

January 15, 2015

Mr. John Amodeo, Director  
Health Systems Labour Relations and Regulatory Policy Branch  
Ministry of Health and Long-Term Care  
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**Subject: Operations of the Patient Relations Program**

Dear Mr. Amodeo,

As requested by Minister Hoskins in his letter dated December 17, 2014, the College of Dietitians of Ontario (the College) is pleased to respond to the request for information about the current status and operations of our Patient Relations Program.

**COLLEGE HISTORY OF SEXUAL ABUSE**

Since its inception in 1993, the College has received no complaints or reports about sexual abuse of a client. Our work to date has therefore focused on preventing sexual abuse and being prepared to handle matters related to sexual abuse through our intake, case management, screening and disciplinary functions and having funding for therapy.

**OPERATIONS OF THE COLLEGE'S PATIENT RELATIONS PROGRAM FOR PREVENTING AND DEALING WITH SEXUAL ABUSE**

Matters dealing with sexual abuse of clients are carried out through four College programs: 1) The Patient Relations Program; 2) the Practice Advisory Program, 3) the Quality Assurance Program, and 4) Standards and Compliance Program. The activities are guided and monitored by the College Patient Relations Committee.

**1. THE PATIENT RELATIONS PROGRAM/COMMITTEE**

The Patient Relations Committee ensures that processes and policies are in place for managing funding for therapy or counselling and that College staff is trained to effectively handle complaints of sexual abuse. In addition, the Committee develops communication strategies to inform the public about what to expect from the services of a dietitian and about College services such as the complaints process and the support available to clients of dietitians who have been sexually abused.

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The College of Dietitians of Ontario exists to regulate and support all Registered Dietitians in the interest of the public of Ontario.

We are dedicated to the ongoing enhancement of safe, ethical and competent nutrition services provided by Registered Dietitians in their changing practice environments.

## Excerpt from the *Patient Relations Committee Terms of Reference* (revised in 2010)

*"The Patient Relations Committee (PRC) is a statutory committee under the Regulated Health Professions Act. It develops and maintains a patient relations program as set out in the Health Professions Procedural Code of the Regulated Health Professions Act (RHPA) and promotes relations with the public and College members.*

### Functions:

- 1. Establish the desired results for the College of Dietitians of Ontario Patient Relations Program re relations with the public and college members.*
- 2. Promote, enhance and evaluate these results of the relations between College and the public, its members, other health Colleges, and key stakeholders.*
- 3. Develop the framework for the development of information programs for the public and dietitians which would include the role and function of the College and the profession of dietetics. This program would assist individuals to exercise their rights under the Health Professions Procedural Code of the RHPA concerning complaints, sexual abuse and the discipline process.*
- 4. Develop the framework for the development of education programs for Registered Dietitians which would include sexual abuse prevention and areas dealing with respectful relationship with clients, such as maintaining appropriate boundaries, cultural sensitivity.*
- 5. Define a College of Dietitians of Ontario program to deal with sexual abuse, including staff and committee training and liaison with the Inquiries, Complaints and Reports Committee for sexual abuse training.*
- 6. Consider requests for funding for therapy and counselling.*
- 7. Maintain and review college policies & procedures, and training protocol to ensure appropriate handling of sexual abuse matters at the college.*
- 8. Respond to requests for information and evaluation from Health Professions Regulatory Advisory Council.*
- 9. Formulate an annual work plan and budget for approval by Council.*
- 10. Develop and recommend regulations as directed by Council."*

[View complete Terms of Reference.](#)

## Patient Relations Committee Accountability to Council

The Patient Relations Committee is accountable to the College Council to accomplish its activities. It is required to submit an annual work plan and reports its progress to Council twice a year.

## Annual Work Planning Activity

To make sure that the College is prepared to handle complaints of a sexual nature, the Patient Relations Committee has a standing item on its annual work plan entitled: *Ensure the College is prepared to handle cases of sexual abuse by members*. This includes: a) ensuring Staff has receiving education and training; b) informing the Public of the Complaints Process; and c) being prepared to provide funding for therapy and counselling.

### a) Ensuring Staff has receiving education and training

The Patient Relations Committee makes sure that staff receive the education necessary to handle any enquiries and complaints of a sexual nature with sensitivity and respect. As a result of the committee oversight, the Registrar & ED annually reviews with staff the protocols for dealing with complaints concerning sexual abuse. Staff also participate in education sessions about sexual abuse. Some of these sessions have been conducted by invited educators, such as, *Benard & Associates* and Richard Steinecke, LLB. The staff education focuses on the importance of being compassionate but remaining neutral when listening to an enquiry or complaint. It provides information about how to receive a complaint and gives an overview of the role of the Inquiries, Complaints and Reports Committee and the Discipline Committee in handling cases of sexual abuse.

This year, following a staff education session, a new policy was created to clarify the procedure for handing complaints. The policy was reviewed by the Patient Relations Committee and reads as follows:

#### ***Administrative Policy: Receiving Complaints from the Public about RD Services: June 25, 2014***

*Any individual filing a complaint about a dietitian with the College will be treated fairly, with courtesy and sensitivity.*

#### ***PROCEDURE***

*All incoming complaints received by Staff will be referred to the Registrar & ED.*

*When the Registrar & ED is away, complaints concerning the services of a dietitian will be referred to the Acting Registrar and complaints of a sexual nature will be referred to the Communications Manager (Note, this person is also the support staff for the Patient Relations Committee and lead for the Patient Relations Program)*

*Once a complaint has been received (either in audio format or a signed document), it will be sent to the Case Manager. (Note, the college case manager is an employee of Dean Benard & Associates, a company highly experienced in investigating matters related to sexual abuse)*

## b) Informing the Public of the Complaints Process

The Patient Relations Committee is responsible for making sure the public has easy access to information about the complaints process in the event of sexual abuse of a client. It does this mainly by i) posting information about the complaints process on the College website, and also through ii) the development and oversight of a public education campaign.

### i. The Public Education Campaign

The Committee also develops and monitors the College's public education campaign which began in 2008. An object of this campaign is to inform the public about how the College works to protect the public, which includes information about the complaints process. A campaign tactic is to drive the public to the College website where people can find out how to make a complaint, including a complaint about sexual abuse. [View Video](#)

### ii. Website Information for the Public regarding the Complaints Process

The Patient Relations Program ensures that the College website contains the information the public needs to be informed about their rights as consumers and about how to make complaints, including complaints about sexual abuse. Information about complaints and funding for therapy and counselling is clearly indicated under the ["Public" navigation link](#). The specific links are provided below.

#### Making a Complaint

- <http://www.collegeofdietitians.org/Web/Public/Making-a-Complaint.aspx>
- <http://www.collegeofdietitians.org/Resources/Handling-Complaints-Reports/Handling-Complaints-Reports.aspx>

#### What Happens when you make a complaint about a Registered Dietitian?

- [http://www.collegeofdietitians.org/Resources/Complaints-Reports/Making-Complaints-Reports/What-Happens-When-You-Make-a-Complaint-\(2014\).aspx](http://www.collegeofdietitians.org/Resources/Complaints-Reports/Making-Complaints-Reports/What-Happens-When-You-Make-a-Complaint-(2014).aspx)
- <http://www.collegeofdietitians.org/Resources/Laws-Regulations-Bylaws/Regulations.aspx>

#### Funding for Counselling and Therapy of Patients (regulations & process)

- <http://www.collegeofdietitians.org/Resources/Laws-Regulations-Bylaws/Regulations.aspx>
- <http://www.collegeofdietitians.org/Web/Public/Making-a-Complaint.aspx>

### c) Prepared to provide funding for therapy and counselling

The College has a regulation that sets out the provisions for funding for therapy: [Dietetics Act, 1991, Ontario Regulation 300/02: Funding For Therapy and Counselling](#). This regulation is accessible on the College website under [regulations](#) and from Public > [Making a complaint](#).

The Patient Relations Committee manual, [Policies & Procedures for the Administration of Funding for the Therapy & Counselling Program](#), was updated in 2014 and is accessible to the public on the website. The manual is reviewed by all new members of the committee at their orientation. The content includes:

- Administration of the Fund for Therapy and Counselling
- Eligibility for Funding
- Structure of the Fund
- Administrative Procedures – Fund for Therapy and Counselling
- Documentation required from the Applicant
- Documentation required from the Therapists
- Application Forms for Funding for Therapy and Counselling

## 2. THE PRACTICE ADVISORY PROGRAM

The Practice Advisory Program supports and educates members to deliver safe, ethical and competent dietetic services. It provides one-on-one advice and creates materials for member education. Educational activities specifically address the prevention of sexual abuse by respecting professional boundaries and educating members about mandatory reporting obligations. For instance, the [College's Jurisprudence Handbook for Dietitians in Ontario](#) offers an entire chapter about how to maintain appropriate boundaries to prevent professional misconduct such as sexual abuse. The content about sexual abuse covers the statutory definition of sexual abuse, mandatory reporting obligations, and how sexual abuse can be consensual and insidious. The *Jurisprudence Handbook* is a resource for professional practice courses in university programs and with dietetic interns.

A key competency standard for entry into dietetic practice is to "Demonstrate the knowledge of legal and moral basis for respecting individual rights, dignity and the uniqueness of every client". Each year, the College professional practice advisors provide education sessions to dietetic interns throughout the province. This education covers critical areas of jurisprudence related to dietetics practice. The *Jurisprudence Handbook for Dietitians in Ontario* provides the foundation for this education. These sessions consistently include scenarios and discussions about keeping professional boundaries, the definition of sexual abuse in Ontario law and how to prevent sexual abuse of clients. This ensures that interns and new dietitians have the knowledge necessary to prevent sexual abuse in their practice.

All educational materials produced by the College are posted on the website, including all articles which have appeared in the College newsletter regarding sexual abuse. The College recently implemented a new content management system for the website. It includes a robust search engine

which makes our educational material easy to access by topic. Below is a sampling of the materials available online relating to sexual abuse:

#### Defining Sexual Abuse

- [http://www.collegeofdietitians.org/Resources/Handling-Complaints-Reports/Handling-Complaints-Reports-\(1\)/Sexual-Abuse-of-a-Client.aspx](http://www.collegeofdietitians.org/Resources/Handling-Complaints-Reports/Handling-Complaints-Reports-(1)/Sexual-Abuse-of-a-Client.aspx)
- [http://www.collegeofdietitians.org/Resources/Ethics/Sexual-Abuse/Zero-Tolerance-for-Sexual-Abuse-\(2010\).aspx](http://www.collegeofdietitians.org/Resources/Ethics/Sexual-Abuse/Zero-Tolerance-for-Sexual-Abuse-(2010).aspx)
- R. Steinecke and the College, *The Jurisprudence Handbook for Dietitians* (online), Chapter 10, Boundary Issues: <http://www.collegeofdietitians.org/Resources/Ethics/Boundary-Crossings/Boundary-Issues-Jurisprudence-Handbook-Chapter-10.aspx>

#### Professionalism and Maintaining Professional Boundaries to Prevent Sexual Abuse

- <http://www.collegeofdietitians.org/Web/Members/Professional-Standards-Guidelines.aspx>
- <http://www.collegeofdietitians.org/Resources/Ethics/Boundary-Crossings/Crossing-Boundaries-Ten-Cases-and-Ten-Misconception.aspx>

#### Mandatory Reporting of Sexual Abuse and Consent

- <http://www.collegeofdietitians.org/Resources/Reporting-Obligations/Mandatory-Reporting/Mandatory-reports-new-requirements.aspx>
- <http://www.collegeofdietitians.org/Resources/Complaints-Reports/Handling-Complaints-Reports/Writing-a-Mandatory-Report.aspx>
- [http://www.collegeofdietitians.org/Resources/Complaints-Reports/Handling-Complaints-Reports/What-Happens-When-You-Make-a-Report-\(2014\).aspx](http://www.collegeofdietitians.org/Resources/Complaints-Reports/Handling-Complaints-Reports/What-Happens-When-You-Make-a-Report-(2014).aspx)
- [http://www.collegeofdietitians.org/Resources/Handling-Complaints-Reports/Handling-Complaints-Reports-\(1\)/Mandatory-Reporting.aspx](http://www.collegeofdietitians.org/Resources/Handling-Complaints-Reports/Handling-Complaints-Reports-(1)/Mandatory-Reporting.aspx)
- [http://www.collegeofdietitians.org/Resources/Handling-Complaints-Reports/Handling-Complaints-Reports-\(1\)/Sexual-Abuse-of-a-Client.aspx](http://www.collegeofdietitians.org/Resources/Handling-Complaints-Reports/Handling-Complaints-Reports-(1)/Sexual-Abuse-of-a-Client.aspx)

### 3. THE QUALITY ASSURANCE PROGRAM AND JURISPRUDENCE KNOWLEDGE ABOUT BOUNDARIES AND SEXUAL ABUSE

The Quality Assurance Program assesses and supports members to enhance competence to practice dietetics as they advance through their practice careers. One assessment tool is *Jurisprudence Knowledge and Assessment Tool (JKAT)* which must be completed in a dietitian's first year of practice and every five years thereafter. The purpose of the tool is to support development of knowledge related to the laws and regulations that govern dietetic practice. It also assesses this knowledge and the ability to apply it to various practice situations. There are three versions of the JKAT: Management, Private Practice and Clinical Practice. Each version has 70 questions with 16 questions on boundary issues including 4 about sexual abuse.

The JKAT ensures that RDs regularly review the laws, regulations and professional ethics that apply to their practice.

#### 4. Standards & Compliance Program

As indicated above, the College has not received a complaint or report dealing with sexual abuse of a client. The College did handle one matter involving a boundary violation where a Registered Dietitian discharged a client before the beginning of a romantic relationship with him. This matter was investigated, screened by Inquiries, Complaints and Reports Committee (ICRC) and was the subject of a disciplinary hearing resulting in a finding and penalty of suspension and mandatory education. A summary of the decision was posted on the Register of Dietitians and published in the College newsletter.

The College is mindful of the sensitivity required to handle cases of sexual abuse and the challenge to have in-house expertise to handle matters related to sexual abuse of clients. Our aim is to provide in-time education and training to support College personnel. The College's practice is to access education on a timely basis to prepare ICRC and Discipline Panel members to effectively carry out their role in the public interest. ICRC members have received education in handling matters related to boundary issues and sexual abuse of clients. It is also our practice to employ external experts to do the College case management, investigation, and provide legal support. This means that, in the event that a complaint of sexual abuse should be received, we will continue to hire experts such as Benard & Associates (investigation, mediation, policy design and education in area of work place abuse for many regulatory agencies and government) and the firm of Steinecke Maciura LeBlanc to support College committees and staff in handling the matters related to sexual abuse of clients.

The College of Dietitians of Ontario is committed to using our governing legislation, the *Regulated Health Professions Act*, to protect the public and agree with the policy of zero tolerance. We take actions above and beyond the legislative requirements to ensure that the College is doing all within reason to serve the public interest and earn the public's trust.

For your information, the Minister's letter and this response will be published on the College website.

Sincerely,



Mary Lou Gignac  
Registrar & Executive Director

c.c. CDO Councillors  
Patient Relations Committee