



***Changing Approaches to Sexual Abuse by Health Professionals – A
Best Practice Initiative in Ontario***

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Context

- Government of Ontario is committed to a zero tolerance policy on the sexual abuse of patients by any regulated health care professional.
- December 2014, *Minister's Task Force on the Prevention of Sexual Abuse of Patients and the Regulated Health Professions Act, 1991* (RHPA) established.
- June 2016, the Task Force provided final report to the Minister of Health.
- May 30, 2017, the *Protecting Patients Act, 2017* received Royal Assent.
- Technical Advisor appointed to identify regulatory best practices regarding the complaints intake, investigation and discipline of sexual abuse cases.

Recommendations of the Sexual Abuse Task Force

The report included 34 recommendations with the following themes:

1. **Empowering patients in the health regulatory system** through added supports for legal counselling, therapy, and creating a patient bill of rights.
2. **Strengthening sexual abuse provisions** in the *Regulated Health Professions Act, 1991*.
3. **Strengthening leadership and accountability** throughout the health system.
4. **Increasing transparency** via greater public disclosure of information.
5. **Streamlining the complaints, investigations and discipline** of sexual abuse matters.
6. **Enhancing knowledge and education** through changes to professional education.

Amendments to the RHPA

Measures include:

1. **Expanding the list of acts** that would result in the mandatory revocation of a regulated health professional's certificate of registration.
2. **Removing the ability of a college to impose gender-based restrictions** on a regulated health professional's certificate of registration.
3. **Establishing a minimum time period of one year** after the end of a patient-provider relationship during which sexual relations are prohibited.
4. **Increasing fines for health professionals and organizations** that fail to report an allegation of patient sexual abuse to a college.

Amendments to the RHPA

5. **Increasing the transparency** of health regulatory colleges by requiring more information to be provided on the public register.
6. **Increasing timely access to funding** for patient therapy and counselling when a complaint of patient sexual abuse is made.
7. **Establishing a threshold** for when third party records are to be produced in disciplinary proceedings for sexual abuse matters and guaranteeing standing to patients on motions to produce records that relate to them.

Ontario - Leading 'Best Practices'

- Special categorization of sexual abuse complaints/reports.
- Facilitating and supporting the survivor/patient journey.
- Identifying 'best practices' in leading jurisdictions.

In Ontario

- Mandatory Patient Relations Programs (since 1993)
 - Across all health regulatory colleges and must include:
 - measures for preventing and dealing with sexual abuse of patients, and
 - establishment of a special fund dedicated to therapy and counselling.
- Funding Eligibility:
 - 1993 to 2017 – after a ‘finding of misconduct’ was made.
 - 2017 change – from the time it is ‘alleged by a patient that sexual abuse occurred while they were a patient of a health practitioner’.

Other Identified Best Practices

- Expanded funding (within approved cap):
 - Legal advice for survivors/witnesses
 - Therapy/counselling for immediate family members
- Dedicated Sexual Abuse Complaints Intake Coordinator /Protocol Officer
- Dedicated Patient Support Personnel
- Specially trained/experienced investigators for all sexual abuse complaints

THANK YOU!