



Fact sheet

October 2012

Fact sheet: Obligations of dental practitioners regarding use of title

Background

The Dental Board undertakes functions set by the *Health Practitioner Regulation National Law* (the National Law) as in force in each state and territory. The Board registers dental practitioners in Australia, and one of its key roles is to protect the public.

There are strict provisions under the National Law (sections 115, 116, 117 and 118) which apply to both registered health practitioners and all persons, that prohibit a person/practitioner from knowingly or recklessly taking or using any title that could be reasonably understood to induce a belief that the person/practitioner is registered in a health profession, a division of a health profession or is a specialist unless that person has that registration. In addition, section 133 of the National Law states that *a person must not advertise a regulated health service, or a business that provides a regulated health service, in a way that — is false, misleading or deceptive or is likely to be misleading or deceptive.*

Use of specialist titles

Unless a person is registered as a specialist health practitioner, he or she **must not knowingly or recklessly** take or use the title of “**specialist health/dental practitioner**”, whether with or without any other words; or take or use a title, name, initial, symbol, word or description that, having regard to the circumstances in which it is taken or used, indicates or could be reasonably understood to indicate that he or she is a specialist health/dental practitioner. Also, a person must not use the title ‘dental specialist’ unless the person is registered in a relevant recognised speciality.

Penalties apply to breaches of the above provisions of the National Law.

Use of title ‘Dr’

There are no provisions under the National Law that specifically prohibit a practitioner from using the title doctor. The *Guidelines for advertising of health regulated services* (the Guidelines) states that if practitioners choose to adopt the title ‘doctor’ in their advertising, and they are not a registered medical practitioner, then (whether or not they hold a Doctorate degree or PhD) they should make it clear that they do not hold registration as a medical practitioner. In addition, the National Law provides that a person/practitioner falsely taking or using any title that could be reasonably understood to induce a belief that the person/practitioner is registered in a health profession or a division of a health profession commits an offence.

The public are accustomed to the use of the title of 'doctor' in the dental context, by dentists and specialist dentists. The Dental Board holds the view that:

- the use of title of 'doctor' in advertising by other divisions of the dental practitioner register may result in issues of public misunderstanding, and
- unless a dental practitioner has a demonstrable right to use the title of 'doctor' (for example is a dentist, or specialist dentist or holds a Doctorate degree or PhD) then they must be certain that its use does not create the impression that the dental practitioner is registered as a medical practitioner or in a division of the dental practitioner register which they are not.

Summary

The Dental Board therefore recommends considerable care be taken by any person/practitioner who uses a title which could reasonably induce a belief in a member of the public that a person/practitioner is registered in a health profession or a division of a health profession, unless they have a demonstrable right to use that title. Only dental practitioners who are dentists or specialist dentists should use the title 'doctor' in advertising and a dental practitioner who proposes to use the title 'doctor' should make it clear that they are not registered as a medical practitioner or in a division of the dental practitioner register which they are not.

For more information

- Visit www.ahpra.gov.au under *Contact us* to lodge an online enquiry form
- For registration enquiries: 1300 419 495 (within Australia) +61 3 8708 9001 (overseas callers)
- For media enquiries: (03) 8708 9200