

## **SEXUAL MISCONDUCT** Effective on May 24, 2008

College bylaws forbid a sexual relationship between a registered practitioner and a patient. There exists an imbalance of power, authority and control in all patient/practitioner relationships. The CTCMA registrant practitioner is responsible for maintaining professional boundaries.

According to College Bylaws s. 5.18 “professional misconduct of a sexual nature” includes:

- a. sexual intercourse or other forms of physical sexual relations between the registrant and the patient,
- b. touching, of a sexual nature, of the patient by the registrant, or
- c. behavior or remarks of a sexual nature by the registrant towards the patient
- d. but does not include touching, behavior and remarks by the registrant towards the patient that are of a clinical nature appropriate to the service being provided.

### **A CTCMA registrant must:**

1. maintain a professional relationship when dealing with patients in all circumstances.
2. explain all procedures thoroughly and obtain informed consent.
3. respect the patient’s right to withdraw consent at any time.
4. respect an individual’s sensitivity to personal space, religious and cultural beliefs, values and lifestyles.
5. stop the procedure if the patient demonstrates unease and only proceed if patient consent has been re-established.
6. ensure that there is an ongoing level of understanding and the patient’s continued consent.
7. refrain from entering into a close personal relationship with a former patient unless:
  - a reasonable period of time has elapsed since the patient was discharged from treatment.
  - the practitioner is reasonably satisfied that the power differential inherent in a therapeutic relationship no longer exists.
  - the practitioner reasonably believes the patient is not dependent on him or her.

## Additional References

### [Where is the Line](#)

"*Where is the Line*" is a CTCMA publication on professional boundaries in a therapeutic relationship.

College of Health Disciplines (UBC). Division of health Care Communications at

<http://www.health-disciplines.ubc.ca/DHCC/prof/resources.htm>

Crossing the Boundaries - Committee on Physician Sexual Misconduct. College of Physicians & Surgeons of BC

For information on informed consent see the Health Care (Consent) and Care Facility (Admission) Act at [www.qp.gov.bc.ca/statreg/stat/H/96181\\_01.htm](http://www.qp.gov.bc.ca/statreg/stat/H/96181_01.htm) and the Infant's Act at [www.qp.gov.bc.ca/statreg/stat/I/96223\\_01.htm](http://www.qp.gov.bc.ca/statreg/stat/I/96223_01.htm)

