

# Re: Dental Records

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- *From:* "Clinton" <[clintonz@xxxxxxxxxxxx](mailto:clintonz@xxxxxxxxxxxx)>
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the patient is truly paying for or funding the  
creaion of the records and in addition paying for the diagnosis and  
clincal judgement."

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I couldn't disagree more.

"Well on the bill then it should have an itemization for records cost."

There is no separate "records cost" for itemization.

When you buy a loaf of bread, is there an itemization for packaging  
cost? For shelving cost? For transportation cost to ship the bread to  
the grocer?

I suppose we could argue this both ways. Actually the patient owns  
the records idea was put forth by someone else on another list. However  
in terms of food consider the following:

You go to a restuarant and request a meal. Some restuarants,  
especially buffets do not allow food to be taken from the restuarant.  
Now suppose you go to a restuarant and at the end of the evening food  
is left over and the restuarant has no policy about food leaving the  
restuarant? Who should get the food? the restuarant since they had to  
"create" the "whole meal" for the diner as a necessary step in  
providing the contracted dining experience?  
or the diner who afterall, actually paid for the leftover food.  
Similarly, when a patient leaves an office who has more right to the  
"leftover x-rays" the "cook/dentist" who created the x-rays as a  
necessary part of the dental visit, or the patient, who afterall funded  
the materials and x-ray use?

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Or think of it this way, the city contracts an artist to paint a mural.

As part of the cost the artist requests money for paints and other materials.

The artist surely would not be expected to pay for these materials himself!

When the mural is done, who should have possession of the mural? The city, obviously because they paid for it. Now who should have possession of the leftover paints, sketchbooks and other materials. The city, they paid for that too!

Should the transportation cost of the breor ad be further broken down and itemized? How about the cost of the gasoline, the oil, the cost of the driver for the bakery truck? How about the cost of the insurance for the truck owner?

If you pay for the truck as part of the delivery cost, who should get the truck after the bread is delivered? That is why I am saying, that the patient bought the films for the dentist unless the dentist never passes that cost onto the patient. So the patient should own what they buy at the conclusion of the transaction.

All a dentist does when creating a "record" is to jot down some notes, and put them together in an organized fashion for his future needs.

I am thinking more of x-rays. However a patient has an expectation that records are being created which they can access. at any rate if the patient pays for the index cards, notebook, pens etc.. guess who should own them at the end of the visit? In fact by paying for record materials, the patient is funding the creation/storage of records which satisfy a dentists legal obligations. Now if you said, I , the dentist have a legal burden to retain records as a result of treating you and therefore I will be applying some of the fee's towards that cost, or instead not crediting you for buying the records, I may agree that the paitent doesn't own the records.

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How much does it cost YOU to jot down some notes? To buy the pens, pencils and paper? The paper clips? Staples? Cover folders? The only certainty is that no number would be accurate, as it would be impossible to figure all the variables.

If I was a contractor I would buy my own pens before taking notes for an installation. However if I passed that cost on to the consumer I would gladly give them my sketches/notes.

The idea of itemization for such things is sheer folly.

"Unless the dentist pays for the film himself and the cost of using the machine (which I doubt) "

What?? UNLESS??

OF COURSE the dentist is paying for the film! What dental supply company would send the film to the dentist unless he paid for it?

That is not what i said. Is the cost of the film passed to the consumer?

And the cost of using the machine? Huge! And the dentist pays for ALL of it. I had to pay many thousands of dollars for my xray machine and the associated developing and viewing setup, not to mention the more recent computer setup to digitize the films when necessary.

So how much do you charge for x-rays? Is that free? Suppose Bill gates payed for a new specialized x-ray machine in the 3rd world addition to the films to help make a difficult oral cancer diagnosis for underprivileged patients. Should he own the x-ray machine ??? The answer is yes! The dentist doesn't get to keep it because they required the machine as part of their professional services.

The patient is ALSO "truly paying" for the dentist's daily food and shelter.

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The patient is paying for the professional services ONCE. The dentist then uses that payment for whatever they want. The patient is not paying twice for the services and the food!

The dentist performs work, and for this work, he deserves payment. That is how he makes his living.

If the patient "truly pays" for the creation of the records, then by the same reasoning, he also "truly pays" for the dentist's clothing,

No, because the clothing is bought with money that the patient paid the dentist for a service. In the case of leftover records there is no service.

Now if the dentist took money which the patient paid for diagnosis and then said, I will use this money I have earned to buy x-rays for you, I

would agree that in a monetary/ethical sense the patient would have no right to the x-rays.

Presumably, the patient works for a living, just like the dentist. I assume the patient's employer pays him for his work. Does that same patient then believe that his employer owns the patient's house and his car?

They certainly own all the records created a work, the electronic records,  
EVEN ideas and or patients the patient may create while at work!  
Do you think that an employee could say to an employer, I quit and I'm taking all the reports and records I created while I was working for you  
since they were a necessary part of my professional/creative process.  
NOOOO, they own everything, and believe me they let you know it too!