations of behavior, keeping patient needs as the practice's first priority, and holding all staff members accountable for their performance is essential. By allowing low-level performance to continue in one staff member, you encourage low-level performance to become the standard.

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Tip #4. Identify (and Eliminate) the Elephants in the Room

Dentistry is a people profession. Passive-aggressive and grumpy behavior is not acceptable. Do your best to help those who do not understand this that a pleasant demeanor is required. Patients have more leeway here, but they should not be abusive to staff. Make sure you document your corrective efforts in a compassionate way and in writing. However, it is also true that you cannot make unhappy people happy. If people can't be happy in your office, you need to help them move to a new job (or to a new dentist) where they can be happier. Of course, this assumes that you follow the same standards of pleasant behavior and are faithfully demonstrating all of the trust pillars.

Tip #5. Clear the Air on a Regular Basis

A safe and effective system of conflict management is essential to keep a staff team working well. Have daily huddles, monthly staff meetings, and regular staff evaluations. If a problem arises, make sure you have a written plan in place, and that everyone knows how to proceed to bring "resolution instead of revolution".

Tip #6. Understand Basic Employment Law

Whether you are an employer or an employee, it is essential that you understand basic employment law, especially the big ones: Wage garnishment, embezzlement, and sexual harassment are just a few examples. Employment law can be regulated by both federal and state governments. Go to an employment law class, or get a reference book and read it. When in doubt, contact your attorney. Ignorance of the law is not a defense. If you do something illegal, even if you didn't know it was illegal, you are still liable. Don't get yourself into a situation where you are sued, or worse, arrested, because you did something to violate employment law. Educate yourself.

Tip #7. Read Your Contracts, All of Them, the Important Ones with your Attorney

It is absolutely essential that important agreements are clarified in writing. Most big corporations have their own attorneys or attorneys on retainer to review agreements. Many dentists are slow to get legal help, but when you are making decisions that could affect your life for many years, it is important to have an expert in the field of contract law help you. If you are buying or selling a practice, if you are hiring an employee or accepting an associate position, every significant component of your job should be clarified in writing. This includes working hours, hygiene checks, scheduling protocol, staff assignments — the list is long. It is just as important to read the fine print in real estate

transactions as well. According to Tom Junilla, a dental real estate specialist and president of Junilla Company Incorporated, mistakes made in this area can have dire consequences.

"One dentist," Mr. Junilla reports, "failed to insist on a term for her lease and found herself forced to leave her office suite shortly after she moved in." Imagine the cost in that case. Beware of verbal agreements. If you make an agreement with someone, there is no downside to writing it down — unless one party does not plan to honor that agreement.

Tip #8. Practice Gratitude in Thought, Word, and Deed

Gratitude is one of the most important characteristics you can develop in your life. It lifts your spirit and the spirits of those around you. It is healing. It is an unfortunate fact of life that disaster can happen at any time. Our family has been through our share of tragedy, including the loss of a child,

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and practicing intentional gratitude through every difficult time has had an amazing effect on our emotional recovery. How often do we focus our attention on a loss or what we don't have? Those thoughts sometimes become a constant ticker tape in our heads. By learning to intentionally focus on replacing those thoughts with thoughts of gratitude for what we do have, we can change our lives in a positive direction. It is also important to express and show our gratitude. Imagine how much we can lift the mood in our offices by thanking every patient and thanking staff members for their service. We have so much for which to be thankful: We work in one of the best professions; we live in a free country; the list goes on, and each of us, I am sure, has his or her own version of it. If you need any help in internalizing your observations and thoughts in this area, just visit a third world country. I would recommend Rwanda. It is Africa's happiest country, and has the best model of forgiveness anywhere.

Tip #9. Prepare for the Future!

Dentistry is changing all the time. When I started dental school, scientists were predicting that a vaccine against dental caries was imminent and our profession would be eliminated. That was almost 40 years ago, and we are still here. You never know what will happen, but it is important to keep abreast of changes in our profession and plan accordingly. The number of dental graduates, retirement trends, the influence of corporate dentistry, government coverage, insurance trends, student debt, and the economy all affect dental practices. Patient trust also plays a big role. Make sure you are aware of the information your patients are paying attention to outside of your office. Some internet sites, such

as Choosing Wisely, will consult with organized dentistry. Some present their recommendations without researching them at all. If your patient wants to look up something about dentistry on the internet, wouldn't it be great for them to check your website (or ADA.org) first?

Tip #10. Keep in Mind That Dentistry is Your Profession, Not Your Life

Due to an unfortunate radiculopathy in my drilling fingers, I had to retire from clinical practice at the age of 54. It was not a happy time for me. Dentistry does not prepare us for retirement. As dentists, we are the kings or queens of our own little practice castles. Our team members plan our days, prepare the rooms, and prepare the patients in anticipation of our arrival. Our assistants clean up our mess when we are done. We don't even have to reach for our instruments; they are handed to us! No wonder the retirement age has been going up the last few years! Who wants to leave one of the world's best professions and lose all that attention? But retirement can be wonderful as long as you have planned properly both financially and emotionally. Get a hobby, begin volunteering in something about which you are passionate, and keep your personal relationships strong. One of the biggest predictors of lifetime happiness is maintaining close personal (including family and friends) relationships. Taking people for granted is as silent a killer of positive energies as other types of unhealthy borderline habits, and should it fall into a pattern with one or more addictive behaviors of any kind, can contribute to destroying those relationships. Trite as it sounds on the face of it, the advice to stay on the straight and narrow, and if you fall, do everything in your power to get back up has stood the test of time.

We start our dental careers with every opportunity to enjoy our work and our lives. By focusing on intentional leadership, compassionate patient care, continuing education in all areas of dental practice, and maintenance of our character, we can steer our way through a life of significance both during our career in dentistry and beyond. ■

Other (Younger) Professionals Weigh In

Keep your Temper

Hillary Harms Becchetti, J.D., Civil Attorney

Q: If a dentist finds him- or herself in a dispute or facing legal trouble, what would be your most important recommendation?

A: If you are facing legal trouble in your practice, whether it be disputed contract negotiations or malpractice, the best piece of advice I can give is to stay calm! Contact an

attorney if you have not already done so, and let him or her take care of it. If your legal issue is with someone with whom you work, a partner, employer, or employee, do not discuss the case with that person unless absolutely necessary. Do not bring your dispute into work. If the dispute gets heated, do not lose your head. If issues arise, let the attorneys handle it. I realize this is perhaps easier said than done at times, but almost always in a legal dispute, cooler heads prevail. Do not make a bad situation worse. Hang in there, and trust your attorney. You hired that professional for a reason.

Crimes and Misdemeanors

Ashley Harms O'Connor, J.D., Criminal Attorney, Former Assistant Prosecutor

Q: Please explain the difference between criminal and civil offenses and how the most common criminal complaints against dental professionals are classified.

A: We are a nation of laws, and it is important that all business owners are aware of the laws that govern them and the consequences for breaking them.

A *civil offense* is against a wronged party, and is frequently punishable by the payment of money or other recompense.

A *criminal offense* is considered an offense against the state or society as a whole and the victim. The punishment for a criminal offense is typically jail time or probation.

Contract issues are typically civil matters. Malpractice is more often than not a civil matter rather than a criminal matter. In order for malpractice to cross over from the civil to the criminal, there must be a "gross or flagrant deviation from the standard of care".

Larceny involves the wrongful taking of property with the intent to permanently deprive the owner of that property.

Swindle means taking something through a fraudulent method or "larceny by trick".

With *embezzlement*, the property is taken by someone already entrusted with it.

All three are a form of stealing. The only difference is how the perpetrator got the goods to begin with.

Embezzlement is a criminal offense and could be a misdemeanor or felony depending upon the amount of money or goods taken. Most dentists understand that embezzlement can be committed by an employee, but a partner or employer can also be an embezzler. The American Dental Association has great online resources designed to help dentists prevent embezzlement.

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**Dentistry
does not
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A misdemeanor is a less severe offense than a felony, and is typically punishable by less than a year in jail, a fine, or probation. Felonies are punishable by one year to life in jail (although probation is still available). As well, after committing a felony, you lose certain rights, such as the right to own a gun.

Fraud is an intentional deception, and negligence is the failure to exercise the care that a reasonable person would expect. In a dental office, fraud or negligence can occur in many areas, including billing of either the patient or insurance company, or paying taxes. Fraud is typically a more serious offense, and in some cases can be considered a felony.

Be Passionate About Your Goals

Anna Hermann RN, BSN, MBA

**Director of Nursing, Cardiac Care, United Hospital,
Saint Paul, Minnesota**

Q: What is the best advice you can give to convince team members to enthusiastically accomplish your goals?

A: Whether you are a new leader or an experienced one, it is imperative that you have the support and trust of your

team to enthusiastically execute your goals. True leaders invest quality time with their employees and make personal, genuine connections with them. This first step must happen before one can expect “followership”. Your team needs to have faith that you are looking out for their best interests. People are more likely to support and follow leaders they “like”.

Human beings often make decisions based on emotion first and rational or objective thinking second. So while it is imperative that leaders have a personal connection with their employees, it is just as important that leaders are knowledgeable and invested in their own goals. It is often stated that leaders need employees to “buy in” to initiatives and goals set by leadership. The term “buy in” infers that there is something to be “sold”. In my experience, this scenario does not exactly exude ideas that would in turn lead to inspiration in employees. Stellar leaders should be passionate about their goals and articulate the reason the initiatives are necessary. Invest quality time and build trusting relationships with employees, and in turn they will be invested in helping leadership achieve their goals. ■