

Dear v GVZ

Out of Court Settlement: 27/02/2019
Damages: £5,000
Dental Condition: Implants
Defendant Representatives: Dental Protection
Reference: lawdent.com

The Claimant, a 69 year old woman, received £5,000 in respect of the inappropriate placement and loss of an implant at UL1.

The Claimant attended the Defendant's practice on the 24th September 2015 when she saw the hygienist and it was noted that she was complaining the UL1 was mobile. The Claimant attended the Defendant on the 20th November 2015 when impressions were taken for a provisional upper partial denture to replace the UL1.

The Claimant attended the Defendant on the 11th December 2015 for extraction of the UL1 and placement of an implant.

The Claimant attended the Defendant on the 29th January 2016 for a review and it was noted that the implant abutment was mobile and there was pus present. The Claimant was advised that the implant had not integrated and there was infection present.

The Claimant returned to the Defendant's practice on the 26th February 2016 when the implant at UL1 was removed. The Claimant subsequently underwent extraction of the UR1 and a 6 unit bridge at UR3 to UL3.

Allegations of negligence: It was alleged that the Defendant:

1. Failed to use reasonable skill and care in the assessment, diagnosis and treatment planning for an implant at UL1.
2. Failed to obtain the Claimant's consent to the provision of an implant at UL1.
3. Failed to use reasonable skill and care in the technical execution of implant placement at UL1

In relation to causation, the Claimant argued that had she been properly advised then she would not have undergone the provision of an implant at the UL1 and would have avoided the pain and suffering associated with implant placement , peri-implantitis and the avoidable explanation of the implant.

Liability : No admissions made

Injuries: The Claimant suffered avoidable implant placement at UL1 and the requirement for removal.

Effects: The Claimant has suffered the pain and suffering associated with surgical placement of an implant at UL1, chronic infection and the requirement to remove the implant.

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Breakdown of General Damages: £3,000 for the avoidable placement of an implant at UL1 and the associated pain and suffering with removal of the implant (breakdown submitted by Claimant's solicitors)

Background to Special Damages: £2,000 for the cost of the implant at UL1 and associated travel (breakdown estimated by the Claimant's solicitor)

The Dental Law Partnership representing the Claimant, Dental Protection for the Defendant.

This case report was provided courtesy of Jenny Wood Solicitor with The Dental Law Partnership.

