

**Professional boundaries in relationship with client
(04HDC05983, 18 May 2005)**

*Occupational therapist ~ Mental health ~ Depressive disorder ~ Work rehabilitation
~ Professional boundaries ~ Communication ~ Correspondence ~ Personal
disclosure ~ After-hours contact ~ Documentation ~ Professional and ethical
standards ~ Right 4(2)*

A man diagnosed with a depressive disorder with panic and anxiety features attended a work rehabilitation service. His key worker, an occupational therapist, was to help him set and achieve work and education goals. The man was uncomfortable with face-to-face discussion, and so the occupational therapist suggested that they communicate by email. The service manager said that email communication between clients and staff was acceptable only with regard to discussing a computer design program that was being considered.

Over a period of a few months, the occupational therapist and her client engaged in email and internet chat-room contact out of the work setting. The correspondence was frequent and of a personal nature, and it led to a personal relationship being established. The occupational therapist continued to correspond with the man even after she became aware that a personal relationship was developing.

It was held that, by letting the relationship develop, and by continuing communication after she became aware of this, the occupational therapist breached ethical and professional standards and hence Right 4(2).

The service was not held to be vicariously liable, as the manager had set and communicated a clear policy on client–staff communication.

The Director of Proceedings laid a charge of professional misconduct with the Health Practitioners Disciplinary Tribunal. The Tribunal determined that the occupational therapist required assistance in identifying and maintaining professional boundaries, and ordered that, should she recommence practice, she must consult with a nominated professional approved by the Occupational Therapy Board, and comply with any instructions or training given on boundary identification and maintenance. The Tribunal also ordered her to contribute \$15,000 towards the costs of the hearing and prosecution.

Link to Health Practitioners Disciplinary Tribunal:

[http://www.hpdt.org.nz/portals/0/ot0897pdecpc069\(web%20version\).pdf](http://www.hpdt.org.nz/portals/0/ot0897pdecpc069(web%20version).pdf)