

Diş Hekimliğinde Sağlık Hizmeti Kaynaklı Zararlar

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I. Genel Yasal Dayanaklar

Sağlık hizmetlerinin sunulmasında çalışanlara mesleki yetki veren temel yasa 1219 sayılı Tababet ve Şuabatı Sanatlarının Tarzı İcrasına Dair Kanun'dur. Bu kanun, ortak hükümlerin yanı sıra, sağlık çalışanlarını temel olarak fassallar halinde düzenlenmiştir. Diş tabipleri ile ilgili düzenlemeler, Kanunun ikinci faslında yer almıştır. Buna göre, "Diş tabibi, insan sağlığına ilişkin olarak, dişlerin, diş etlerinin ve bunlarla doğrudan bağlantılı olan ağız ve çene dokularının sağlığının korunması, hastalıklarının ve düzensizliklerinin teşhisi ve tedavisi ve rehabilite edilmesi ile ilgili her türlü mesleki faaliyeti icra etmeye yetkilidir" şeklinde tanımlanmıştır. Diş hekimliği mesleğini yapabilmek, diş pozisyonlarının anomalileri ve diş eksikliği dahil olmak üzere diş, ağız ve çene anomalilerini ve hastalıklara

rını önlemek, teşhis etmek ve tedavi etmek için tıbbi bir lisans gerektirir.

Anılan yasanın 36. maddesinde de diş hekiminin mesleğini kamu dışında serbest olarak yapabileceği "muayenehane" açılması ile ilgili kurala yer verilmiştir. Hastaların ayakta teşhis ve tedavi hizmetini özel olarak alabileceği yerler diş hekimleri tarafından açılan muayenehanelerdir. 1219 sayılı yasanın 36. maddesinde muayenehanenin açılmasının usulü bildirim esasına göre tanımlanmıştır: Bir mahalde sanatını icra etmek isteyen bir diş tabibi veya dişçi icrayı sanata başladığından itibaren azami bir hafta zarfında isim ve hüviyetini, diploma veya ruhsatname tarih ve numarasını ve muayenehane ittihaz ettiği yeri havi bir ihbarnameyi o mahallin en büyük sıhhiye memuruna vermeye mecburdur. Muayenehanenin nakli halinde en az yirmi dört saat evvel nakil keyfiyetini ihbar edecektir (1,2).

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üm) de bu uygulamalar için tartışılmıştır ancak teknik nedenlerden dolayı henüz kullanımında değildir.

Şimdiye kadar, adeziv restoratif materyalleri almak için lazerle olası bir mine koşullandırmasının bilimsel bir kanıtı yoktur. Diğer lazer türlerinin çürüklerin seçici olarak çıkarılması için uygunluğu henüz deneysel aşamadadır. Eski dolguların (amalgam, kompozitler, çimentolar) çıkarılması tehlikeli dumanlar veya buharlar üretebilir; bu nedenle, ek temel araştırma gereklidir.

Herhangi bir tedavi için lazer kullanmadan önce, diş hekimi ve personel uygun bir eğitimden geçmelidir ve güvenlik yönergelerine sıkı bir şekilde uyulması zorunludur. Tutarlı ve monokromatik lazer radyasyonunun (VBG 93) potansiyel tehlikesi nedeniyle, hasta, uygulayıcı ve personel için koruyucu önlemlere (MedGV, VBG 93) kesinlikle uyulmalıdır. Koruyucu gözlük olmadan lazer kullanmak sorumsuzluktur ve yasal sonuçları olabilir. Bazı iyimser görüşlerin aksine, lazerlerin diş hekimliğinde yaygın olarak kullanılması yakın değildir. Ancak, temel araştırma yararlı ve gereklidir (73,121).

18. Hasar Durumunda Davranış

Hasar durumunda, hasta henüz herhangi bir talepte bulunmamış olsa bile, mesleki sorumluluk gereği derhal bilgi verilmelidir. Herhangi bir olay durumunda hasta uygun bir şekilde (yardımcı huzurunda) bilgilendirilmeli ve sonuçlarını ortadan kaldırmak veya hafifletmek için gerekli tüm adımlar atılmalıdır. Bu sadece tıbbi bir görev değil, aynı zamanda sigorta sözleşmesinin zarar azaltma maddesine de tekabül etmektedir. Cerrahi girişimin olası komplikasyonları hakkında sözlü bilgilerin yanı sıra alternatif yöntemlerden de bahsedilmelidir.

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