GENERAL DENTAL COUNCIL

NOTICE
FOR THE GUIDANCE OF DENTISTS

NOVEMBER 1981
Carrying on the Business of Dentistry by Laymen: Responsibility of Dentists

33. By sections thirty-six to forty of the Dentists Act, 1957, it is in general illegal for an unregistered individual or for a body corporate to carry on the business of dentistry unless the business was being carried on by that individual or body corporate on 21 July, 1955. For the purpose of the Act, a person is treated as carrying on the business of dentistry if he or a partnership of which he is a member receives payment for services rendered in the course of the practice of dentistry by him or by a partner of his or by an employee of his or his partners. Accordingly, a dentist who enters into partnership with or is employed by an individual who is illegally carrying on the business of dentistry, or a dentist who becomes a director or an employee of a body corporate which is illegally carrying on the business of dentistry, is liable to disciplinary proceedings.

34. A dentist who enters into a partnership or becomes a director of a body corporate legally carrying on the business of dentistry accepts responsibility for the maintenance of a high standard of professional conduct in that business and may be required to answer to the Council for any act or omission in the conduct of that business which appears to the Council to constitute infamous or disgraceful conduct in a professional respect.

ADDENDUM TO
NOTICE FOR THE GUIDANCE OF DENTISTS

General Anaesthesia and Sedation

1. Where a general anaesthetic is administered, the Council considers that it should be by a person, other than the operator, who should remain with the patient throughout the anaesthetic procedure and until the patient’s protective reflexes have returned.

2. This second person should be a dental or medical practitioner appropriately trained and experienced in the use of anaesthetic drugs for dental purposes. As part of a programme of training in anaesthesia the general anaesthetic may be administered by a dental or medical practitioner under the direct supervision of the said second person.

3. Where intravenous or inhalational sedation techniques are to be employed a suitably experienced practitioner may assume the responsibility of sedating the patient, as well as operating, provided that as a minimum requirement a second appropriate person is present throughout. Such an appropriate person might be a suitably trained dental surgery assistant or ancillary dental worker, whose experience and training enables that person to be an efficient member of the dental team and who is capable of monitoring the clinical condition of the patient. Should the occasion arise, he or she must also be capable of assisting the dentist in case of emergency.

4. Neither general anaesthesia nor sedation should be employed unless proper equipment for their administration and adequate facilities for the resuscitation of the patient are readily available with both the operator and his staff trained in their use.

5. A dentist who carried out treatment under general anaesthesia or sedation without fulfilling these conditions would almost certainly be considered to have acted in a manner which constitutes infamous or disgraceful conduct in a professional respect.

NORMAN DAVIES
Registrar

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1Exceptions to this provision include a person or company providing dental treatment for employees without a view to profit. Special provision is also made for a widow or widower to carry on the practice of a deceased spouse.

2Simple sedation is defined in the Report of the Working Party on Training in Dental Anaesthesia (Wylie Report) as follows: "A technique in which the use of a drug or drugs produces a state of depression of the central nervous system enabling treatment to be carried out, but during which verbal contact with the patient is maintained throughout the period of sedation. The drugs and techniques used should carry a margin of safety wide enough to render unintended loss of consciousness unlikely."