

Saskatchewan Association of Naturopathic Practitioners Policies and Procedures

Sexual Abuse – *Adopted April 5, 2009*

The goal of these guidelines is to:

- Protect the public
- Respond promptly and sensitively to a complainant while protecting the rights of the accused Naturopathic Doctor to a fair hearing
- Safeguard the privacy of the complainant and the Naturopathic Doctor
- Avoid delays; complete the investigation within a reasonable time frame
- Have as non-confrontational an investigation as possible

Sexual Abuse includes, but is not limited to:

1. Sexual intercourse or other forms of physical relations between a Naturopathic Doctor and a patient
2. Sexual touching of the patient by the Naturopathic Doctor
3. Behaviour or remarks of a sexual nature by the Naturopathic Doctor towards the patient. Examples of inappropriate behaviour include:
 - a. Sex between a Naturopathic Doctor and a patient, whether it is initiated by the patient or not
 - b. Engaging in any conduct with a patient which is sexual, or may be reasonably interpreted as sexual, including but not limited to sexual intercourse, genital to genital contact, genital to anal contact, oral to genital contact, oral to anal contact, oral to oral contact except for CPR, touching breasts or genitals except for the purpose of appropriate physical examination or treatment or where the patient has refused or withdrawn consent
 - c. Encouraging the patient to masturbate in the presence of the Naturopathic Doctor or masturbation by the Naturopathic Doctor when the patient is present
 - d. Any behaviour, gestures or expressions that are seductive or sexually demeaning to a patient
 - e. Inappropriate procedures including, but not limited to, inappropriate disrobing or draping practices that reflect a lack of respect for the patient's privacy or deliberately watching a patient dress or undress instead of providing privacy
 - f. Subjecting a patient to a genital, breast, anal or rectal examination in the presence of medical students or other parties without the consent of the patient, or when consent has been withdrawn
 - g. Examination or touching of the genitals without gloves
 - h. Inappropriate comments about or to a patient including, but not limited to, making sexual comments, or comments that could be interpreted as sexual, about a patient's body or clothing
 - i. Making sexual or sexually demeaning comments to a patient, sexual innuendo or jokes, or criticism of the patient's sexual orientation
 - j. Making comments about sexual performance during an examination or consultation, except when the examination or consultation is pertinent to the issue of sexual function or dysfunction
 - k. Requesting details of sexual history or sexual likes or dislikes, when not clinically indicated for the type of consultation, other than the normal questions associated

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- with gathering information during a history or homeopathic consultation
- l. Making a request to date
 - m. Initiation by the Naturopathic Doctor of conversation regarding the sexual problems, preferences or fantasies of the Naturopathic Doctor
 - n. Kissing

Any conduct will be considered ‘sexual in nature’ if it is inherently sexual conduct, e.g. touching the patient’s sexual organs other than when warranted or called for in the course of an examination; or it is potentially neutral contact done with a sexual motivation, e.g. patting the patient’s knee.

‘Sexual in Nature’ does not include touching, behaviour or remarks of a clinical nature appropriate to the service provided.

The penalty for infractions could include revocation of the Naturopathic Doctor’s license. Naturopathic Doctors are required to report any instances of abuse by a colleague or other health care provider. Complaints will be acted upon but the name of the complainant will be kept confidential until formal charges are laid.

To avoid unintentional transgressions, Naturopathic Doctors are required to:

- a. Have someone else in the examination room when doing examinations of the genitals, breasts or anus, unless the patient specifically requests otherwise (this might include a support person of the patient or a member of the Naturopathic Doctor’s office staff and should be handled in such a way that the privacy of the patient is protected as much as possible)
- b. Explain all procedures in detail prior to the examination, no matter how routine

Naturopathic Doctors are recommended to:

- a. Ask permission before asking questions of an intimate nature, or before touching
- b. Create a climate of open communication to reduce the power imbalance inherent in the practitioner/client relationship
- c. Encourage patients to ask questions, express any discomfort, and to take personal responsibility in making health care choices

When a professional association and a friendship exist at the same time, the Naturopathic Doctor should ensure that they are kept separate.

If a more intimate relationship is to develop, the Naturopathic Doctor is responsible for terminating the professional relationship and providing appropriate referral. After such closure, a cooling off period of at least two years must be respected before proceeding with any further relationship. However, if counseling has been a major component of the professional relationship, sexual contact is prohibited for all time.