

### Intent

- Protection of the public
- Respond promptly and sensitively to a complainant while protecting the rights of the accused Naturopathic Practitioner to a fair hearing
- Safeguard the privacy of the complainant and the Naturopathic Practitioner
- 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:

- Sexual intercourse or other forms of physical relations between a Naturopathic Practitioner and a patient
- Sexual touching of the patient by the Naturopathic Practitioner
- Behaviour or remarks of a sexual nature by the Naturopathic Practitioner towards the patient. This may be in person, over the phone or in writing (email, letter, texting, social media etc.)

### Examples

- Sex between a Naturopathic Practitioner and a patient, whether it is initiated by the patient or not
- 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or genitals except for the purpose of appropriate physical examination or treatment or where the patient has refused or withdrawn consent
- Encouraging the patient to masturbate in the presence of the Naturopathic Practitioner or masturbation by the Naturopathic Practitioner when the patient is present
- Any behaviour, gestures or expressions that are seductive or sexually demeaning to a patient
- 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
- Examination or touching of the genitals without gloves

-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

-Making sexual or sexually demeaning comments to a patient, sexual innuendo or jokes, or criticism of the patient's sexual orientation

-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

-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 with gathering information during a history or homeopathic consultation

-Making a request to date in person, over the phone, by text messaging, social media.

-Initiation by the Naturopathic Practitioner of conversation regarding the sexual problems, preferences or fantasies of the Naturopathic Practitioner

-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 Practitioner's registration.

Naturopathic Practitioners 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 Practitioners are required to explain all procedures in detail prior to the examination, no matter how routine.

Naturopathic Practitioners should:

- Ask permission before asking questions of an intimate nature, or before touching
- Create a climate of open communication to reduce the power imbalance inherent in the practitioner/client relationship
- Encourage clients 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 Practitioner should ensure that they are kept quite separate.

If a more intimate relationship is to develop, the Naturopathic Practitioner is responsible for terminating the professional relationship and providing appropriate referral. There should be an

interval of at least 2 years between the ending of a practitioner/patient relationship and the initiation of a personal, intimate relationship. The 2-year ban diminishes the likelihood of undue influence of the previous professional relationship. Sexual conduct between a Naturopathic Practitioner and a former patient is unethical unless it is clear that:

- a. the patient understands that the practitioner/patient relationship has ended; and
- b. the patient is capable of consenting.

Sexual or romantic relationships with former patients are inappropriate and unethical when the sexual involvement results from or appears to result from the use or exploitation of the trust, knowledge, influence, or emotions derived from the previous professional relationship.

Where the practitioner/patient relationship has, at any time, involved significant emotional counseling or psychotherapy, there is a lifelong ban on any kind of dating or sexual involvement. "Significant emotional counseling" in this context is defined as a form of treatment in which the Naturopathic Practitioner engages in counseling to a depth that increases the potential for vulnerability or dependency on the part of the patient, which subsequently may affect the patient's ability to act freely.

Naturopathic Practitioners should avoid romantic or sexual involvement with key third parties if the third party is responsible for making decisions which impact on the health and welfare of the patient.

The relationship between the Naturopathic Practitioner and patient is based on trust and it is the Naturopathic Practitioner's ethical responsibility to consider the patient's welfare as paramount and place it above their own self-interest.