

Standard Area 5.0

Sexual Abuse and Sexual Misconduct



5.3 Sexual Relationships with Former Patients or Clients

Standard

A **registrant** of RCASLPNB abstains from conduct, behaviour, or remarks directed towards **former patients or clients** that constitute **sexual abuse** or **sexual misconduct**.

Indicators

To demonstrate this standard, the registrant:

- a) Must not enter into a **sexual relationship** with a former patient or client unless:
 - i) There is no ongoing power imbalance between the patient or client and the registrant.
 - ii) Sufficient time has passed since the last time services were provided, considering the nature, duration and intensity of the **professional relationship**.
 - iii) The registrant has communicated to the patient or client that they have been discharged from services thereby ending the professional relationship.
 - iv) The patient or client has consented and is capable of providing consent.

Expected Outcome

Patients or clients can expect that the audiologist or speech-language pathologist will not enter into a sexual relationship with them unless sufficient time has passed since the last professional contact and the professional relationship has ended.

Former patient or client means a person to whom one of the following apply:

- a) in the case of a single visit or professional encounter where there is no expectation of an ongoing professional relationship between the registrant and the patient or client, no service has been provided for at least 30 days.
- b) the patient or client and/or registrant has terminated the professional relationship, the termination has been acknowledged by both parties, and at least 1 year (365 days) has passed since the termination, or
- c) if neither of the above apply, there has been no service provided by the registrant to the patient or client for at least 1 year (365 days).

Patient or client refers to a recipient of the services of an audiologist or speech-language pathologist.

Professional relationship refers to the connection between a registrant and a patient, client, or colleague, established through the provision of service.

Registrant means an audiologist or a speech-language pathologist and any person whose name is entered in the temporary register or in any of the rosters established and maintained under the *Audiology and Speech-Language Pathology Act*, the bylaws and rules.

Sexual abuse of a patient or client by a registrant refers to any of the following: sexual intercourse or other forms of physical sexual relations between the registrant and the patient or client; touching, of sexual nature, of the patient or client by the registrant; or behaviour or remarks of a sexual nature by the registrant towards the patient or client.

Sexual misconduct- Any behavior engaged in, or attention given, that is sexual in nature and done without consent.

Sexual relationship means a relationship involving sexual intimacy, including communications of a sexual nature, and engaging in conduct of a sexual nature, including masturbation, genital to genital, genital to anal, oral to genital, or oral to anal contact and sexual intercourse.