

Dental Medical Malpractice

Maryland, DC and Virginia Dental Malpractice Attorneys, Serving Clients Nationwide

Shulman Rogers represents patients harmed by negligent dental care across Maryland, DC, Virginia, and the country. Dentists, oral surgeons, and orthodontists are held to the same legal standard of care as any other health care provider, and when that standard is not met, patients are left to deal with pain, disfigurement, and additional procedures that never should have been necessary. We handle every dental malpractice matter in-house.

We handle every case ourselves. No referrals, no outsourcing.

Dental Malpractice Is Medical Malpractice, and It Deserves the Same Level of Investigation

Many patients do not realize that a botched extraction, a missed diagnosis of oral cancer, or a nerve injury from a poorly placed implant falls under the same legal framework as malpractice by a physician. Maryland, DC, and Virginia all define “health care provider” broadly enough to include dentists, oral surgeons, orthodontists, and endodontists, which means dental malpractice claims are generally subject to the same procedural requirements, and the same standard of care analysis, as any other medical malpractice case. The specific filing requirements and deadlines differ by state, so knowing which state’s law governs the claim matters from day one.

That also means the same clock is running. From the moment you call us, we begin securing your full dental record, X-rays, and treatment notes, and we retain a qualified dental expert to evaluate whether the care you received met the accepted standard.

Why Dental Malpractice Cases Require Different Legal Experience

The standard of care is specific to the procedure. Whether the claim involves a routine filling, a root canal, an extraction, or implant placement, the standard of care is defined by what a reasonably competent dentist or oral surgeon would have done in that specific circumstance. A qualified expert in the relevant specialty is required to establish what should have happened.

Nerve damage and permanent injury cases require careful documentation. Injuries to the lingual or inferior alveolar nerve, often caused by improper extraction technique, injection placement, or implant positioning, can cause permanent numbness, chronic pain, or loss of taste. These injuries require imaging, expert review, and often long term treatment records to fully document the harm.

Missed oral cancer diagnoses have serious consequences. Dentists are often the first to see early signs of oral cancer during a routine exam. A failure to identify or refer a suspicious lesion for biopsy can allow cancer to progress into a more advanced, harder to treat stage.

Pre-suit filing requirements vary by state. In Maryland, a dental malpractice claim requires a Certificate of a Qualified Expert within 90 days of filing, and claims seeking more than \$30,000 must first go through the Health Care Alternative Dispute Resolution Office. DC and Virginia have their own expert certification and pre-suit requirements. We track and meet whichever deadlines apply, no matter where the claim is filed.

What We Do From Day One

- **Obtain the complete dental record:** Treatment notes, X-rays, imaging, and billing records from every provider involved
- **Consult a qualified dental expert:** A dentist or oral surgeon in the relevant specialty reviews whether the standard of care was met
- **Meet the jurisdiction's expert certification requirement:** In Maryland, that means the Certificate of a Qualified Expert within a 90 day window. DC and Virginia have their own equivalent requirements, and we make sure every deadline is met
- **Document the nature and extent of the injury:** Nerve damage, infection, disfigurement, or the need for corrective procedures
- **Identify every provider involved:** General dentists, oral surgeons, orthodontists, and dental staff each reviewed for their role
- **Evaluate the full cost of correction:** Additional procedures, ongoing treatment, and long term care needs

Common Types of Dental Malpractice We Handle

- Improper tooth extraction, including damage to adjacent teeth, sinus perforation, or jaw fracture
- Nerve injury from extraction, injection, or implant placement
- Anesthesia errors during dental procedures
- Failure to diagnose oral cancer or other serious oral disease
- Improperly performed root canals, leading to infection or the loss of the tooth
- Implant failures caused by improper placement or inadequate evaluation
- Orthodontic negligence causing permanent damage to teeth or the jaw
- Failure to refer a patient to an appropriate specialist when a condition is beyond the treating dentist's expertise

Injuries and Harm We Handle

- Permanent nerve damage, numbness, or chronic pain
- Disfigurement or loss of teeth that could have been prevented
- Infection requiring additional surgery
- Jaw fracture or TMJ injury
- Delayed cancer diagnosis and its consequences

The Attorneys on Your Case

Michele Bartoli Cain

Charley Rothermel

Geographic Areas We Serve

Our dental malpractice attorneys represent patients throughout Montgomery County, Prince George's County, Howard County, Frederick County, Anne Arundel County, and Baltimore in Maryland, all DC neighborhoods, and Fairfax County, Arlington, Alexandria, Loudoun County, and Prince William County in Virginia. We also evaluate dental malpractice matters in other states as needed.

Past results do not guarantee future outcomes. The information on this page is for general informational purposes only and does not constitute legal advice. Shulman Rogers is licensed to practice law in Maryland, Washington DC, and Virginia. National representation is available for select matter types.

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