

Professional Boundaries for Dental Hygienists in Ontario

Under the *Regulated Health Professions Act, 1991*, (RHPA), the College is mandated to develop sexual abuse prevention programs. The provisions under the RHPA make sexual abuse of clients an act of professional misconduct, require the reporting of sexual abuse by another health professional and provide funding for therapy and counselling for clients who have been sexually abused by registrants. The RHPA also provides for a mandatory penalty of revocation of a registrant's certificate of registration where a finding of sexual abuse is made based on certain acts of sexual contact.

Definition of Sexual Abuse

Section 1 of Schedule 2 to the RHPA defines sexual abuse as follows:

“(3) In this Code, “sexual abuse” of a patient by a member means,

- (a) *sexual intercourse or other forms of physical sexual relations between the member and the patient;*
- (b) *touching, of a sexual nature, of the patient by the member; or*
- (c) *behaviour or remarks of a sexual nature by the member towards the patient.*

(4) For the purposes of subsection (3), “sexual nature” does not include touching, behaviour, or remarks of a clinical nature appropriate to the service provided.”

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. 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.

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.

If you intend to date a client, the dental hygienist/client relationship must first be terminated. Arrangements should be made for another dental hygienist to treat the client. You should then wait a minimum of one year before beginning to date the client. An appropriate time depends on the circumstances of each case. Dental hygienists are strongly urged to err on the side of caution.

For the purposes of sexual abuse provisions in the Code, a person is a patient if:

- They are a person who received health care services from the registrant and payment is charged or received,
- The registrant made an entry in the person's health record,
- They provided consent to a health care service recommended by the registrant, or
- The registrant prescribed a drug for the person.

Not all these factors are needed in order for a Discipline panel to make a finding of sexual abuse and in fact, only one may be needed to make such a finding.

Foundations of a health professional/client relationship are based on the principles of trust, respect, intimacy and power. It is generally recognized that a power imbalance exists between a health professional and a client. This imbalance will vary in degree depending on the type of health professional. The practice of dental hygiene has elements of power imbalance. By demonstrating respect for, and sensitivity to personal boundaries, dental hygienists model healthy boundaries and reinforce clients' worth and right to personal autonomy.

Non-professional relationships are social relationships which may be casual, friendly, or romantic. Social relationships serve the interests of both parties and are for mutual interest and pleasure. It is unwise to combine social and professional relationships.

Boundary crossings must be kept within acceptable limits in order to maximize the benefits of care to clients. The primary concern must always be for the welfare of the client. For example, it is unwise for dental hygienists to treat their children or parents as professional judgment may be compromised due to the fact that the dental hygienist has a dual relationship with the client.

The dental hygienist is responsible for using her or his professional judgment to determine when relationships become unacceptable.

While this guideline deals primarily with romantic and sexual relationships, it is also inappropriate to cross other sorts of boundaries with clients. For example, it is generally inappropriate to enter into business dealings with clients.

(Version disponible en français)

The RHPA uses the term 'patient' as it relates to the person receiving treatment from a regulated health professional, while the College of Dental Hygienists of Ontario uses the term 'client'. Therefore, the terms 'client' and 'patient' become mutually interchangeable. A 'member' as referred to in the RHPA, and hence this document, is a 'registrant' of this College.

Updated September 2018

