

Policy Statement on Emergencies

Approved by the Dental Council: December 2004

Introduction

The Dental Council is charged with the responsibility under the Health Practitioners Competence Assurance (HPCA) Act 2003 to protect the health and safety of members of the public by providing for mechanisms to ensure that dental practitioners are competent and fit to practise their professions.

The Dental Council has approved the following policy on emergencies.

Legislation

Section 8 of the Health Practitioners Competence Assurance Act 2003 states that:

- (1) *Every health practitioner who practises the profession in respect of which he or she is registered must have a current practising certificate issued by the responsible authority.*
- (2) *No health practitioner may perform a health service that forms part of a scope of practice of the profession in which he or she is registered unless he or she –*
 - a) *Is permitted to perform that service by his or her scope of practice; and*
 - b) *Performs that service in accordance with any conditions stated in his or her scope of practice*
- (3) *Nothing in subsection (1) or subsection (2) applies to a health practitioner who performs health services –*
 - a) *In an emergency [emphasis added]; or*
 - b) *As part of a course of training or instruction; or*
 - c) *In the course of an examination, assessment, or competence review required or ordered by the responsible authority.*

Section 9 of the Health Practitioners Competence Assurance Act 2003 states that:

- (1) *The Governor-General may, from time to time, by Order in Council made on the recommendation of the Minister, declare an activity that constitutes or forms part of a health service to be a restricted activity. ...*
- (2) *No person may perform, or state or imply that he or she is willing to perform, an activity that, by Order in Council made under this section, is declared to be a restricted activity unless the person is a health practitioner who is permitted by his or her scope of practice to perform that activity.*
- (3) *Despite subsection (4), a person does not contravene that subsection by performing an activity –*
- (4) *In an emergency [emphasis added]; or*
- (5) *As part of a course of training or instruction and under the control of a health practitioner of the kind described in that subsection; or*
- (6) *In the course of an examination, assessment, or competence review required or ordered by the responsible authority.*

Policy

A dental emergency, as an emergency covered by sections 8(3)(a) and 9(5)(a) of the HPCA Act 2003, must be an unplanned rare emergency situation where the immediate safety or comfort of the patient is at risk, and where a registered oral health practitioner practising within their scope of practice is not present on the premises or able to attend the premises within a reasonable or

appropriate time to treat the patient. The emergency would usually fall into one or two categories:

- Management of life threatening emergencies
- Management of oral emergencies involving:
 - trauma (eg broken/extruded/intruded teeth and other injury);
 - acute infection (eg abscess threatening general health);
 - uncontrolled bleeding (usually following an extraction on the same or previous day);
 - acute pain.

Treatment should not go beyond that necessary to ensure the immediate safety or comfort of the patient and should routinely involve referral to an appropriate registered practitioner at the earliest reasonable opportunity.