

# Standards of Practice



## PROTECTING PATIENTS FROM SEXUAL ABUSE AND MISCONDUCT

1. The dental hygienist/client relationship is a professional relationship defined by legislation, the Dental Hygienists Profession Regulation and the CRDHA Code of Ethics. For the purposes of the Act to Protect Patients, 2018, and the HPA, and specific to protecting individuals from sexual misconduct and sexual abuse by a dental hygienist, a “client” (referred to as “patient” in the HPA) is defined as an individual awaiting or receiving oral health care services and/or treatment where the dental hygienist knew or ought to have known that they were providing care to the individual and satisfies any of the following conditions listed below:
  - a) The dental hygienist has charged or received payment from the individual or a third party on behalf of the individual.
  - b) The dental hygienist has contributed to a health record or file for the individual.
  - c) The individual has consented to oral health care services and/or treatment by a dental hygienist.
  - d) The dental hygienist prescribed a drug for which a prescription is needed for the client.
2. An individual will be considered a client for one year (365 days) after the last date of professional interaction between the individual and the dental hygienist.
3. The dental hygienist may not enter into a close personal relationship or sexual relationship with a former client until at least one year (365 days) has passed since the last professional interaction occurred and the professional relationship has ended, and there is minimal risk of a continuing power imbalance as a result of the professional dental hygienist/client relationship.
  - a) A power imbalance occurs when a dental hygienist is in a position of authority and has professional obligations.
  - b) In determining whether there is a risk of a continuing power imbalance, the following factors will be considered:
    - i. The number of times that the dental hygienist and the client had a professional interaction;
    - ii. The duration of the professional relationship;
    - iii. The nature of the professional interactions;
    - iv. Whether sufficient time has passed since the last professional interaction occurred;
    - v. Whether the client has confided personal information to the dental hygienist beyond that which was necessary for the purposes of receiving professional services;
    - vi. Whether the client was emotionally dependent on the dental hygienist; and
    - vii. Whether the client is particularly vulnerable as a result of factors such as age, gender identity, socioeconomic status, or as a result of a mental, intellectual, or physical disability.
  - c) It is the responsibility of the dental hygienist to maintain ethics, demonstrate respect for and sensitivity to personal boundaries, and clarify the roles and goals in the dental hygienist/client relationship.
4. For the purposes of this Practice Standard, a spouse, interdependent partner, or individual with whom the dental hygienist has a pre-existing sexual relationship that is currently ongoing will not be considered a “client.”