



# Practice Advisory: Conflict of Interest

*This practice advisory of the College of Dental Technologists of Ontario provides Members with guidance and useful information as they continue to practice ethically while respecting conflict of interest.*

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## Purpose

All Members of the College, and all health care professionals in Ontario must adhere to the *Regulated Health Professions Act, 1991*, the Ontario legislation that governs health care professionals. According to O. Reg. 798/93 s. 11, it is an act of professional misconduct for a dental technologist to practice the profession while in a conflict of interest.

## What constitutes a conflict of interest?

Simply put, a conflict of interest is created when you put yourself in a position where a reasonable person would conclude that you, the dental technologist, are making arrangements that may compromise, or affect your professional judgement, or that of your client(s).

In this context, a "client" of a dental technologist would include the referring health professional. Where a member directly, or through an affiliated corporation, offers financial or other inducements to a dentist to make a referral to the member, the interests of the patient(s) may become secondary to the self-interest of the referring dentist, the client.

It is the College's function to protect the public interest by eliminating arrangements of this nature. Whether actual or perceived, conflicts of interest give the public the impression that their care or the cost of their care may be compromised by unethical health care professionals. It is for this reason that conflicts of interest must be avoided. As a result, acting while having a conflict of interest may constitute professional misconduct.

## Types of conflict of interest

### ***1. Inappropriate "Arrangements" or "Business Relationships" with other health professionals***

Dental technologists are entitled to profit appropriately from the use of their training and experience in providing professional dental technology services. Attempts to enter into any "arrangements" or "business relationships" with other regulated health professionals or providers or health care facilities for the purpose of inducing referrals, generating service volume, or any type of financial profit or material gain are likely to constitute conflicts of interest.



For example, the following actions must be avoided:

- offering quantity discounts or discounts for prompt payments to dentists;
- offering gifts, airline tickets or air miles as incentive programs to dentists;
- offering rebates, credit or other benefits to dentists;
- making special arrangements to finance dentists' purchases of equipment, facilities and supplies;
- providing benefits that do not directly benefit patients.

## **2. Fee or Income Splitting**

Dental technologists may not fee or income split with anyone other than

- a dental technologist who engages in the practice of dental technology as an employee of yours;
- another dental technologist who, while not employed, comes to your office to provide services as an independent contractor for your laboratory;
- a dental technologist who engages in the practice of dental technology as your partner.

As a result, contractual arrangements, such as a lease or use of premises or equipment which provides for fee or income splitting, create a conflict of interest. This would prevent a dental technologist who rents space or equipment from paying rent based on his/her billings.

## **3. Self-referral**

In the process of a dental technologist's involvement in the treatment of a patient, it is a conflict for a dental technologist to refer a patient or a regulated health professional to individuals, facilities, services, or suppliers without disclosing his/her ownership or controlling interest in the entity to which the referral was made, or from which the dental technologist, his/her family or corporation derives any financial or material benefits.

It is also a conflict for a dental technologist to exercise their influence to promote the sale of materials, devices, products or other supplies without disclosure of their ownership, controlling interest or interest of a person/corporation related to them.

To avoid problems that might arise from self-referral, members must ensure full disclosure to the prescribing health professional prior to providing the services. The member must ensure that the use of the product, device, facilities etc. is in accordance with the standards of practice of the profession and, in the circumstances, is appropriate.

## **4. Personal, moral or philosophical conflicts**

A dental technologist's personal, moral or philosophical beliefs or practices must not impede patient's appropriate and timely access to services.