In dental practices, patient lists are clearly not public knowledge and such patient information definitely confers economic benefit on the owner of a dental practice. As long as an owner of a dental practice takes reasonable steps to maintain the privacy of his/her patients, patient information is deemed trade secrets and shall be protected accordingly.

In a dental office, patient lists are probably the most important assets. In determining whether a patient list constitutes a trade secret, courts will generally look at whether the information on the patients — such as the status of their health, the dental procedures the patients have completed and those procedures still needed, the type of insurance the patients carry, and the amount of insurance patients have — as not easily ascertained by a competitor.

Although information readily accessible through public records cannot be considered a trade secret, generally, patient lists in a dental practice constitute trade secrets and may not be used by a former associate to solicit patients.

While it is true that patient names, telephone numbers and addresses may be a matter of public record, the health records of the patients, the dental treatments they require or the patients’ general health insurance information is not accessible to the public.

This information would therefore constitute a confidential trade secret and should be protected through an employment agreement.

The owners of a dental practice should be able to prevent an associate from taking valuable assets when he/she leaves the practice. Detailed patient lists are protectable. Dentists should be familiar with non-compete and trade secret agreements, and they should have these agreements incorporated into their employment agreements.

All associates should be required to sign a non-compete and a trade secret agreement at the beginning of their employment. Without these agreements in place, patient lists are not protected and the dentist is exposed to the risk of an associate leaving the practice and taking patients with them.

The Greater New York Dental Meeting’s annual Dinner Dance took place Saturday evening, Nov. 27, at the New York Marriott Marquis Hotel. The black-tie event featured cocktails, dinner and dancing with music provided by The Ultimate Entertainment.

The leaders of FOLA (the Latin American Dental Federation) present an award to Javier Martínez de Pisón, editor-in-chief of Dental Tribune Latin America, and Torsten Oemus, publisher and chairman of Dental Tribune International, in recognition of their efforts to promote dental health in Latin American countries.

The Greater New York Children’s Program on Monday, Nov. 29, which aimed to instruct and demonstrate the importance of oral health care to local youth. (Photo/Carlo Messina, F/X Video & Photo)

New York public school children enjoy the Greater New York Smiles Children’s Program on Monday, Nov. 29, which aimed to instruct and demonstrate the importance of oral health care to local youth. (Photo/Carlo Messina, F/X Video & Photo)

Who needs Charlie? Pentron has its own set of ‘Angels’: from left, Colleen Thomas, Patricia Peckham, Adrienne Collins, Bethany Camarda and Justine Kilbride.

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Bob Gannon of SybronEndo teaches meeting attendees about endodontic files.

Henry Schein ProScore gives you the ability to repair your own handpieces. Dyan Jayjack demonstrates how.

At the Cadwell Therapeutics booth, VP of Sales Cherami Cadwell, left, prepares a ‘silent sleep’ oral appliance for Dr. Paul Gabin of Secaucus, N.J. The appliance has FDA approval for snoring and obstructive sleep apnea.

Dr. Edmond Bedrossian during his Sunday morning workshop on ‘Fabricating A Fixed Immediate Load Provisional for the Fully Edentulous Patient’ in one of the glass classrooms on the exhibit floor. This lecture was sponsored by Nobel Biocare.

You can find more images and news from the GNYDM at www.dental-tribune.com