

## **Conflicts of interest case study: Competing interests and incentives**

**Note:** While this scenario focusses on a chiropractor, it could also apply to a range of healthcare professionals who may have a direct or indirect financial interest in another business. The suggestions offered are examples, and are not an exhaustive list of all the possible solutions or courses of action.

### **The scenario**

Dr Brown is a chiropractor, who rents rooms for his clinic above a dental surgery. He and the dentists share a receptionist, who answers the phones and manages diaries. The dental surgery only takes private patients.

The dentists are very supportive of chiropractic and in fact have a special interest in headaches and recognise that Dr Brown sees patients with these sorts of problems.

One of the receptionists approaches Dr Brown with a proposition from two of the dentists. They say that if he were to refer his patients to them for procedures aimed at achieving the 'perfect smile' through a combination of tooth straightening and tooth whitening, then they would pay him a commission of 15% of their patient fee, for every referral he makes.

### **What did Dr Brown consider?**

Dr Brown considered whether it might be best to discuss this proposition with the dentists themselves as opposed to the receptionist.

Dr Brown considered whether a reasonable person would think that his judgement was influenced by putting his financial interest over those of his patient's. Dr Brown thought about whether his professional judgement could be compromised, and how he would be able to defend his actions if they were ever questioned.

### **What did Dr Brown do?**

Dr Brown realised that directing patients to dentists without being honest about this type of relationship or understanding when a referral might be appropriate, would likely be, or be perceived to be, a conflict of interest. This could damage his patients' trust in him.

Dr Brown also knew that any referral should only ever be made if clinically appropriate and in the best interests of the patient. He decided to meet with the dentists to discuss what each other did and therefore become better informed as to when appropriate referrals (in the best interests of patients) might be made, in both directions.

### **Other useful resources for you**

- Joint statement from the Chief Executives of statutory regulators of healthcare professionals
- GCC, [\*The Code\*](#), 2016
- GDC, [\*The standards for the dental team\*](#), 2013
- [\*The 7 principles of public life\*](#) (*'Nolan principles' May 1995*) – apply to anyone who works in health, education, social and care services and give guidance on transparency and declaring any interests.