



Maintaining Professional Boundaries - Sexual & Personal

Standard of Practice

A Standard of Practice is the minimum standard of professional behavior and ethical conduct expected by the College on a specific issue.

Preamble

A boundary is an accepted social, physical and/or psychological space between people. Boundaries create appropriate therapeutic distances between College Registrants and their patients, clarifying their respective roles and expectations.

All College Registrants have a fiduciary responsibility to avoid exploiting the trust and dependence of current and former patients. It is the responsibility of College Registrants to ensure that appropriate professional boundaries are always maintained.

Definitions

Patient

an individual who has formed a professional relationship with a College Registrant. Indicators include where the College Registrant has engaged in one or more of the following activities:

1. gathered clinical information for the purpose of making an assessment;
2. provided professional advice, treatment, counselling or a diagnosis for the individual;
3. authored a medical record for the individual;
4. charged or received payment for professional services to the individual;
5. prescribed a drug to the individual; or
6. provided other services which are typically associated with a professional relationship.

The College has issued a Standard of Practice which details the specific and limited circumstances in which a College Registrant may provide care to a member of their family, and/or someone with whom they are in an intimate relationship, so long as the personal relationship began before the College Registrant treated the individual. This Standard of Practice on Maintaining Personal Boundaries – Sexual & Personal is not intended to prevent a College Registrant from being able to treat family members or others close to them within the limitations set out in that Standard of Practice. College Registrant should refer to the College's Standard of Practice on [Physician Treatment of Self, Family Members or Others Close to Them](#) (as amended) for more information.

Standard of Practice

College Registrants have an obligation to act in the best interest of their patient and not allow their personal interest to conflict with their professional duties. This includes establishing and maintaining clear professional boundaries and not using their position of trust to exploit a patient. There are both sexual boundaries and personal boundaries within a professional relationship.

The College considers any violation of professional boundaries between patients and treating College Registrants as an extremely serious matter. It is the responsibility of College Registrants to ensure that appropriate professional boundaries are always maintained. It is also the responsibility of College Registrants to recognize that patient participation in boundary violations does not lessen College Registrants' responsibilities to maintain professional boundaries.

Sexual Boundary Violations

Sexual contact, behaviour, or activity of any kind is unacceptable in a relationship between a College Registrant and their patient.

College Registrants **must**:

- **not** engage in, attempt to engage in, or invite a patient to engage in, any form of sexual contact or activity.
- **not** accept any form of sexual advance made by a patient.
- **not** socialize or communicate with a patient for the purpose of pursuing an intimate relationship.
- **not** terminate a professional relationship for the purpose of pursuing an intimate relationship with the patient.
- **not** enter into an intimate relationship with a person with whom a patient has a significant interdependent relationship (examples include, but are not limited to parent/guardian of a minor patient, significant other of a patient, substitute decision maker of an incompetent patient).
- **not** make sexual comments about a patient's body, appearance, or clothing.
- **not** engage in any behaviour, gesture, expression, or comment that is sexualized, seductive, or sexually suggestive to a patient.
- **not** make comments to a patient regarding their own sexual experiences or preferences.
- **not** ask questions or make comments about a patient's sexual history, sexuality, gender identity, or performance except where it is pertinent to the medical care being provided. In circumstances where the patient may not understand why a question relating to these topics is pertinent to their medical care, the Registrant should explain the rationale for the question in advance of asking.
- show sensitivity and respect for a patient's privacy and dignity by:
 - providing privacy when a patient dresses or undresses.
 - providing a gown or drape during a physical examination or procedure if clothing needs to be removed.

- only exposing the area of the patient's body specifically related to the physical examination or procedure.
- only assisting a patient with the adjustment or removal of clothing or draping if the patient agrees or requests the College Registrant to do so.
- only examine or touch a patient's genital area, perianal area, or breasts:
 - when it is medically necessary.
 - after first obtaining the informed consent of the patient.
 - using examination techniques which are generally accepted and recognized by the medical profession.
- **not** engage in other conduct not specifically identified above but which, nonetheless, viewed from the perspective of the reasonable patient, crosses a sexual boundary and is contrary to the spirit and intention of this Standard of Practice as a whole.

Former Patients

For the purposes of sexual boundary violations, an individual remains a "patient" for a reasonable period after the date the individual ceased to be under a College Registrants' care. The College will presume that a professional relationship will persist for a minimum of **one year** from the date the patient ceased to be under the College Registrants' care. Exceptions to this presumption may include circumstances where **all** the criteria below are met:

- episodic care was provided;
- a reasonable person would not expect that care would extend beyond the episode; and
- there is a minimal risk of exploitation of any trust and dependence of the patient.

Even after the above-noted one-year period has passed, it may still be inappropriate for a College Registrant to engage in a sexualized interaction with a former patient.

Vulnerable Former Patients

Some former patients may be considered vulnerable former patients. For some, the degree of vulnerability is such that they will always be considered a vulnerable former patient. For others, their degree of vulnerability may lessen with the passage of time after the termination of the professional relationship.

The following factors must be taken into consideration when assessing whether a former patient is a vulnerable former patient:

- length and nature of the professional relationship;
- nature of the patient's health concerns;
- extent to which the patient has confided personal and sensitive information; and
- vulnerability that the patient had in the professional relationship.

A College Registrant must not engage in sexualized interactions with a patient who would reasonably be considered a vulnerable former patient.

Psychotherapeutic Relationships

A College Registrant who has had a significant psychotherapeutic relationship with a patient must not engage in sexualized interactions with that patient at any time **during or after** the relationship has ended. Significant psychotherapeutic relationships include, but are not limited to:

- a professional relationship between a psychiatrist and their patient;
- any professional relationship between a College Registrant and their patient where the College Registrant has provided therapeutic counselling or treatment to the patient for mental health issues beyond what would reasonably be expected as supportive advice or comments related to the provision of medical care to the patient.

Personal Boundary Violations

College Registrants are required to act in the best interest of their patients. College Registrants must therefore never place their own interest above those of their patients. By maintaining appropriate personal boundaries, College Registrants ensure a therapeutic professional relationship is not compromised.

College Registrants **must**:

- **not** give gifts to, or receive significant gifts from, a patient;
- **not** enter into a business relationship with a patient;
- **not** lend money to, or borrow money from, a patient;
- **not** enter into financial or legal obligations for, or on behalf of, a patient (other than obligations related to the professional services provided by a College Registrant);
- **not** solicit patients to make donations to charities or political parties;
- **not** promote their own personal, political, or religious beliefs or causes to a patient in the context of a professional relationship; or
- **not** engage in other conduct not specifically identified above but which, nonetheless, viewed from the perspective of the reasonable patient, crosses a personal boundary and is contrary to the spirit and intention of this Standard of Practice as a whole.

For the purposes of the above-noted “Personal Boundary Violations,” an individual is considered a “patient” while the individual is under a College Registrants’ care.

Exceptions

The College recognizes that living and practicing in a remote community can present unique circumstances. While avoiding every social and business interaction is not necessary, College Registrants who are in these circumstances must use their best judgment to manage relationships appropriately so that patient care is not compromised. College Registrants must be aware of the increased risk associated with managing dual relationships, including the potential for distorted professional judgment and/or unreasonable patient expectations, which can be difficult to navigate.

Duty to Report

In accordance with s. 41 of the [Medical Act, 2011](#), if a College Registrant has knowledge (from direct observation or objective evidence) that another College Registrant has committed a boundary violation, that College Registrant has an ethical and legal obligation to notify College.

Disciplinary Measures

The College maintains full discretion over what it considers a professional boundary violation and what the appropriate penalty will be for each case.

Sexual boundary violations are amongst the most severe categories of professional misconduct. When an allegation of a sexual boundary violation has been filed against a College Registrant, a third-party chaperone may be requested or required by the College for clinical encounters with patients. Where such misconduct is admitted or proven, it should be anticipated that severe penalties will be imposed, including substantial suspension from practice or, in the most serious cases, revocation of licensure and removal from the College Register.

Advice

College Registrants are encouraged to seek guidance from the Canadian Medical Protective Association or an advisor of their choice to discuss the risks associated with professional boundary violations.

References

College of Physicians and Surgeons of Nova Scotia (2025) Sexual Misconduct by Physicians

College of Physicians and Surgeons of Ontario (2024) Boundary Violations

College of Physicians and Surgeons of British Columbia (2022) Sexual Misconduct

College of Physicians and Surgeons of British Columbia (2022) Non-Sexual Boundary Violations

Canadian Medical Protective Association (2021) Good Practices Guide: Respecting Boundaries

College of Physicians and Surgeons of Manitoba (2021) Sexual Boundaries

College of Physicians and Surgeons of Saskatchewan (2020) Sexual Boundaries

College of Physicians and Surgeons of Alberta (2019) Boundary Violations: Sexual

College of Physicians and Surgeons of Alberta (2019) Boundary Violations: Personal

Document History

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