

# GP's dishonesty about relationship with patient leads tribunal to increase penalty from suspension to deregistration



## Key messages from the case

It is never acceptable to have a sexual relationship with a current patient, even if the relationship is consensual. Boundary violations will be seen as particularly egregious where the patients are vulnerable and where doctors are seen to cause further harm by attempting to deny or conceal the relationship.

## Details of the decision

### Boundary violation with current patient

Ms P had been Dr B's patient for over ten years. She was being treated for a number of issues including depression. She began to talk to Dr B about difficulties in her marriage and the efforts that she and her husband were making to restore sexual intimacy in their relationship.

Dr B and Ms P commenced a consensual sexual relationship that continued for 18 months, while the doctor-patient relationship was ongoing.

When Ms P made a complaint, Dr B immediately admitted to the relationship and acknowledged its inappropriateness. He accepted that Ms P was vulnerable, and that the relationship had harmed her mental health.

### False and misleading statements

The initial hearing was conducted on the basis that Dr B had acknowledged the misconduct, shown insight and co-operated with the hearing. He had attended counselling and his counsellor had expressed the opinion that Dr B did not represent any continuing danger to the public and was most unlikely to reoffend.

During the hearing, the patient contacted Ahpra and advised the relationship was ongoing. She was admitted to hospital and placed on an involuntary treatment order.

Dr B denied any ongoing personal relationship, despite evidence of 450 phone calls, many of which were initiated by him, multiple personal emails, and meetings between them. He also denied having knowingly misled his counsellor or having knowingly provided inaccurate information to the Board.

The tribunal concluded that Dr B 'showed an extraordinary lack of insight' about the importance of maintaining professional boundaries. He had clearly misled the Board.

### Outcome

The original sanction had been a 15-month suspension and chaperone conditions.

However, following the new information, the tribunal agreed with the Medical Board that Dr B "did not exhibit the requisite characteristics of frankness and honesty to be considered a fit and proper person to practise medicine."

Dr B's registration was cancelled, and he was disqualified from applying for 4 years.

## Key lessons

It is never acceptable to have a sexual relationship with a current patient.

Be alert to signs that boundaries are blurring – for example social invitations, disclosures of intimate details not relevant to clinical care, phone calls, emails or requests for personal contact via social media.

If you do find yourself in a situation where boundaries have blurred, seek professional medico-legal advice immediately.

If you are the subject of complaints or questions about your behaviour, always act with integrity and never attempt to conceal a breach or deceive regulatory authorities. If you have any concerns, contact Avant.

## References and further reading

Avant factsheet – [Boundary issues](#)

Medical Board of Australia Guidelines – [Sexual boundaries in the doctor-patient relationship](#)

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