

## A Vaccination Question and the Issues it Raises

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Here's a relevant scenario to consider at this point in time.

A patient states he will only make an appointment for treatment if everyone in your office is vaccinated for COVID-19. But, you have an assistant who refuses vaccination and does not want you to reveal his or her vaccine status to the patient.

### What do you do?

Does the patient have a right to know the vaccine status of all staff members? Furthermore, is it reasonable for a patient to request only undergoing treatment from a fully vaccinated office?

If a staff member is comfortable disclosing his or her vaccine status, then this information can easily be shared with the patient. If the staff member, however, is unwilling to share the status, the scenario becomes a little more complex. In this case, you must carefully confront the situation with respect and understanding.

First and foremost, a dentist should never provide information about another's medical history without consent. This information is confidential and not up for unwarranted sharing.

But, if patients are starting to refuse treatment as a result of unvaccinated staff members, can the leading dentist require all staff to be vaccinated? According to the government, receiving vaccinations are not mandatory. It is important to note, however, that each state has different laws. Be familiar with your respective state and local laws in addition to federal rulings, including the EEO laws enforced by the Equal Employment Opportunity Commission (EEOC). Dentists must also comply with the Americans with Disability Act (ADA) and other workplace laws set in place.

Ultimately, there could be a number of reasons why an employee may refuse vaccination. These reasons may include concerns regarding safety, religious beliefs, and medical contraindications. Without overstepping boundaries, dentists should attempt to discuss the reason for staff members not wanting to receive the vaccine in a considerate manner. Only then can you better guide and point your employees to the appropriate resources to ease their concerns. Having understanding, yet informative

conversations may lead to employees changing their minds on the matter.

At the same time, to diminish any fears a patient may have, it is important to convey to the patient that all necessary steps are being taken to ensure the utmost safety at all times and during their visit. It is appropriate to let the patient know that strict infection control protocols are consistently abided by, such as hand washing, wearing appropriate PPE, and closely monitoring signs and symptoms in the office to minimize the risk of the spread of infection. By making patients aware of these strictly followed universal precautions, they can gain confidence in knowing that they will not be putting themselves at dangerous risk of contracting the virus from a staff member, vaccinated or not.

One could also educate patients that there is yet to be concrete evidence that a vaccinated person is unable to carry the virus. In other words, there is still potential that a vaccinated person could be a carrier of one of the many variants. Therefore, on the flip side, there is no guarantee that a vaccinated person would not be able to transmit the disease to someone who is not vaccinated. This only amplifies the importance of vaccination and thus more widespread protection for dentists and patients alike.

All things considered, vaccinations are highly encouraged to protect not only the person who is vaccinated, but also the public through herd immunity. Being vaccinated lowers the chance of you transmitting the disease by reducing the likelihood that you'll contract it. As a result, it protects others who have not yet had the opportunity to receive the vaccine or are unable to get the vaccine due to underlying medical conditions.

As per the American Dental Association Code of Ethics, dentists have a duty to communicate truthfully and to protect the privacy of personal medical information. While protecting members of the staff and respecting their rights, as leaders in healthcare, dentists should also strive to educate and encourage all staff members to get vaccinated by sharing useful information. But at the end of the day, patients ultimately have the right to refuse care if they are in any way uncomfortable, despite reassurances. When navigating these tricky waters, remember to be compassionate and considerate, while doing your best to promote decreased risk of infection for all.

*Please note this article is not a substitute for legal advice on this topic.*