

Doctor Learns Why Not to Date a Patient

Some doctors don't necessarily see anything wrong with dating a patient. They may live in communities where everyone runs in the same social circles. Others think who they date is a private matter as long as it's between consenting adults. The following case study, written by Bruce Hodges, D.C., is about a real doctor who crossed the line.

James Unknown, DC,* a married 38-year-old with two children, had a very busy, growing practice. He was active in the community, involved with his church, and held in high esteem by his patients and peers. One morning all that changed...

Dr. Unknown received a letter from the Attorney General's office requiring his appearance before the state's board of chiropractic examiners. Four women were charging him with sexual misconduct. In addition, Dr. Unknown received notice of a separate court action that the women were seeking substantial financial settlements. Dr. Unknown reacted with disbelief, anger, and fear.

What Led up to This?

Five years earlier, Dr. Unknown became sexually intimate with an office employee who was also a patient. Both the doctor and the employee were in unhappy marriages, and their liaison was consensual. The relationship ended amicably after six months, and the employee/patient left Dr. Unknown's employment to open an office as a massage therapist. After the affair ended, she continued to send her children to receive care from Dr. Unknown.

Dr. Unknown subsequently became sexually involved with two other patients. Both relationships were consensual and ended on friendly terms. In fact, one of the women was hired to work in Dr. Unknown's office.

Then, three years after the last relationship ended, Dr. Unknown received the notice requiring his appearance before the state's Board of Examiners. During this three-year period, Dr. Unknown and his wife worked to significantly improve the quality of their marriage.

Why were the allegations filed so long after Dr. Unknown's last relationship ended? Apparently, one of the women went to a massage therapist for treatment, and Dr. Unknown's name came up. Initially, both women talked about what a fine doctor and person Dr. Unknown was. However, as the conversation continued, the women discovered that they both had slept with Dr. Unknown. Later, the women found out about a third woman with whom the D.C. was involved in a sexual relationship. Further complicating the issue, a fourth woman claimed that Dr. Unknown had a sexual relationship with her—a claim that Dr. Unknown vehemently denied. The women decided to take action.

What Happened During the Hearing?

During a hearing that took four sessions before the chiropractic board of examiners, Dr. Unknown was found guilty of four counts of sexual misconduct, and his license was suspended for two years. At the end of two years, he could apply for reactivation of his chiropractic license if he:

- Performed 50 hours of community service per year
- Received professional counseling on patient boundaries
- Had his office supervised by a former Board member who would provide semi-annual reports to the Board, verifying Dr. Unknown's completion of the requirements.

In addition, as a result of a civil action brought by the four women, Dr. Unknown had to pay each claimant an out of court monetary settlement.

The resulting publicity severely affected Dr. Unknown's family and his practice. A divorce ensued; **the doctor's professional reputation was damaged; and his patient flow diminished.**(Dr. Unknown had to hire a new graduate to keep his practice open during the suspension.)

Two years and three months later, after complying with all of the Board's requirements, Dr. Unknown's license was reinstated. However, Dr. Unknown was required to remove the doors to his office, have a female on staff observe all of his treatments with female patients, and make other changes to his office policies before he could practice again.

Dr. Unknown returned to his practice with the associate doctor who is now his partner. Ultimately, the practice was able to prosper again, but only after Dr. Unknown learned a costly lesson and paid an enormous personal, financial, and professional price.

What Can We Learn?

The most important point is to never become involved with a patient or employee. If a sexual relationship is inevitable, the patient or employee can no longer remain your patient or employee. The person must be referred to another doctor for care or dismissed as an employee. (Note: Some states never permit a doctor to date a former patient—no matter how much time has elapsed.)

Claiming the relationship was consensual is not a viable defense. There is an inherent imbalance of power in a doctor-patient relationship, not to mention in an employer-employee relationship. It's the doctor's responsibility to look out for the patient's best interest. Doctors are held to higher professional and ethical standards than the rest of society.

Due to the caring nature of our profession, doctors sometimes become involved in the personal problems of patients and employees rather than keeping these relationships on a professional level. This scenario can lead to inappropriate involvement with a patient or employee. Also, doctors who disclose personal problems and other personal information to patients risk descending down a "slippery slope" of improper behavior, which can ultimately lead to sexual involvement with a patient.

Doctors who engage in a sexual relationship with a patient often make the mistake of thinking the relationship is "special," and the individual would never turn on them. This assumption has proven false time and time again—with catastrophic results for the doctor.

In the final analysis, if you're tempted to enter a sexual relationship with a patient or employee, consider all the potential consequences and ask yourself: Is it worth it?

* The doctor's name has been changed to protect his identity. Any use of real names is purely unintentional.