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

Presentation to University of Manchester and Professional Standards Authority Academic and  
Research Conference on Fitness to Practise

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March 9, 2018

# 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!**