

RCDSO/PLP/CDPA - What Do the Letters Mean?

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The most recent letter from the **Royal College of Dental Surgeons of Ontario (RCDSO)** discloses some of the problems that propelled the Canadian Dental Protective Association (CDPA) into becoming a self funded, not for profit, assistance program. The actuaries and insurance experts for the **Professional Liability Program (PLP)** of the College have placed dentists on notice that they recommend PLP become self-sufficient; eventually removing the necessity of reliance on insurance companies to underwrite and fund the malpractice program. This insurance, which is mandatory and forms part of the licensing fee in this province, is an essential part of practice. As mentioned in the memo from the RCDSO, "In the United States, the size of damage awards for malpractice continues to escalate.

Here in Canada, we are starting to see larger damage awards too, making health-care professionals a less attractive customer for the insurance industry." This so called malpractice insurance is purely a vehicle to protect against civil litigation; **it is not intended to offer assistance in college regulatory matters.**

Thus the first caveat is the existence of two distinctly different types of protection. **The first is offered by the RCDSO with licensure and is mandatory (PLP).** It is malpractice insurance, to protect us against lawsuits including small claims court actions where patients are upset with our dental treatment and want to be compensated – in a phrase these claims are "Malpractice Suits".

The second, which can be obtained through membership in the Canadian Dental Protective Association is not insurance, but a Mutual Benefit Assistance Program. It is a model based on the Canadian Medical Protective Association (CMPA) an organization which provides risk management and defense services for physicians across Canada. **CDPA offers "Risk Management Advice" and protective assistance when patients first indicate that they are dissatisfied, in addition to Legal Assistance in eligible cases when the RCDS gets notified of a complaint.**

It is essential to understand the difference between this malpractice insurance which is purchased along with our

RCDSO certificates of registration and the Mutual Benefit Assistance Program of the CDPA. You really do need both to be fully protected. I have met many colleagues who have never given much thought to this difference and consequently believe that the insurance through PLP protects them against all matters dental, including college matters.

I have practiced for over 40 years, 36 years as a dental anaesthesiologist and 19 years as a prosthodontist, and have been involved in Collegial complaints personally, as part of the expert panel hired by the College and I have also acted as part of the defense. The process of complaint at the Collegial level is complex and has recently changed. CDPA works closely with the RCDSO in a preventative manner in the best interest of our members. It is through this collaborative venue that a response system has been developed to all letters of enquiry from the College.

How you respond, or worse, how you do not respond, to the College complaint, inquiry or investigation is absolutely crucial to your defense. When these kinds of annoyances occur, you of course can try and handle the problem alone, or you can contact PLP. This type of insurance is not for College matters. You may choose to contact a lawyer privately to lead you through this matter and hope that you have chosen wisely. Or better yet you can contact CDPA and speak to a specially trained Dentist Advisor, a wet fingered dentist who will begin to guide you through this quagmire world of legal hurdles

It is this first call strategy which CDPA feels is so important in quelling the fears which we all feel when confronted by this process. It may only require quiet reassurance and legal help in formalizing a letter of response. If legal advice is necessary and your case is eligible, CDPA will appoint legal counsel, chosen from a qualified and experienced list of lawyers. All approved legal fees will be paid for by CDPA. CDPA is an organization funded entirely through membership fees; a not for profit association managed by dentists for dentists. It is a unique organization and deserves your full attention.



Professional Assistance - Dentist to Dentist

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