

Inappropriate relationship with patient (09HDC01342, 24 February 2010)

General practitioner ~ Medical centre ~ Current patient ~ Former patient ~ Sexual boundaries ~ No further action

A woman complained that a general practitioner engaged in a brief intimate relationship with her (with sexual intercourse occurring once). The woman had consulted him twice for herself and six times for her daughter, the previous year. She was a patient of the medical centre where the general practitioner worked, but he was not her regular doctor.

In order to determine the appropriateness of the general practitioner's conduct, and whether it breached ethical and professional standards, it was necessary to analyse the woman's varying status as a current patient, a family member of a patient (her daughter), and a former patient.

Following disclosure of her initial attraction to the doctor, the woman stayed as a patient at the Medical Centre, but the general practitioner did not see her again as a doctor other than for her daughter's visit, when he was the emergency doctor.

There was no evidence that the general practitioner used any power imbalance, knowledge or influence obtained when treating the woman's daughter in his subsequent relationship with her mother. The limited doctor-patient relationship ended by mutual agreement after the woman expressed her feelings for the general practitioner. It did not appear to have been ended by the general practitioner for the sole purpose of starting a sexual relationship.

The general practitioner was not the woman's usual doctor. He recognised the warning signs after the woman confessed her "crush" at a consultation and appropriately consulted a colleague. He also appropriately terminated the doctor-patient relationship, although he did not formally document this.

It was held that the general practitioner's conduct in entering into a relationship with a recent patient was ethically inappropriate. As the professional, it is the doctor's responsibility to take steps to avoid any blurring of boundaries in the doctor-patient relationship. However, in light of all the circumstances, including his agreement to receive regular mentoring, it was considered that no further action was necessary.