

## Lesson Plan #2

**Course:** DNH 230 - Office Practice and Ethics

**Topic:** Legal and Professional Issues in Dental Hygiene

**Audience:** Adult Learners (Senior Level Dental Hygiene Students)

**Time:** 50 minutes total

- Anticipatory set= 5 minutes
- Lesson content= 40 minutes
- Summary= 5 minutes

**Materials:** Computer, PowerPoint slides, Zoom, Projection Screens

### **Instructional Objectives:**

By the end of this lesson, students will be able to:

1. Describe the legal parameters of the employer–employee relationship and the two general categories of employment.
2. Identify recommended strategies for preparing for a dental hygiene employment interview.
3. Differentiate items that may and may not legally be asked during the application and interview process for a dental hygiene position.
4. Describe federal laws that prohibit discrimination and protect worker safety.
5. Explain the concepts of sexual harassment and hostile work environment in the dental practice setting.

### **References:**

American Dental Hygienists' Association (ADHA) *Dental hygiene practice and regulation*

<https://www.adha.org>

Minihan-Anderson, K. *Ethics and law in dental hygiene* (4th ed.). Elsevier.

U.S. Equal Employment Opportunity Commission (EEOC) *Laws enforced by the EEOC*

<https://www.eeoc.gov/laws>

Occupational Safety and Health Administration (OSHA) *Dentistry standards and compliance*

<https://www.osha.gov/laws-regs>

Virginia Department of Health Professions – Board of Dentistry *Laws and regulations*

<https://www.dhp.virginia.gov/Boards/Dentistry/>

| LESSON CONTENT  | NOTES – MEDIA – Q&A   |
|---|---|
| <p><b>I. Anticipatory Set</b></p> <p>A. <u>Introduction</u></p> <p>Legal and Professional Issues in Dental Hygiene</p> <p>This is an overview of the ethical, legal, and professional standards that guide dental hygiene practice, including patient relationships, workplace protections, and employment law.</p> | <p><b>Slide #1</b> - Legal and Professional Issues in Dental Hygiene</p> <p><b>Note:</b> Introduce lesson focus and relevance to licensure, patient safety, and workplace accountability.</p> <p><b>Q:</b> Guided Questions (Think–Pair–Share)</p> <p>Ask students to respond mentally or discuss briefly with a neighbor:</p> <ul style="list-style-type: none"> <li>• Who is legally responsible in each of these situations?</li> <li>• What could happen if these issues are handled incorrectly?</li> <li>• How confident do you feel knowing your rights and responsibilities in these scenarios?</li> </ul> <p>Allow 30–60 seconds for responses</p> <p><b>A:</b> <b>Possible Answers:</b></p> <ul style="list-style-type: none"> <li>• <i>“Both the dental hygienist and the dentist can be legally responsible, depending on the situation.”</i></li> <li>• <i>“The dental hygienist is responsible for knowing their scope of practice, even if the dentist tells them to do something.”</i></li> </ul> |

- *“If informed consent wasn’t obtained, the provider who performed the procedure could be held responsible.”*
- *“In harassment situations, the employer can be responsible if they knew about it and didn’t act.”*  
*“Ultimately, I’m responsible for my own license and actions, not just my employer.”*
- **Note:** **Instructor emphasis:** Each professional is accountable for their own actions. Direction from an employer does **not** remove individual legal responsibility

B. Gain Attention / Motivation

You're a dental hygienist in a busy practice. Your dentist asks you to perform a procedure you're not completely sure is within your legal scope. Later that day, a patient claims they were never told about the risks of treatment. At the same time, a coworker makes repeated comments that make you uncomfortable, but you're unsure if it legally counts as harassment.

Everything we talk about today, documentation, informed consent, malpractice, interview questions, harassment, can affect your license, your job, and your career. These issues don't usually show up on your schedule until something goes wrong.

**Q:** How many of you believe that if your dentist tells you to do something, you're legally protected?

How many think good intentions are enough to protect you legally?

**A:** Possible answers:

*"I always thought the dentist would be responsible since they're the supervisor."*

*"I assumed if it was the dentist's order, it would fall back on them."*

*"I didn't realize I could still be held responsible if I was told to do it."*

*"I feel like it should protect me, but I'm not totally sure."*

*"I guess I assumed following directions was safer than saying no."*

*"I'd hope that trying to help the patient would count for something."*

*“I thought intent mattered more than technical mistakes.”*

*“I didn’t realize you could still be disciplined even if no harm was meant.”*

*“I assumed doing my best would protect me.”*

*“I didn’t think documentation and consent mattered as much if I was acting ethically.”*

### C. Activate Prior Knowledge

Students reflect on prior clinical and workplace experiences involving professionalism, communication, or uncertainty. Instructor connects these experiences to today’s discussion of legal and professional responsibilities.

I want you to think about:

- Times you were unsure whether something was appropriate
- Situations where clear communication was important
- Moments when professionalism or responsibility mattered

Today’s lesson will build on these experiences by providing the legal and professional framework needed to navigate similar situations confidently as a dental hygienist.

### D. Establish Rationale

Understanding dental laws prevents legal risk, improves patient safety, and supports professional autonomy.

Understanding legal and professional responsibilities prepares dental hygiene students to protect patients, practice ethically, comply with the law, and safeguard their professional licenses in real-world clinical and workplace situations.

Today’s lesson isn’t about memorizing laws. It’s about knowing how to protect yourself, your patients, and your professional future.

E. Present Instructional Objectives

By the end of this lesson, students will be able to:

1. Describe the legal parameters of the employer–employee relationship and the two general categories of employment.
2. Identify recommended strategies for preparing for a dental hygiene employment interview.
3. Differentiate items that may and may not legally be asked during the application and interview process for a dental hygiene position.
4. Describe federal laws that prohibit discrimination and protect worker safety.
5. Explain the concepts of sexual harassment and hostile work environment in the dental practice setting.

PPT Slide #2 – Learning Objectives

| LESSON CONTENT  | NOTES – MEDIA – Q&A   |
|---|---|
| <p><b>I. The Rights and Responsibilities of the Dental Hygienist in the Provider-Patient Relationship</b></p> <p>This section covers the core ethical and legal duties that shape patient care, including autonomy, informed consent, and professional accountability.</p> <p>Let's begin with Part 1, where we focus on the rights and responsibilities involved in the provider-patient relationship. This includes autonomy, informed consent, boundaries, documentation, communication, and the ethical duties that shape high-quality patient care.</p> <p><b>A. Professional Obligations &amp; the Provider-Patient Relationship</b></p> <p>The dental hygienist-patient relationship is built on trust, skill, and accountability</p> <ul style="list-style-type: none"> <li>● Trust Foundation - Mutual trust supports treatment outcomes and follow-through</li> <li>● Professional Boundaries - Boundaries protect professionalism in conduct and care decisions</li> <li>● Fiduciary Duty - The patient's best interests must come first</li> </ul> <p>The dental hygienist–patient relationship is built on trust. Our role requires clinical skill, ethical conduct, and clear boundaries. A key concept here is fiduciary duty, meaning the patient's best interests always guide our decisions. When trust exists, patients are more likely to follow treatment recommendations and maintain long-term care.</p> <p><b>B. Rights &amp; Responsibilities of Dental Hygienists</b></p> <ol style="list-style-type: none"> <li>1. Rights <ol style="list-style-type: none"> <li>a. Provide Quality Care</li> <li>b. Maintain Professional Competence</li> <li>c. Uphold Ethical Standards</li> </ol> </li> </ol> <p>Dental hygienists have rights, such as providing quality care without being pressured to cut corners, staying current through continuing education, and refusing actions that violate ethical standards. We also have responsibilities: educating patients in clear language, protecting confidentiality under HIPAA, and thoroughly documenting patient care. If care is not documented, legally, it is considered not to have happened.</p> | <p><b>PPT Slide #3</b> - The Rights and Responsibilities of the Dental Hygienist in the Provider-Patient Relationship</p> <p><b>PPT Slide #4</b> - Professional Obligations &amp; the Provider-Patient Relationship</p> <p><b>PPT Slide #5</b> - Rights &amp; Responsibilities of Dental Hygienists</p> |

**Q:** “Why do you think documentation is such a powerful legal tool?”

**A:** Possible Answers:

- Because documentation is legal proof of what I did and protects me if my care is questioned.
- It shows that I followed the standard of care and obtained informed consent.
- It creates a clear record for anyone reviewing treatment, so there’s no confusion.
- If it’s not written down, it legally didn’t happen, so documentation is essential.
- It protects both my license and the patient by recording everything accurately.

### **C. Patient Autonomy, Rights & Informed Consent**

Patients have legally and ethically protected rights in dental care. Informed consent is the right to make their own healthcare decisions.

1. Respect & Dignity
  - Compassionate care that honors values and preferences
2. Privacy & Confidentiality
  - HIPAA-protected information; private care discussions
3. Access to Information
  - View records; plain-language communication
4. Information (Consent)
  - Procedures, risks, benefits, alternatives
5. Voluntary Choice
  - No coercion; may refuse treatment anytime
6. Authorization
  - Documented consent for legal protection

Patients have the right to make their own healthcare decisions. Informed consent requires us to explain the procedure, the risks, the benefits, and the alternatives, including doing nothing. Consent must be voluntary and free of pressure. Patients also have the right to privacy, dignity, and access to their own dental records.

**PPT Slide #6** - Patient Autonomy, Rights & Informed Consent

**PPT Slide #7** - Patient Responsibilities & Communication

**Q:** “What non-verbal behaviors help build trust with anxious patients?”

**A:** Possible Answers:

- “Eye contact and a calm posture.”
- “Smiling so the patient feels safe.”
- “Slowing down my movements.”
- “Nodding and listening without interrupting.”
- “Sitting at their level instead of standing over them.”
- “Giving them space and not crowding them.”

**PPT Slide #8** - Ethical Decision-Making in Dental Hygiene

## F. Legal Framework: Aspects, Civil vs. Criminal Law

Dental hygiene practice follows state and federal law. Hygienists should also know the difference between civil and criminal exposure.

1. State Practice Acts
  - Define scope, supervision, and licensure.
2. Federal Regulations
  - HIPAA and OSHA apply to all practices.
3. Standard of Care
  - The baseline for competent practice; deviation can mean negligence.
4. Documentation
  - Clinical records are the legal record and key malpractice protection.

### a. Civil Law

Private disputes with monetary damages

- Standard: preponderance
- Example: malpractice
- Goal: compensation

### b. Criminal Law

Offenses against society, with fines or imprisonment.

- Standard: beyond a reasonable doubt
- Example: healthcare fraud
- Goal: punishment, deterrence

State practice acts define the scope of practice, levels of supervision, and licensure requirements for dental professionals.

Federal regulations, such as HIPAA and OSHA, apply nationwide and guide compliance with privacy and workplace safety standards. The standard of care serves as the baseline for competent practice; deviation from this standard may result in negligence.

Additionally, documentation, specifically clinical records, serves as the legal record of care and is a critical component of malpractice protection. It is also essential to understand the distinction between civil and criminal law.

Civil law involves disputes that typically result in monetary damages, whereas criminal law addresses offenses that may be punishable by fines, probation, or imprisonment.

PPT Slide #9 - Legal Framework: Aspects, Civil vs. Criminal Law

## G. Torts in Dental Practice & Intentional Torts Against Persons

A tort is a civil wrong that causes harm and is usually remedied with damages. Torts are either intentional or unintentional (negligence).

### 1. Battery

- Unauthorized touching of a patient; performing a procedure without informed consent.

### 2. Assault

- Creating fear of harmful contact; e.g., threatening gestures or an instrument.

### 3. False Imprisonment

- Unlawfully restricting a patient's freedom; e.g., preventing them from leaving.

Prevention: Follow standards of care, document thoroughly, and obtain valid informed consent

A tort is a civil wrong that results in harm and is typically remedied through monetary damages. Torts may be classified as either intentional or unintentional (negligence).

In dental practice, intentional torts include battery, assault, and false imprisonment. Battery refers to the unauthorized touching of a patient, such as performing a procedure without informed consent.

Assault involves creating a reasonable fear of harmful or offensive contact, for example, through threatening gestures or the misuse of instruments.

False imprisonment occurs when a patient's freedom is unlawfully restricted, such as preventing them from leaving the treatment area.

Prevention of these issues relies on clear communication, adherence to the standard of care, thorough documentation, and obtaining valid informed consent prior to treatment claims.

## H. Intentional Torts Against Property & Negligence

Hygienists must understand property torts and negligence, the most common basis for malpractice claims.

### 1. Intentional Torts Against Property

- Trespass: unauthorized interference with property
- Conversion: taking, using, or altering another's property

PPT Slide #10 - Torts in Dental Practice & Intentional Torts Against Persons

PPT Slide #11 - Intentional Torts Against Property & Negligence

- Examples: unauthorized record access, sharing records, misusing belongings
- Property torts may also trigger HIPAA violations

## 2. Negligence (Unintentional Tort)

Negligence is the most common basis for malpractice claims.

The most common basis for malpractice claims. Four elements must be proven:

- Duty: professional obligation
- Breach: failure to meet the standard of care
- Causation: breach caused harm
- Damages: measurable harm

If any one of these elements is not established, the claim will not be successful.

**Note:** Negligence is an Unintentional Tort

**Q:** “Which of the four elements of negligence do you think is most difficult for a patient to prove?”

**A: Possible answers:**

Causation — it’s hard to link the harm directly to the provider.

Breach, because you need proof the hygienist didn’t meet the standard of care.

Damages, since the harm has to be measurable, not just ‘I felt bad.

Causation, because you have to rule out all other possible causes.

## I. Informed Consent: Elements & Documentation

Informed consent is a patient right, a legal requirement, and an ethical duty. It must be documented properly.

1. Disclosure of Information
  - Purpose, risks, benefits, and alternatives, including refusal.
2. Capacity & Voluntary Nature
  - Patient must be competent and not coerced. Minors and impaired patients need special protocols.
3. Authorization & Documentation
  - Document in the record. No consent can mean **battery**, even if care was flawless.
4. Written Consent Forms
  - Signed standard form; most common; strong presumption of validity.
5. Progress Notes
  - Record the conversation, not just “consent obtained.”
6. Digital Consent Systems
  - Electronic signatures and multimedia education tools

Informed consent requires disclosure of information, confirmation of capacity, voluntary choice, and documentation. Written consent forms carry strong legal weight, but progress notes must also describe the conversation, not just the phrase ‘consent obtained.’ Digital consent systems, as we have, are becoming more common and are legally valid.

PPT Slide #12 - Informed Consent: Elements & Documentation

## Summary and Best Practices: Part 1

To summarize Part 1: Strong communication builds trust, thorough documentation protects both the patient and the provider, staying informed about legal requirements protects your license, and ethical decision-making supports high-quality patient care.

### 1. Build Trust Through Communication

- Clear, compassionate communication builds trust and improves adherence and satisfaction.

### 2. Document Everything Thoroughly

- Keep records complete and timely. If it isn't documented, it didn't happen.

### 3. Stay Current on Legal Requirements

- Laws and standards change often. Ongoing education helps protect your license and your patients

### 4. Practice Ethical Decision-Making

- Consult colleagues or mentors when dilemmas arise. Use multiple perspectives for tough calls.

## Part 2: Legal Parameters of the Employer-Employee Relationship

Part 2 shifts our attention from patient care to the workplace. We will examine employment classifications, interview preparation, hiring laws, workplace expectations, and protections against discrimination and harassment.

### A. Legal and Professional Issues in Dental Hygiene

Legal and professional issues are essential to dental hygiene. They protect patients, practitioners, and professional standards.

Part 2 covers four key topics: malpractice and contributory negligence, interview preparation, federal hiring laws, and workplace protections against discrimination and harassment.

### B. What is Malpractice?

Malpractice is a type of negligence that occurs when a licensed healthcare professional fails to meet the standard of care, and

PPT Slide #13 - Summary and Best Practices: Part 1

PPT Slide #14 - Part 2: Legal Parameters of the Employer-Employee Relationship

PPT Slide #15 - Legal and Professional Issues in Dental Hygiene

PPT Slide #16 - What is Malpractice?

1. Duty

- A professional relationship creates a duty of care.

2. Breach

- Care falls below the standard of a competent peer.

3. Causation

- The breach directly caused the harm.

4. Damages

- The patient suffered measurable harm

Best defenses: documentation, informed consent, and consistent standards of care.

That failure results in harm to the patient.

For malpractice to be proven, all four elements of negligence must be present, so let's break those down.

First, **duty**. This means a professional relationship has been established. Once you agree to treat a patient, you have a legal obligation to provide appropriate care.

Second, **breach**. This occurs when the care provided falls below what a competent provider would do in the same situation, essentially, not meeting the standard of care.

Third, **causation**. This means the breach directly caused the patient's injury. It's not enough that something went wrong, the harm must be linked to the provider's actions.

And finally, **damages**. The patient must have experienced measurable harm, whether that's physical, emotional, or financial.

If even one of these elements is missing, malpractice cannot be established.

The good news is that there are strong ways to protect yourself. The best defenses include thorough and accurate documentation, obtaining proper informed consent, and consistently following the standard of care in everything you do.

## C. Contributory Negligence & Prevention Strategies

Contributory negligence occurs when a patient's actions help cause the harm. Proactive habits are the best defense in malpractice cases.

### 1. Contributory Negligence

- **Patient Actions:** Ignoring advice, refusing treatment, or withholding history.
- **Shared Responsibility:** Document when patients decline recommended care.
- **Legal Consequences:** In some jurisdictions, even 1% fault can bar recovery.

Contributory negligence happens when a patient contributes to the harm through their own actions; for example, refusing recommended treatment or not following home care instructions.

Documenting patient refusals protects you legally.

Education, communication, and consistent documentation reduce this risk.

Prevention Strategies we use are with informed consent (explaining the risks, benefits, and alternatives and document the discussion. You want to have Meticulous Documentation by recording findings, treatments performed, and the patient's responses, along with any refusals. Your Continuing Education courses you will take will help keep you current with standards of care. You are not allowed to plead ignorance!

### 2. Prevention Strategies

- **Informed Consent:** Explain risks, benefits, and alternatives; document the discussion.
- **Meticulous Documentation:** Record findings, treatment, responses, and refusals.

**Continuing Education:** Stay current with standards; ignorance is no defense.

## PPT Slide #17 -

### Contributory Negligence & Prevention Strategies

**Q:** How would you document a patient's refusal of periodontal treatment?

**A:** 1. Chart the recommendation, the education given, and the patient's clear refusal.

2. Document the risks I explained and note that the patient understood but declined.

3. Include their reason for refusing and have them sign a refusal form if possible.

### **Part 3: Preparing for a Dental Hygiene Interview**

Now we will shift to employment preparation. Success in an interview comes from professionalism, preparation, and understanding your rights as an applicant.

Landing the right role takes more than clinical skill. Preparation, presentation, and legal awareness matter.

#### **A. Preparing for a Dental Hygiene Interview**

To prepare effectively, research the practice's services and learn about the environment and values of the office.

Practice common interview questions, dress professionally, and arrive early.

Also prepare thoughtful questions for the employer, such as expectations for patient load, teamwork, scheduling, and a strong interview requires more than a polished resume. Employers look for skilled clinicians who are professional, self-aware, and a good fit.

##### **1. Research the Practice**

- Review services, patient base, technology, mission, and team. Check social media for culture and communication style.

##### **2. Practice Common Questions**

- Review services, patient base, technology, mission, and team. Check social media for culture and communication style.

##### **3. Dress Professionally**

- Dress conservatively and arrive 10–15 minutes early.

##### **4. Prepare Questions for the Employer**

- Ask about team dynamics, schedule, growth support, and protocols.
- Ask about opportunities for continuing education.

**PPT Slide #18** - Part 3: Preparing for a Dental Hygiene Interview

**PPT Slide #19** - Preparing for a Dental Hygiene Interview

## **B. Legal Considerations in Hiring: What Can & Cannot Be Asked**

Hiring is guided by federal and state laws that promote fairness and prevent discrimination. Knowing what employers can and cannot ask helps both sides.

### 1. Permissible Questions

- Qualifications: education, licensure, certifications
- Experience: roles, patient populations, specialty skills
- Availability: hours, start date, full-time/part-time
- Job Functions: essential duties, with or without accommodation
- References: supervisors, instructors, professional references
- Work Authorization: I-9 eligibility verification

### 2. Prohibited Questions (Protected Characteristics)

- Age
- Race or National Origin
- Religion
- Marital or Family Status
- Disability

Employers may ask about your qualifications, licensure, experience, availability, and ability to perform job duties.

However, they may not ask about your age, race, religion, marital status, disability, pregnancy, or plans for children. These topics are legally protected.

## **C. LEGAL (Permissible) Interview Questions**

1. Questions About Qualifications & Licensure
2. Questions About Job Duties & Skills
3. Questions About Work Preferences & Availability
4. Questions About Work Eligibility
5. Questions About Professional Behavior & Experience
6. Limited Questions About Drug Use (Not Disability-Related)

Hiring managers may ask questions that relate directly to job qualifications, licensure, scheduling, and the ability to perform essential job duties

PPT Slide #20 - Legal Considerations in Hiring: What Can & Cannot Be Asked

PPT Slide 21: LEGAL (Permissible) Interview Questions

#### D. ILLEGAL (Prohibited) Interview Questions

1. Questions About Disability or Health
2. Questions About Medical or Genetic History
3. Questions About Medical or Genetic History
4. Questions About Marital or Family Status
5. Questions About Religion
6. Questions About Arrest Records
7. Questions About National Origin or Citizenship Status

Hiring managers may NOT ask about protected characteristics such as age, disability, marital status, or religion. These violate ADA, Title VII, ADEA, and EEOC guidelines.

#### E. Federal Anti-Discrimination Laws

Federal law, enforced by the **EEOC**, protects dental hygiene applicants and employees from discrimination across the employment lifecycle.

1. Title VII – Civil Rights Act (1964)
  - Bans discrimination based on race, color, religion, sex, or national origin. Applies to employers with 15+ employees.
2. Americans with Disabilities Act – ADA (1990)
  - Americans with Disabilities Act – ADA (1990)
3. Age Discrimination in Employment Act – ADEA (1967)
  - Protects workers 40+ from age-based discrimination. Decisions must be based on merit, not age.

Federal anti-discrimination laws include Title VII-Civil Rights Act, the Americans with Disabilities Act, and the Age Discrimination in Employment Act. These laws protect employees from discrimination and require employers to provide reasonable accommodations.

#### PPT Slide #22 - ILLEGAL (Prohibited) Interview Questions

**Q:** If an interviewer asks an illegal question, what is a professional way to respond?

**A:**

“I’d redirect the question back to my qualifications.”

“I’d answer the job-related part and ignore the illegal part.”

“I’d politely decline and say I prefer to focus on the role.”

“I’d clarify my availability without giving personal details.”

#### PPT Slide #23 - Federal Anti-Discrimination Laws

4. OSHA – Occupational Safety and Health Act

- Sets workplace safety standards, including SDS, Bloodborne Pathogens, PPE, emergency action plans, and record keeping.

OSHA – Occupational Safety and Health Act protects your right to a safe workplace through safety policies, PPE standards, and emergency protocols.

**F. Sexual Harassment: Types & Legal Framework**

Sexual harassment is sex discrimination under **Title VII**. It commonly arises in healthcare, and hygienists should know their rights.

Sexual harassment in the workplace falls into two main categories: quid pro quo and hostile work environment.

1. Quid Pro Quo

- "This for that" - benefits tied to sexual advances
- Examples: raises/promotions for favors; threats for refusal
- Usually involves a supervisor or authority figure
- A single incident may be enough

Quid pro quo means 'this for that,' where job benefits—like raises or promotions—are tied to accepting unwanted advances, or negative consequences occur if they are refused. This typically involves someone in a position of authority, and even one incident can be enough.

2. Hostile Work Environment

- Unwelcome conduct that is severe or pervasive
- Examples: jokes, comments, materials, touching
- Can come from supervisors, coworkers, or patients
- Must be objectively and subjectively offensive

A hostile work environment involves unwelcome behavior that is severe or ongoing, such as inappropriate jokes, comments, materials, or touching. This can come from supervisors, coworkers, or even patients, and must be both objectively and personally offensive

PPT Slide #24 - Sexual Harassment: Types & Legal Framework

### 3. Employer Liability & Prevention

- Liable if aware and fails to act
- Prevention: policies, training, reporting, investigation

Employers are responsible for addressing harassment if they are aware of it. Prevention includes clear policies, training, reporting, and proper investigation. The key takeaway is to recognize these behaviors and help maintain a safe, respectful work environment.

### F. Responding to Workplace Harassment

Knowing your rights is only the first step. Dental hygienists should know how to respond quickly and professionally when harassment occurs.

If harassment occurs, document the incident with dates, times, locations, and witnesses. Report through proper channels. Retaliation for reporting is illegal. You may also contact the EEOC, which stands for the Equal Employment Opportunity Commission, your state dental hygiene association, or an employment attorney. You are never expected to navigate harassment alone.

#### 1. Document Incidents

- Record the date, time, location, conduct, witnesses, and context. Documentation matters for complaints and legal claims.

#### 2. Report Through Proper Channels

- Follow your practice's reporting process — usually a supervisor, manager, or HR. If the harasser is your supervisor, escalate or contact the EEOC.

#### 3. Know Your Legal Protections

- Federal law bans retaliation for good-faith reports. Retaliation is a separate Title VII violation.

#### 4. Seek Support and Resources

- Contact the **EEOC**, your state dental hygiene association, or an employment attorney. You are not alone.

PPT Slide #25 - Responding to Workplace Harassment

**Q:** What specific details should be included in a harassment incident report?

**A:** "The date, time, place, people involved, and exactly what happened."

"Any quotes, actions, or gestures — written factually."

"Names of witnesses and what they saw."

"Any evidence like texts or emails."

"Who I reported it to and when."

**Summary:**

I hope you now have a clearer understanding of the professional and legal responsibilities that guide dental hygiene practice in both patient care and workplace settings. Use this knowledge to support ethical decision-making, protect patient rights, and uphold professional standards throughout your career. Remain consistently aware of the importance of informed consent, thorough documentation, and clear communication, as these are critical tools for patient safety and legal protection. Remember that good intentions alone do not replace legal requirements, and each dental hygienist is individually responsible for practicing within the law and scope of practice. Understanding malpractice, negligence, and contributory negligence prepares you to recognize potential risks and apply prevention strategies in daily practice. Additionally, knowledge of employment law, interview rights, anti-discrimination protections, and harassment policies empowers you to advocate for yourself and maintain a safe, respectful workplace. Continue to seek ongoing education in legal and professional issues, stay current with changing laws and standards, and make a professional commitment to ethical practice, accountability, and lifelong learning in order to protect your patients, your license, and your professional future.

## Test Items

### Learning Objective #1

Describe the rights and responsibilities of both the dental hygienist and the patient within the provider–patient relationship.

#### Test Item #1

Which of the following is a **responsibility of the dental hygienist** within the provider–patient relationship?

- A. Accept all requested treatment regardless of risk
- B. Maintain accurate and timely patient records
- C. Make treatment decisions for the patient
- D. Disclose another patient's health information when asked

### Learning Objective #2

Explain informed consent, malpractice, negligence, and the differences between civil and criminal law.

#### Test Item #2

Which situation BEST represents malpractice?

- A. A patient refusing recommended treatment
- B. A charting error with no patient harm
- C. A patient expressing dissatisfaction with care
- D. A provider failing to meet the standard of care, resulting in patient harm

### Learning Objective #3

Identify legal and ethical issues that affect dental hygiene practice, including intentional and unintentional torts.

#### Test Item #3

Performing a dental procedure without valid informed consent is legally classified as which intentional tort?

- A. Negligence
- B. Defamation
- C. Battery
- D. Conversion

#### **Learning Objective #4**

Summarize key federal employment and workplace safety laws relevant to dental settings.

#### **Test Item #4**

Which federal law is primarily responsible for establishing workplace safety standards, including bloodborne pathogens and PPE use?

- A. Title VII of the Civil Rights Act
- B. Americans with Disabilities Act (ADA)
- C. Age Discrimination in Employment Act (ADEA)
- D. Occupational Safety and Health Act (OSHA)

#### **Learning Objective #5**

Recognize permissible and impermissible interview questions and apply strategies for professional interview preparation.

#### **Test Item #5**

If an interviewer asks an impermissible question, what is a professional way for a dental hygienist to respond while maintaining a positive interview environment?

#### **Learning Objective #6**

Evaluate approaches to maintaining positive, ethical, and legally compliant relationships with patients, employers, and colleagues

#### **Test Item #6**

Evaluate how strong communication, ethical awareness, and knowledge of legal responsibilities contribute to long-term professional success in dental hygiene.

#### **Correct Answer Key:**

1. B
2. D
3. C
4. D

5. **If an interviewer asks an impermissible question, a dental hygienist should respond calmly and professionally by redirecting the conversation to their qualifications or ability to perform the job. For example, the hygienist could state that they prefer to keep personal information private while emphasizing their skills, experience, and availability to meet the position's requirements. This**

approach maintains professionalism, protects the applicant's rights, and helps preserve a positive interview environment.

### Acceptable Example Responses

Students might say:

- *"I prefer to keep personal information private, but I can tell you about my experience and qualifications."*
- *"I'm fully able to meet the requirements of this position and would be happy to discuss my skills."*
- *"I'm available for the hours required and excited to contribute to the practice."*
- *"I'm comfortable focusing on how my background fits this role."*

6. Strong communication, ethical awareness, and knowledge of legal responsibilities are essential for long-term professional success in dental hygiene because they help protect patients, maintain trust, and safeguard the hygienist's license. Clear communication improves patient understanding, encourages compliance, and reduces misunderstandings that could lead to complaints or legal issues. Ethical awareness ensures that decisions are made in the patient's best interest, even when faced with pressure from employers or challenging situations. Knowledge of legal responsibilities allows hygienists to practice within scope, document appropriately, and respond correctly to workplace or patient concerns, reducing the risk of disciplinary action and supporting career longevity.

