

Maintaining Professional Boundaries



College of
Chiropractors
of Ontario

L'Ordre des
Chiropraticiens
de l'Ontario

130 Bloor St. W.
Suite 902
Toronto, Ontario
M5S 1N5

Tel.: 416-922-6355
Fax: 416-925-9610
E-mail: cco.info@cco.on.ca
www.cco.on.ca

PURPOSE

Note to Readers: In the event of any inconsistency between this document and the legislation that affects chiropractic practice, the legislation governs.

The purpose of this document is to help members maintain professional boundaries with patients by reviewing a set of scenarios and determining the most appropriate course of action. The scenarios are designed to encourage members to consider their own current patient interaction, to identify problematic areas, and to consult with a peer or other professional should any issue be identified.

MEMBERS' RESPONSIBILITIES

- Members are **NOT** required to submit the scenarios to CCO. This is for **PERSONAL** use only.
- Members are required to complete the "Declaration of Completion" form and to maintain this form in their professional portfolios.

INTRODUCTION

The core of the chiropractor-patient relationship is trust. The assumption is that a chiropractor will act, always and without exception, in the patient's best interests. This relationship must have clear boundaries, defined as mutually understood, unspoken physical and emotional limits of the professional relationship between the chiropractor and the patient¹.

In the clinical encounter, the chiropractor, always in the position of power, is responsible for a safe and healthy connection with the patient. In a chiropractor-patient relationship, the chiropractor must set and maintain professional boundaries in all circumstances. In addition, the obligation to maintain a professional boundary is ongoing.

¹ Texas Medical Association - www.texmed.org ó downloaded on March 17, 2010

BOUNDARIES

Definition of 'Boundary'

A boundary is a dividing line. In chiropractic, a boundary is the space that separates the chiropractor and the patient. It may be thought of as an unseen, invisible barrier creating separation and difference between the two parties.

Boundary Crossing and Violation

A boundary is crossed when something said or done breaches the core intent of the therapeutic encounter. This can occur any time the professional relationship becomes anything other than patient and doctor.

Uncomplicated crossings may be remedied by the chiropractor acknowledging the situation and crossing back.

A boundary crossing does not necessarily lead to a boundary violation. The distinction between a crossing and a violation is one of degree. Boundary violations are greater in degree, tend to be complicated, are intrusive, and cause harm to the patient.

Boundary crossings and violations may occur with the following:

- Excessive personal self-disclosure
- Establishing dual relationships with patients, which includes entering into a business relationship with a patient (e.g., multi-level marketing)
- Giving or receiving gifts
- Assuming patients' values are the same as their own (e.g., patients could feel pressured to support their chiropractors' causes for fear of receiving inferior care)
- Ignoring established conventions that help maintain the necessary boundary (e.g., providing care in social rather than professional settings)
- Seeing patients after regular clinic hours
- Breaching patient confidentiality
- Probing patients for inappropriate personal information
- Offering unsolicited advice regarding non-clinical issues

A crossed boundary may be difficult to repair and may lead down the slippery slope of allegations of professional misconduct against a chiropractor. The most serious boundary violations relate to sexual abuse.

According to the *Health Professions Procedural Code*, schedule 2 to the *RHPA*, "sexual abuse" of a patient by a member means:

- (a) sexual intercourse or other forms of physical 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

Safe Self-disclosure and Personalizing

While patients do not expect their chiropractor to become their friend, they do expect a welcoming office environment. The challenge for the chiropractor is to know how much personal information can be safely divulged so as not to cause confusion and anxiety with the patient. Personal information may be disclosed if it is benign. For example, disclosing that the chiropractor is a lover of classical music or is a hockey fan is considered low risk.

Other more personal information can be risky. For example, discussion of the chiropractor's personal relationships is very high risk. This type of information constitutes a boundary violation and forms the 'slippery slope' leading to inappropriate emotional intimacy, which may lead to a physical relationship.

Boundaries and 'Social Network' Websites

Maintaining professional boundaries also applies to electronic communications, specifically social network websites such as Facebook, Twitter and MySpace.

Participating in social networking activities is not prohibited. However, it is imperative that chiropractors separate their online professional presence from their social networking affiliations.

REFERENCES

CCO References

- Standard of Practice S-014: Prohibition Against a Sexual Relationship with a Patient
- Policy P-003: Principle of Zero Tolerance
- Guideline G-001: Prevention of Sexual Abuse of Patients
- Guideline G-005: Guidelines for the Office Staff of a Chiropractic Office
- *Where's my line? pamphlet*

All items (except *Where's my line?*) are posted on CCO's website ó www.cco.on.ca.

PROFESSIONAL BOUNDARIES SCENARIOS

The purpose of these scenarios is for chiropractors to reflect upon behaviour within their practices and identify situations which may involve crossing or violating a boundary. Review each scenario, select a response from the following options, and explain why you chose that response.

Response	
1	There is nothing wrong with this behaviour
2	This behaviour is permitted only in certain circumstances
3	I would not do this, but I would not criticize anyone who did
4	I do not know if this behaviour is right or wrong
5	This behaviour is wrong and the chiropractor should stop immediately
6	This behaviour is wrong and the chiropractor should be referred to the Inquiries, Complaints and Reports Committee.
7	Other [explanation required]

Scenario	Response	Explanation
1. A single chiropractor in a rural location meets one of his/her patients on a social occasion. They develop a sexual relationship, and he/she continues to provide chiropractic care.		
2. A chiropractor tells his/her patient he/she is having marital problems.		
3. A chiropractor tells his/her patient he/she is having financial problems.		
4. A patient gives his/her chiropractor an expensive bottle of wine, which the chiropractor graciously accepts		

Scenario	Response	Explanation
5. A patient gives his/her chiropractor a box of chocolates for Christmas, which the chiropractor graciously accepts.		
6. A chiropractor gives patients who present with financial hardships certain discounts		
7. A chiropractor gives professional patients discounted or free services in exchange for other professional services		
8. A chiropractor says to a patient, "I like you more than my other patients so I'm going to give you some free treatments!"		
9. A patient tells the chiropractor he/she is interested in him/her. The chiropractor informs the patient that this type of relationship is forbidden. The patient continues to engage in flirtatious behaviour. The chiropractor discharges the patient from care and refers him/her to another chiropractor.		
10. A patient tells the chiropractor he/she is interested in him/her and continuously engages in flirtatious behaviour. The chiropractor continues treating the patient and does not discourage the flirtatious behaviour.		
11. A patient attends a chiropractic office for acupuncture. Upon removing the patient's clothing, the chiropractor notices a large tattoo of a skull on the patient's back. The chiropractor says,		

Scenario	Response	Explanation
<p>What were you thinking when you had that done?</p>		
<p>12. A patient attends a chiropractic office for acupuncture. Upon removing the patient's clothing, the chiropractor notices a small butterfly tattoo on the patient's shoulder. The chiropractor comments that it is a beautiful tattoo and asks if there is any personal story behind it.</p>		
<p>13. A female patient asks her chiropractor if he can help with some handy work at her home because her husband is not capable of doing so.</p>		
<p>14. A chiropractor starts a romantic relationship. After several weeks of dating, the relationship becomes physical. The chiropractor begins to provide chiropractic care to his/her partner, who had been complaining of back pain. The chiropractor opens a file for his/her partner and bills the partner's insurance company.</p>		
<p>15. A chiropractor starts a facebook page with personal information, photos and contacts. On that same facebook page, the chiropractor begins adding patients as friends and posting clinic information</p>		
<p>16. A chiropractor posts on his/her twitter page, "had the patient from hell today!+</p>		
<p>17. A recent graduate, who is a new associate at a multi-chiropractor</p>		

Scenario	Response	Explanation
<p>office is attracted to one of the senior doctor's patients and considers contacting her. Seeing as he is not her treating chiropractor, he asks her out on a date.</p>		

GUIDING MEMBERS' BEHAVIOUR

Please review the discussion points for each scenario to identify professional boundary issues which may arise. Boundary crossings and violations may be dependent on individual patients, and it is important to remember that appropriate behaviour around one patient may be inappropriate behaviour around others.

Scenario	Discussion Points
1. A single chiropractor in a rural location meets one of his/her patients on a social occasion. They develop a sexual relationship, and he/she continues to provide chiropractic care.	<ul style="list-style-type: none"> It is strictly against the law for a chiropractor to have a concurrent sexual and doctor/patient relationship.
2. A chiropractor tells his/her patient he/she is having marital problems.	<ul style="list-style-type: none"> This behaviour is a boundary violation. It is inappropriate for a chiropractor to share personal details about his/her life with patients. It does not enhance the therapeutic encounter and may lead to further inappropriate or unlawful behavior.
3. A chiropractor tells his/her patient he/she is having financial problems.	<ul style="list-style-type: none"> This behaviour is a boundary crossing. It is inappropriate for a chiropractor to share details about his/her personal, financial situation.
4. A patient gives his/her chiropractor an expensive bottle of wine, which the chiropractor graciously accepts	<ul style="list-style-type: none"> Chiropractors should consider when receiving a personal gift from a patient whether there is any ulterior motive in giving an expensive gift
5. A patient gives his/her chiropractor a box of chocolates for Christmas, which the chiropractor graciously accepts.	<ul style="list-style-type: none"> A simple, gift that is meant for the office is appropriate to accept
6. A chiropractor gives patients who present with financial hardships certain discounts	<ul style="list-style-type: none"> It is acceptable for a chiropractor to give certain patients discounts for reasons of financial hardships when the cost of chiropractic care is seen as a barrier by the patient

<p>7. A chiropractor gives professional patients discounted or free services in exchange for other professional services</p>	<ul style="list-style-type: none"> • It may be acceptable for chiropractors to exchange their services for other services. • Chiropractors should assess each situation individually to determine if there may be a risk of a boundary crossing or violation or any tax implications.
<p>8. A chiropractor says to a patient, "I like you more than my other patients so I'm going to give you some free treatments!"</p>	<ul style="list-style-type: none"> • It is a boundary crossing for a chiropractor to give certain patients discounts based on personal preference. This could be misconstrued by the patient.
<p>9. A patient tells the chiropractor he/she is interested in him/her. The chiropractor informs the patient that this type of relationship is forbidden. The patient continues to engage in flirtatious behaviour. The chiropractor discharges the patient from care and refers him/her to another chiropractor.</p>	<ul style="list-style-type: none"> • When a chiropractor suspects that a relationship with a patient is crossing a boundary, he/she could discharge that patient and refer him/her to another health care professional.
<p>10. A patient tells the chiropractor he/she is interested in him/her and continuously engages in flirtatious behaviour. The chiropractor continues treating the patient and does not discourage the flirtatious behaviour.</p>	<ul style="list-style-type: none"> • This behaviour is a boundary crossing. Even if a chiropractor does not instigate flirtatious behaviour, he/she should not allow this behaviour to continue without addressing it.
<p>11. A patient attends a chiropractic office for acupuncture. Upon removing the patient's clothing, the chiropractor notices a large tattoo of a skull on the patient's back. The chiropractor says, "What were you thinking when you had that done?"</p>	<ul style="list-style-type: none"> • This behaviour is a boundary violation. A chiropractor should not make any inappropriate comments about a patient's appearance.

<p>12. A patient attends a chiropractic office for acupuncture. Upon removing the patient's clothing, the chiropractor notices a small butterfly tattoo on the patient's shoulder. The chiropractor comments that it is a beautiful tattoo and asks if there is any personal story behind it.</p>	<ul style="list-style-type: none"> • This behaviour may be considered a boundary crossing, but may be appropriate with certain patients. • A chiropractor should consider how different patients may react to certain personal comments before making them.
<p>13. A female patient asks her chiropractor if he can help with some handy work at her home because her husband is not capable of doing so.</p>	<ul style="list-style-type: none"> • Seeing patients after hours may constitute crossing a boundary. • A chiropractor should assess each situation individually to determine if there may be a risk of a boundary crossing or violation.
<p>14. A chiropractor starts a romantic relationship. After several weeks of dating, the relationship becomes physical. The chiropractor begins to provide chiropractic care to his/her partner, who had been complaining of back pain. The chiropractor opens a file for his/her partner and bills the partner's insurance company.</p>	<ul style="list-style-type: none"> • It is strictly against the law to have a concurrent sexual and doctor/patient relationship.
<p>15. A chiropractor starts a facebook page with personal information, photos and contacts. On that same facebook page, the chiropractor begins adding patients as friends and posting clinic information</p>	<ul style="list-style-type: none"> • Although it may be permissible for a chiropractor to utilize social networking sites for his/her practice, it is advisable that any site be separate from any personal social networking site the chiropractor may have. • Combining personal and professional aspects of social networking may constitute a boundary crossing. • Chiropractors must be wary of any privacy and confidentiality laws and obligations when using social networking sites.

<p>16. A chiropractor posts on his/her twitter page, %ad the patient from hell today!+</p>	<ul style="list-style-type: none"> • Chiropractors must not communicate any aspects of their practice through social media, such as twitter. It is unprofessional and could be seen as a breach in privacy.
<p>17. A recent graduate, who is a new associate at a multi-chiropractor office is attracted to one of the senior doctors patients and considers contacting her. Seeing as he is not her treating chiropractor, he asks her out on a date.</p>	<ul style="list-style-type: none"> • Chiropractors must not engage in any sexual or romantic relationship with someone who is or could be their patient.

DECLARATION OF COMPLETION

I _____ completed the
Name

Maintaining Professional Boundaries scenarios on: _____
Date

Signature: _____

Date: _____