# <u>Debate</u>

& OPINION

## **Charging for Missed Appointments**

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For citation purposes, the electronic version is the definitive version of this article: www.cda-adc.ca/jcda/vol-75/issue-1/33.html

n a particularly interesting article that appeared in *JCDA*, Dr. Andrew Nette listed 10 conclusions he had reached over the years that increased his enjoyment of our wonderful profession.<sup>1</sup> It is always helpful to pass along useful tips or share difficulties we may have encountered in our dental practices. This allows our peers to benefit from the lessons we have learned from our experiences.

Among the conclusions mentioned by Dr. Nette was a recommendation to charge patients for missed appointments. I believe some clarification of this point is needed to allow dentists who are using or wish to use this method of dissuasion and compensation<sup>2,3</sup> to do so appropriately. Dr. Nette rightly notes that "missed appointments are bad for staff morale as well as the bottom line."1 On the other hand, charging for missed appointments does not fully rectify the situation and can cause other problems. As the author accurately points out, "you hope for 1 of 2 desirable outcomes: the charge stings and encourages the client to act more responsibly next time, or the charge annoys them enough that they leave your practice." However, a different outcome could also be possible — the patient may be offended, refuse to pay the charge for the missed appointment (which forces the dentist to go to court to claim the amount owed)<sup>4,5</sup> and lodge a complaint. Such a complaint was brought before the College of Physicians and Surgeons of New Brunswick.6

A patient claimed that a physician had wrongly refused to continue treating her be-

cause she had failed to pay a fee for a missed appointment. She alleged that it had been impossible to contact the physician's office to let him know she couldn't attend the appointment, and mantained that she had not been informed in advance that she would have to pay such a fee.

In his defence, the physician argued that an answering machine was available after hours and asserted that he had other reasons for refusing to see the patient.

The committee responsible for reviewing the case highlighted a number of interesting points in the guidelines of the College of Physicians and Surgeons of New Brunswick.7 For example, the office policy regarding missed appointments must be clearly communicated and patients must know how to inform the office if they are unable to make their appointments. In this case, the investigation revealed that although the office did have an answering machine, it did not specifically ask patients to leave messages related to cancelled appointments. The committee also determined that is was difficult for patients to communicate with the staff or leave a message. In short, the committee concluded that the charge was inappropriate and even questioned whether the conflict over the invoice was sufficient reason to refuse to continue treating the patient, noting that "where there is an outstanding invoice, denial of care is a poor way to enforce it. Such may generate a complaint and seldom causes the bill to be paid."6

#### Some Guidelines for Consideration

To protect themselves from excessive cancellations, dentists who charge or wish to charge fees for missed appointments should proceed with caution and assess each situation carefully to avoid regrettable consequences. To this end, the following guidelines should be considered:

- Know and respect existing laws and regulations. Verify positions adopted by the regulatory authority or the provincial association and comply with them.
- Establish a clear policy for charging for missed appointments, applicable to all patients.
- Discuss fees in advance with all patients and ensure that they understand and accept this policy. Once patients have been duly informed and agree to the policy, have them sign an approval form that outlines all the required information.
- Charge a reasonable amount that reflects actual costs incurred because of missed appointments and not the amount of the intended service.
- Provide a telephone messaging service at all times that will allow patients to advise your office if they cannot make their appointments and be sure to inform patients of this service.
- Ensure that the patient did not cancel an appointment at least 24 hours in advance or that the missed appointment was not due to an unforeseen event.
- Be available to see the patient at the time of the appointment. If you were able to fit in another patient during the time slot left open by a cancellation, no fee should be charged.

These guidelines do not address all the issues surrounding this subject, particularly certain ethical questions that may arise from such a practice (including reciprocity). A debate within regulatory authorities on a clear regulation for charging for missed appointments would be desirable. The regulatory authority for psychologists in Quebec recently amended its code of ethics<sup>8</sup> to add a clause allowing for charges for missed appointments on the condition that there was an agreement in writing between the psychologist and the patient. In such cases, the psychologist may "require administrative fees for an appointment missed by the client according to predetermined and agreed-upon conditions, those fees not to exceed the amount of the lost fees."<sup>8</sup>

Moreover, it would be inappropriate to refuse to provide care due to an unpaid fee for a missed appointment. A patient's frequent failure to show up for appointments may, however, constitute justification for terminating your contractual relationship with him or her.<sup>9</sup>

In conclusion, it is not illegal to require reasonable fees for a missed appointment. However, to be in a position to levy such a charge, the dentist must adequately and clearly inform the patient of this policy and the patient must agree to these conditions.

Given that communication is the key to success in the relationship between patient and dentist, it is important to properly explain to the patient from the outset the importance of mutual cooperation. For some dentists, providing clear explanations to patients about the importance of respecting appointments may suffice, without having to resort to more radical steps such as charging for missed appointments. A "3 strikes and you're out" style of policy (where 3 missed or cancelled appointments without sufficient notice automatically leads to termination of treatment and the end of the contractual relationship between the dentist and patient) may be a suitable alternative or complementary strategy to this type of billing. However, it should be noted that certain rules must be respected before ending a contractual relationship.<sup>9</sup> Finally, those wishing to charge for missed appointments but who fear a negative reaction from patients (this practice could be seen as a way to get money from patients) might consider donating the revenues from these fees to a charitable organization. This way, while the dentist and patient both lose out because of a missed appointment, at least the money will go to a good cause. 🔶

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The views expressed are those of the author and do not necessarily reflect the opinions or official policies of the Canadian Dental Association.

This article has been peer reviewed.

#### References

1. Nette AL. I've learned a thing or two... J Can Dent Assoc 2007; 73(7):611-2.

2. Immeubles Christian Bélanger inc. c. Association de la construction du Québec, (C.A., 1998-01-22), SOQUIJ AZ-98011148, J.E. 98-308, [1998] R.J.Q. 395, REJB 1998-04452.

3. WMI-99 Holding Company (Winners Merchant Inc.) c. Immeubles WCG inc, (C.S., 2006-07-18), 2006 QCCS 3817, SOQUIJ AZ-50383711, J.E. 2006-1625, EYB 2006-107809 Requête en rejet d'appel rejetée (C.A., 2007-03-19), 500-09-016976-060, SOQUIJ AZ-50432081. Règlement hors cour (C.A., 2007-06-20), 500-09-016976-060.

4. Pagé c. Janelle, 2007 QCCQ 6615 (CanLII), 200-32-039806-053 (2007-06-15). Available : www.canlii.org.

5. *Desjardins* c. *Berryman*, 2006 QCCQ 16602 (CanLII), 500-32-092145-053 (2006-10-24). Available : www.canlii.org.

6. College of Physicians and Surgeons of New Brunswick. Bulletins; December 2003. Available: www.cpsnb.org/english/Bulletins/December%202003.html.

7. College of Physicians and Surgeons of New Brunswick. Guidelines – charging for uninsured services; 1999. Available: www.cpsnb. org/english/Guidelines/guidelines-8.html.

8. Ordre des psychologues du Québec. Code of ethics (R.S.Q.,c.C-26,a.87). 2008. Available: www.ordrepsy.qc.ca/en/protection/code\_ethics.html.

9. Code de déontologie des dentistes (R.R.Q., 1981, c. D-3, r.4) art. 3.03.03 & 3.03.04. Available: www2.publicationsduquebec.gouv.qc.ca/ dynamicSearch/telecharge.php?type=3&file=/D\_3/D3R4.htm.