



SPECIAL BULLETIN

TREATMENT OF SPOUSES NO LONGER ACCEPTABLE

Until recently, there has been some uncertainty whether the sexual abuse provisions in the *Health Professions Procedural Code* applied to the treatment of spouses. This issue was clarified in a recent Ontario Court of Appeal decision in which the Court confirmed that the legislation did **not** contain a spousal exemption. Therefore, based on this decision, the definition of sexual abuse includes the treatment of spouses even if there was a pre-existing spousal relationship prior to dental hygiene treatment being performed. There is no longer any room for interpretation. It is important to note that a client's consent to treatment in these cases is irrelevant; it still amounts to sexual abuse as defined in the legislation. Over the years, the College has encouraged registrants not to treat their spouses, now it is the law.

Should a mandatory report, complaint or other information be brought to the attention of the College that a dental hygienist is treating her/his spouse, this could lead to a referral to the Discipline Committee. The mandatory penalty for a finding of sexual abuse, even where the client is one's spouse, is revocation of the dental hygienist's certificate of registration for a minimum of five years.