



# Tennessee Medical Association v. Tennessee Board of Dentistry

2001 Tenn. App. LEXIS 528 (Tenn. App. 2001), 2003 Tenn. LEXIS 226 (Tenn. S.Ct.)

Topics Covered: Scope of Practice

**Outcome: Very Favorable**

## **Issue**

The issue in this case was whether maxillofacial surgeons, who were licensed as dentists but not as physicians, could perform aesthetic and reconstructive surgery beyond the teeth, gum, and jaws.

## **AMA Interest**

The AMA believes that non-physician health care practitioners should only provide patient care in accordance with their education and training and pursuant to applicable state laws.

## **Case Summary**

The Tennessee Medical Association sued the Tennessee Board of Dentistry in a scope of practice dispute. The dentistry board tried to allow maxillofacial surgeons to perform examinations and procedures that exceeded the statutory mandate of caring for “teeth...jaws or associated structures.” The board allowed dentists to perform aesthetic and reconstructive surgery on all parts of the head and neck, including on the eyelids, nose, and ears.

TMA won in the trial court, but the case was appealed. The Tennessee Court of Appeals affirmed, and the Tennessee Supreme Court declined to accept discretionary review.

## **Litigation Center Involvement**

The Litigation Center contributed toward the cost of defending the appeal.