



Abuse of a Patient

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These statements were made by patients in their complaints against the physician:

"...from the first I felt extremely uncomfortable with (the doctor's) peculiar attention to my physical details unrelated to my arm injury. One of the first statements by (the doctor) upon meeting me was that I was very beautiful for my age, and that it was fortunate that there was another person present because he wouldn't dare to be alone with me."

"During the examination of my body for moles (in which a male tech was in the room) (the doctor) did not ask me to remove my gown so they could check for moles on my chest and breasts. (The doctor) did not warn me either; did not ask my permission. Instead (the doctor) grabbed the collar of the gown around my neck and ripped it hard ... out and down (aggressively) - exposing my breasts (in front of the male tech) – (the doctor) exposed much more than (the doctor) needed to or should have and left it that way for a period of time. I have never had a doctor do this before."

You may think that while these statements are inappropriate, they would not rise to the level of unprofessional conduct – but that is incorrect. Washington state has a rule regarding "abuse of a patient," a situation that you probably think means something completely different than the actual rule language, so it is important for you to read and understand exactly what the rule says. The rule is:

WAC 246-919-640, Abuse.

(1) A physician commits unprofessional conduct if the physician abuses a patient. A physician abuses a patient when he or she:

- (a) *Makes statements regarding the patient's body, appearance, sexual history, or sexual orientation that have no legitimate medical or therapeutic purpose;*
- (b) *Removes a patient's clothing or gown without consent;*
- (c) *Fails to treat an unconscious or deceased patient's body or property respectfully;* or
- (d) *Engages in any conduct, whether verbal or physical, which unreasonably demeans, humiliates, embarrasses, threatens, or harms a patient.*

(2) A violation of any provision of this rule shall constitute grounds for disciplinary action.

Please note that to violate this rule, a practitioner need only make a statement regarding the patient's body, appearance, sexual history or orientation that has no medical or therapeutic purpose. The WMC receives complaints regarding statement made by practitioners to patients almost weekly, so it is a very common complaint and one that we take very seriously. Please think before you say something to a patient and if you are going to move their gown or their clothing, please let them know what you will be doing and why.

Please familiarize yourself with this rule to make sure that you understand the ramifications of your statements as well as your actions.