

Boy Wears Braces for 11 Years, Sues Orthodontist

By ALAN FARNHAM | Good Morning America – Mon, Aug 27, 2012 7:36 PM EDT

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(Devin Bost/Facebook)

Why would an orthodontist leave braces on a kid's teeth for 11 years? That's what Devin Bost of Oregon says his orthodontist did to him, from the time he was 7 until he was 18 years old.

Bost is suing Brad Chvatal, D.M.D., for what Bost's complaint says were permanent injuries to his teeth, mouth and gums. The complaint, filed Friday in Multnomah County circuit court, seeks \$150,000 for pain and suffering, plus \$35,100, which Bost's attorney, David Hollander, said is what his client has had to pay for corrective oral surgery and related expenses.

Kids typically wear braces for only 1 to 3 years, says Dr. John F. Buzzatto, president of the American Association of Othodontists, which, according to him, is the oldest and largest dental specialty organization in the world.

Buzzatto said there can be situations where a patient might need extended treatment: A patient might have impacted teeth, say, or an over-developed lower jaw, or might move away from his orthodontist and "disappear for five or six years."

Still, for somebody to wear braces 11 years would be "extremely unusual," Buzzatto said.

"I could not think of an instance where that would be the case," he said.

Chvatal, contacted by ABC News, said that privacy rules under the Health Insurance Portability and Accountability Act and doctor-patient confidentiality prevent his discussing the details of the case, but that it was "very complicated."

He and Bost's previous orthodontist tried to give Bost "the best result we possibly could," he said.

"We had a great rapport," Chvatal said of his former patient. He said there are extenuating circumstances, and that Bost did "a lot of moving."

Hollander said Bost did move, but stayed in the area around Eugene and Cottage Grove, where Chvatal has his offices, during the entire period.

Chvatal said he has submitted all relevant medical documents to his insurer, the American Association of Orthodontists Insurance Company, whose experts found nothing outside the scope of standard care. A claims manager for the carrier said its investigation is not yet complete.

Are braces, per se, harmful if worn too long?

"Not necessarily," Buzzatto said. The problem is not so much the braces, as the increased difficulty the wearer has in trying to keep his teeth clean.

"If you don't have the best hygiene, you run the risk of decalcification of the teeth," he said.

Patients who keeps their teeth clean could wear braces as long as seven years and not suffer any harm, he said, but added, "Not that I would advocate that."

Hollander said Bost first came under Chvatal's care in 1997, when he was 7. During the entire 11 years, Bost visited Chvatal "periodically -- I can't say regularly," the lawyer said.

As a boy growing up, Bost just did what his dentist told him to do, Hollander said.

Then in 2008, according to the complaint, Bost got "an urgent phone call" from Chvatal's office saying that he needed to have the braces removed immediately.

It's not known if, on that occasion, Chvatal's office held true to custom.

"Each time a patient's braces come off, we sing and have a party," his web site says.