

# Standards of Practice



## PROTECTING PATIENTS FROM SEXUAL ABUSE AND MISCONDUCT

1. The dental hygienist/patient relationship is a professional relationship defined by legislation, the Dental Hygienists Profession Regulation and the ACDH Code of Ethics. For the purposes of the Act to Protect Patients, 2018 and the [Health Professions Act](#), and specific to protecting individuals from sexual misconduct and sexual abuse by a dental hygienist, a “patient” is defined as an individual awaiting or receiving oral health care services and/or treatment where the dental hygienist knew or ought to have known that they were providing care to the individual and satisfies any of the following conditions listed below:
  - a) The dental hygienist has charged or received payment from the individual or a third party on behalf of the individual.
  - b) The dental hygienist has contributed to a health record or file for the individual.
  - c) The individual has consented to oral health care services and/or treatment by a dental hygienist.
  - d) The dental hygienist prescribed a drug for which a prescription is needed for the patient.
2. An individual will be considered a patient for one year (365 days) after the last date of professional interaction between the individual and the dental hygienist.
3. The dental hygienist may not enter into a close personal relationship or sexual relationship with a former patient until at least one year (365 days) has passed since the last professional interaction occurred and the professional relationship has ended, and there is minimal risk of a continuing power imbalance as a result of the professional dental hygienist/patient relationship.
  - a) A power imbalance occurs when a dental hygienist is in a position of authority and has professional obligations.
  - b) In determining whether there is a risk of a continuing power imbalance, the following factors will be considered:
    - i. The number of times that the dental hygienist and the patient had a professional interaction;
    - ii. The duration of the professional relationship;
    - iii. The nature of the professional interactions;

- iv. Whether sufficient time has passed since the last professional interaction occurred;
  - v. Whether the patient has confided personal information to the dental hygienist beyond that which was necessary for the purposes of receiving professional services;
  - vi. Whether the patient was emotionally dependent on the dental hygienist; and
  - vii. Whether the patient is particularly vulnerable as a result of factors such as age, gender identity, socioeconomic status, or as a result of a mental, intellectual, or physical disability.
- c) It is the responsibility of the dental hygienist to maintain ethics, demonstrate respect for and sensitivity to personal boundaries, and clarify the roles and goals in the dental hygienist/patient relationship.
4. For the purposes of this Standard of Practice, a spouse, adult interdependent partner, or individual with whom the dental hygienist has a pre-existing sexual relationship that is currently ongoing will not be considered a “patient”.