Under review
What should be done

If you believe that you have been the victim of sexual misconduct by a doctor, contact the Collège des médecins du Québec, whose staff will treat you with respect and empathy.

The syndic’s office will determine whether there are grounds for an inquiry. If so, a request for an inquiry must be made in writing.

For further information on the inquiry procedure, see the brochure entitled How to present a request for an inquiry into the professional practice of a physician, which is available on the website of the Collège (www.cmq.org) or through the Inquiries Division, which can be reached at 514 933-4131, Monday to Thursday between 8:00 a.m. and 5:00 p.m., and Friday between 8:00 a.m. and 12:00 p.m.

Further information, contact:
Inquiries Division
Collège des médecins du Québec
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The consequences of sexual misconduct

The latest research has shown that the great majority of victims of sexual misconduct suffer negative effects, and that these effects can also extend to the victim’s family and loved ones.

If a doctor has behaved in a sexual manner towards you, you may be experiencing some of the following emotions:

- shame;
- disgust;
- sadness;
- anxiety or anger;
- mixed feelings about your doctor;
- guilt;
- fear of not being taken seriously;
- fear of reprisal by the doctor;
- mistrust of other doctors or professionals.

There is no reason for you to feel guilty. You are not responsible for what happened. If something like this is happening to you, the Collège des médecins can help.

Your rights as a patient

As a patient you have rights that your doctor must respect. At all times, you have the right:

- to be treated with respect, regardless of your age, sex, race, sexual orientation, or lifestyle;
- to ask questions and obtain enough information to understand your doctor’s diagnosis;
- to refuse a particular treatment, examination, or test;
- to stop consult or to consult another doctor whom you trust (for a second opinion, for example);
- to report any of your doctor’s statements or comments to anyone you choose, including other professionals;
- to expect confidentiality;
- to end the consultation, treatment, or therapy;
- to have access to your medical file, in accordance with the applicable laws or regulations;
- to have a copy of your medical file sent to another doctor or person. You may be asked to pay photocopy and mailing costs.

In any situation involving sexual misconduct, responsibility always lies with the doctor.
Do you think your doctor is acting inappropriately with you?

The Collège des médecins du Québec can help

The vast majority of doctors provide impeccable professional services. Some, however, may behave in ways that are unacceptable to patients.

All doctors practicing in Quebec, whether family physicians or specialists, must comply with rules of professional conduct known as a “Code of Ethics”. If they do not, the Collège des médecins will intervene. The mission of the Collège des médecins is not only to promote quality medical care, but also to protect the public by ensuring that every doctor practices in an professional manner.

If you believe that your doctor has acted inappropriately towards you, you should write to the Collège des médecins. We will tell you whether or not your doctor’s actions or comments are considered to be acceptable. If necessary, we will carry out an inquiry into the matter.

The doctor-patient relationship: Respecting boundaries

The doctor-patient relationship is unique. It requires from patients to trust their doctor entirely. When consulting, patients may share confidential information and authorize intimate physical contact during the examination. Doctors must not abuse this trust and must always treat their patients with respect.

The influence that doctors have over their patients does not necessarily end when the treatment does. This is especially true when psychotherapy is provided (for the treatment of depression, for example), where the patient is particularly vulnerable.

Whatever the patient’s attitude, the doctor must never take advantage of the situation. Even if the patient consents to or expresses the desire for sexual activity, the doctor must refuse. It is also unacceptable for a doctor to end treatment solely in order to engage in a sexual relationship with a patient.

In all circumstances, the doctor must abide by the Code of Ethics of Physicians.

The doctor is responsible for the professional relationship. It is therefore up to the doctor to set and stay within the limits of the doctor-patient relationship.

Red flags

Perhaps a doctor’s behaviour makes you feel uncomfortable, but you are not sure if it is sexual misconduct.

Here are a few warning signs that can help you recognize inappropriate behaviour.

− You have a feeling that your relationship with your doctor is becoming too personal. For example, your doctor:
  ■ schedules appointments with you after office hours, for no reason;
  ■ discusses his or her personal problems with you;
  ■ offers you gifts;
  ■ lends you money;
  ■ asks you not to tell anyone what he or she says or does during the consultation;
  ■ uses alcohol or drugs in his or her office and offers you some.

− You feel that something wrong or inappropriate is happening during the consultation.

  Your doctor:
  ■ kisses you;
  ■ caresses you;
  ■ makes comments of a sexual nature out of context and not as part of a medical evaluation;
  ■ asks you to sit on his or her lap;
  ■ touches you with a sexual purpose;
  ■ touches your breasts, buttocks, or genitals without medical reason;
  ■ asks you to remove more clothing than necessary for the examination;
  ■ suggests that you perform an intimate act that has nothing to do with your reason for consulting;
  ■ undresses before you or displays his or her genital organs;
  ■ has sexual relations with you during your consultation or before your treatment has ended;
  ■ has sexual relations with you after your treatment has ended, if this treatment was a medical follow-up or psychotherapy.

Any of these types of behaviours is unacceptable in a doctor-patient relationship and should be reported to the Collège des médecins.