



COLLEGE OF  
DENTURISTS  
OF ONTARIO

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## Important Announcement

regarding the Spousal Exception to the Sexual Abuse Provisions  
of the *Regulated Health Professions Act (1991)*

**In accordance with the terms of the regulation that came into force on October 21, 2021,  
Registered Denturists are now permitted to treat their spouses.**

Dear Members and Stakeholders,

The College of Denturists of Ontario is committed to eradicating the sexual abuse of patients by its members. Sexual abuse is defined in the *Health Professions Procedural Code* (the Code) as the following:

1. Sexual intercourse or other forms of physical sexual relations between the member and the patient
2. Touching, of a sexual nature, of the patient by the member
3. Behaviour or remarks of a sexual nature by the member towards the patient.

The College supports the zero-tolerance approach taken by the Ministry and the courts as it communicates the respect and duties that regulated health professionals owe their patients. It is important to note that the *Health Professions Procedural Code* was recently amended and, for the purposes of sexual abuse, a patient remains a "patient" for one year after the last date of treatment. This emphasizes the practitioner and patient divide and the need to always ensure the interest of the patient is placed at the forefront.

As noted by the definition of sexual abuse, if a spouse became a patient of a denturist, the denturist would be engaging in sexual abuse. Please note that spouse is defined in the *Health Professions Procedural Code* as the following:

1. Either of two person who are married to each other or have together entered into a marriage that is voidable or void, in good faith on the part of a person relying on this clause to assert any right or
2. A person who has lived with the member in a conjugal relationship outside of marriage continuously for a period of not less than three years

In 2014, the Council of the College discussed whether it would be prudent to allow denturists to treat their spouses. The Council determined that it would be acceptable and that it would not be contrary to the public interest. Further, it would not dilute the College's commitment to eradicating sexual abuse of patients by denturists. Therefore, in 2014, the College submitted a regulation to the Ministry to permit denturists to treat their spouses without engaging in sexual abuse (namely touching or behaviour or remarks of a sexual nature).

The College has been advised that the regulation was approved and came into force on October 21, 2021. A copy of the regulation will be available on e-laws in the near future but there is a delay between the filing of the regulation and its posting on the e-laws website.

This regulation means that denturists are now permitted to treat their spouses in accordance with the terms of the regulation. The College reminds denturists that when their spouses become their patients, they are expected to adhere to the Standards and expectations of the College and act professionally in all regards. Note that the regulation states that when treating their spouse, the denturist must not engage in any sexual touching or behaviour or remarks. Failing to adhere to this regulation could amount to a denturist being prosecuted for sexual abuse.

This regulation should not be interpreted by denturists (or the public) as a blanket exemption from a finding of sexual abuse when treating a spouse. Rather, it is method to permit denturists to provide denturism services to their spouse in a professional manner. It is also important that the definition of spouse is precise. If a patient does not fall within the statutory definition of spouse, a denturist can be prosecuted for sexual abuse.

The College welcomes any questions or comments on the regulation.

Sincerely,



Dr. Glenn Pettifer  
Registrar and CEO

## Questions?

If you have any questions, please contact the College at [info@denturists-cdo.com](mailto:info@denturists-cdo.com).



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