Legal Bite Question of the Issue

Am I Now a Specialist?

By Frank Recker, DDS, JD

Q: I am a dentist practicing in Texas and recently heard about the “specialist” court decision in Texas. Can I, as a dentist who limits my practice to implant dentistry, now advertise that I am a specialist in implant dentistry?

A: The court case to which you refer was decided by the U.S. District Court in Austin, Texas on January 21, 2016. In that decision, the court concluded that it was unconstitutional for the Texas Dental Board to blindly adopt the ADA’s determinations of “specialists” for dentists in Texas. Using the ADA list of specialties made it illegal for anyone in any other area of dentistry to call themselves a “specialist.” The decision, strictly speaking, only applies to the plaintiff organizations and those dentists who hold a “Diplomate” or “Board Certified” credential from those respective certifying boards. Holding a membership credential – e.g., Associate Fellow or Fellow – isn’t sufficient.

The plaintiff organizations were the American Academy of Implant Dentistry, the American Society of Dentist Anesthesiologists, the American Academy of Oral Facial Pain, and the American Academy of Oral Medicine.