



## **A Guide on Professional Boundaries and the Prevention of Sexual Misconduct**

### **Introduction**

Professional misconduct of a sexual nature is prohibited by law under the *Canadian Rights Act* and the *BC Human Rights Act*.

As mandated under the *Health Professions Act* (HPA), the College of Denturists of BC (CDBC) is responsible to ensure the public receives denturist services that are free from professional misconduct of a sexual nature, and that patients are treated with respect.

### **Guidelines**

Professional boundaries must be established between the denturist and patient, ensuring that:

- the patient is able to provide full, free and informed consent;
- patient autonomy is maintained at all times; and
- the denturist provides objective care to every patient.

Denturists must strive to always maintain appropriate professional boundaries in their relationship with patients. Behaviours that patients might misinterpret as having sexual or inappropriate social meaning should be avoided at all times.

### **Professional Boundaries**

Setting professional boundaries is necessary to ensure that the professional relationship between the denturist and the patient are clearly defined and measures are in place to protect each party in the relationship.

Clinical judgment is required for denturists to make the best decision on determining professional boundaries. This can be difficult since professional boundaries change over time depending on the person and the situation.

A boundary crossing occurs where you permit another type of relationship or feelings toward or from a patient to interfere with your professional relationship.

It is a denturist's duty to establish, maintain and monitor the boundaries of a professional relationship, and to take action if a boundary has been crossed. If so, roles need to be re-clarified by the denturist, and treatment goals re-established.

If the professional relationship cannot be re-established, it is the duty of the denturist to ensure that the patient is not adversely affected by any interruption in denture care.

Be sure to document any boundary violation that occurs, including the action taken to re-establish the professional boundaries of the relationship.

### **What Constitutes Professional Misconduct of a Sexual Nature?**

The CDBC believes that the professional environment must protect the dignity and self-esteem of patients who seek the services of a denturist and must be free from misconduct of a sexual nature.

Professional misconduct of a sexual nature may include unwelcome sexual attention, sexual solicitation, or other sexually oriented remarks or behaviour. It may be verbal, physical, or psychological in nature. It is important to recognize that both males and females may be the subject of sexual misconduct by members of either sex.

### **Denturist-Patient Relationship**

An essential part to a denturist-patient relationship is the requirement for the denturist to obtain each patient's informed consent in relation to any treatment being offered or provided by the denturist. Informed consent refers to the process whereby the denturist and patient engage in a conversation about the proposed treatment, consequences, benefits, risks, and alternative treatment options. Informed consent must be obtained at the beginning of the denturist-patient relationship and will continue as an ongoing process throughout the professional relationship.

When in the care of a denturist, the denturist-patient relationship is built on trust. The patient trusts that the denturist is a professional and will treat them in a professional manner. Trust is maintained by avoiding and not responding to sexual advances. Exercising good professional judgement is essential in preventing violation of these boundaries.

The CDBC does not condone the following denturist-patient relations:

- romantic or sexual relationship between denturist and patient;
- romantic or sexual relationship between denturist and a former patient;
- monetary gain from patients outside of the cost of the service/care provided; and
- bartering or exchanging health care services for other goods or services with a patient.

When accepting a gift from a patient, the CDBC expects denturist's to use good judgement and to consider the following questions:

- will accepting this gift change the denturist-patient relationship;
- is the gift that is offered appropriate, including the monetary value;
- what is the patient's intent in offering the gift; and
- will the patient expect a different level of service if the gift is accepted?

## **Treating Family Members**

Family members can be defined as a dentist's spouse or partner, parent, child, sibling, grandparent, or grandchild. It may also be the immediate family of a dentist's spouse or partner. The CDBC does not have a policy prohibiting the treatment of family members, however, if a dentist chooses to treat a member of their family, the following questions should be considered before treatment:

- could the relationship impact acting in this individual's best interests;
- could treating this person be difficult because it would be too uncomfortable to ask the questions required to make a proper diagnosis;
- could this person feel uncomfortable providing truthful answers that are necessary for the diagnosis; and
- would the relationship with this person make it difficult to maintain patient confidentiality?

If the answer is 'yes' to any of the questions above, it is not advisable to proceed with treatment. If you consider treating a family member that person should be treated with a high level of professionalism as you would extend to any other patient. Proceed with caution.

## **Social Media**

There are many social media tools available for health care professionals to use, including Facebook, LinkedIn, Twitter, YouTube, and various blogging sites. These tools can be used to enhance professional networking and education, however, they also present potential risks. The CDBC expects dentists to comply with professional expectations and the code of ethics when participating on social media platforms. Dentists are required to understand some of the potential risks when using social media outlets inappropriately.

- Damage to professional image
- Breaches in patient privacy
- Violation of dentist-patient boundaries
- Licensing and/or legal issues

## **Reporting**

The CDBC considers professional misconduct of a sexual nature a serious offence. It is subject to the full range of disciplinary measures available to the CDBC, including fines and/or suspensions. Complaints concerning professional misconduct of a sexual nature will be investigated by the Inquiry Committee and any other necessary organization, such as the police and/or the Human Rights Commission.

## **Filing a Complaint**

Any complaint about a registrant of the CDBC, including one concerning professional misconduct of a sexual nature, should be forwarded, in writing, to:

**The Registrar  
College of Denturists of BC  
101 - 309 Sixth Street  
New Westminster, B.C. V3L 3A7**

All formal allegations or complaints of sexual misconduct received will be dealt with in a fair, unbiased and timely manner with due consideration for the rights and responsibilities of everyone involved.

Board Approval Date: June 23, 2017