



F42 Cosmetic Odontology and the Law

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The goal of this presentation is to provide information about the current state of affairs regarding non-therapeutic cosmetic dental treatments in France and United States and to compare and contrast the professional regulations specific to both countries.

This presentation will impact the forensic community and/or humanity by demonstrating how certain cosmetic treatments discovered during dental autopsies are the result of treatment of a non-licensed individual and will involve a problem when requesting the dental records to aid in identification.

This presentation will impact the forensic community by providing insight into whether certain cosmetic dental treatments discovered during dental autopsies are the result of treatment by a licensed dentist, or that of a non-licensed individual. This information will be helpful when requesting dental records to aid in the dental identification of unknown persons.

The decision to provide elective cosmetic dentistry involves many legal and professional responsibilities and obligations on the part of the practitioner. However, refusing to provide these services as part of a traditional dental practice obligates the patient to turn to aesthetic institutes, tattoos shops, or non-licensed individuals for these services, with a possible loss of sanitary security and quality control for the patient. A contrast and comparison of the French and American systems will be presented. Cosmetic dental procedures, such as tooth whitening or the placement of dental jewels are increasingly in demand by patients in both France and the United States. An increasing number of websites and advertising campaigns propose the purchase of these cosmetic services in aesthetical institutes or tattoos shops. The French jurisprudence recommends a high standard of care for general dental treatment, and is especially demanding of a higher set of expectations regarding what constitutes acceptable results in the field of aesthetics. The French dental professionals seem reserved about providing cosmetic dental procedures that are not directly therapeutic, and in which their professional reputation could be called into question in view of the higher obligations and expectation of cosmetic results. In France, crowns placed for cosmetic purposes can be considered as medical devices and submitted to similar laws. The placement of such a medical device involves an obligation for the dentist to authenticate and track the materials used in its fabrication, and gives to the dentist the sole responsibility for the treatment outcomes. It is very difficult for French dentists to accept this responsibility if the crown or dental jewellery is not fabricated in the traditional dental laboratories, but by private manufacturers making cosmetic, non-medical products without any obligation of authenticity of materials. To the French dentist, it may seem easier and less dangerous to refuse their patients who request the placement of these crowns or dental jewels. However, their non-dentist competitors provide and advertise these services and are quite free to use publicity campaigns and promotional sales that are forbidden to the dentists by their professional regulatory ethics. One factor for both French and American dentists to consider in deciding whether to provide non-therapeutic dental treatment is the risk of not meeting the higher expectation of patients, and might cause them to leave the dental practice entirely. On the other hand, if patients seek the services of a non-dentist to provide these services, the procedures might be provided in unsanitary conditions that could have long-term effects on a patient's general health.

During the presentation, regulations and ethics governing French and American dentists choosing to provide cosmetic dentistry will be reviewed. Also explored will be factors influencing both French and American dentists in their decisions to participate, or to not participate, in providing purely elective non-therapeutic treatments.

Forensic Sciences, Cosmetic Odontology, Dental Jurisprudence