



F45 What's So Special About a Specialist?

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After attending this presentation, attendees will have an understanding of the reason why pursuing recognition of forensic odontology as a "legitimate" specialty by the American Dental Association might not be in the best interest of the field.

The presentation will impact the forensic science community by providing a more complete answer, than a simple "no" to the question occasionally asked of forensic odontologists in court: "Is forensic odontology recognized as a specialty by the American Dental Association?"

Forensic odontology is not recognized as a "legitimate" dental specialty area by the American Dental Association (ADA). Most state dental boards allow dentists to present themselves to the public as specialists in *only* the areas approved by the ADA. Therefore, in most states, dentists are permitted to claim to be specialists in only the fields of endodontics, orthodontics, periodontics, pedodontics, prosthodontics, oral & maxillofacial pathology, oral & maxillofacial radiology, oral & maxillofacial surgery, and dental public health. A dentist wishing to present him/herself as a specialist must, of course, meet the requirements promulgated by the particular dental board in the state where the dentist practices—generally, one of the requirements is certification by the appropriate board of examiners in the specialty area. The ADA has designated the organizations which are these "legitimate" certifying bodies, and also what sort of training is necessary to meet the requirements in order to challenge the respective board exam.

The American Board of Forensic Odontology (ABFO) was established in 1976 under sponsorship of the American Academy of Forensic Sciences (AAFS). In order to practice forensic odontology at a high level of competency—particularly in the area of bite mark analysis—substantial training and experience is required beyond that received in the usual undergraduate dental curriculum. The requirements established by the ABFO for an odontologist to be eligible to challenge the board exam are extensive, and the examination is rigorous. In the span of 33 years since its founding, less than one hundred and fifty individuals have achieved board certification by ABFO.

Nevertheless, the ADA does not recognize specialty certification by ABFO, and does not recognize forensic odontology as a true dental specialty. The primary reasons *appear* to be: (1) forensic dentistry is not considered a "healing art;" and, (2) the educational prerequisites set forth by the ABFO do not include the typical requirement of two-year's full-time study in an ADA-approved academic institution.

Many forensic odontologists, according to anecdotal reports, have been challenged in court by opposing counsel with the question "Is forensic odontology recognized by the ADA as a legitimate specialty?" It is possible the truthful answer "no" might be used by counsel in an attempt to plant a seed in the jury's mind that forensic dentistry is, therefore, somehow untrustworthy. It is contended, though, upon reflection, it is not recognition of forensic odontology by those in the *dental* field that is important, but recognition by those in *forensics* that is significant in court. Forensic odontology may well *not* be a healing art, but it *is* a legitimate and accepted forensic field.

A caution is further presented that *if* forensic odontology *were* recognized by the ADA as a specialty field, there could be a counterproductive result. Dental specialists are usually required by their organizations to restrict their practice to only the specialty area. Since most forensic odontologists are "part-timers" with their principal employment in academics, the military, or in general practice, many would still not be able to limit their practice to only forensics and claim specialty status.

The case of *Potts v. Zettel*, 220 Fed.Appx. 559, 2007 WL 412232 (Ninth Cir. 2007), involved a California dentist (Potts) who advertised to the public that he was a specialist in dental implantology, and that he was board-certified by the appropriate board in that field. But since this is not a recognized specialty area by the ADA, and, consequently, not recognized by the California dental board, California sought an injunction to prohibit Potts from further such advertising. Potts, in turn, sought declaratory and injunctive relief on freedom of speech grounds, and was awarded summary judgment by the federal district court. On appeal, the Ninth Circuit reversed and remanded on other grounds. The impact this case might have on those who wish to present themselves as specialists in forensic odontology is reviewed.

Specialization, Forensic odontology, Potts vs. Zettel