

Professional boundaries

MPS



Putting members **first**

Advice correct as of October 2013

The doctor–patient relationship is based on trust. It is important not to do anything that may damage this. The Malaysian Medical Council’s (MMC) *Duties of a Doctor* states that you should conduct yourself with professionalism and self-regulation, within accepted moral, legal and ethical norms.

Keep all relationships professional

The MMC’s *Code of Professional Conduct* states: “A practitioner must not enter into an emotional or sexual relationship with a patient (or with a member of a patient’s family) which disrupts that patient’s family life or otherwise damages, or causes distress to, the patient or his or her family.” You should discourage any attempt by a patient to become personally and privately involved with you.

Doctors, especially psychiatrists, can be vulnerable to allegations of impropriety in the following situations:

- When treating women with a history of sexual abuse as children
- During prolonged therapy
- During repeated counselling sessions
- When treating vulnerable patients.

Communicating with patients

You should cultivate a friendly and amicable relationship to give the patient confidence and trust in their doctor, avoiding being business like. A few casual questions can help establish a friendly atmosphere, eg, “Where are you working?” or “Have you been waiting long?”

The MMC states that a doctor should:

- Be attentive and a good listener – attach importance to even the most trivial of the patient’s complaints
- Avoid criticising the patient when they relate what may appear to be irrelevant or trivial, but which is important to them
- Be gentle and concerned during physical examinations to make the patient feel fully relaxed. You should explain the process carefully and ensure a chaperone is present

- Be clear and discreet when discussing the possible diagnoses, keeping the interest of the patient at heart, without alarming or frightening them
- Be patient and compassionate
- Don’t make the patient feel you are busy or in a hurry to get to the next consultation.

Chaperones

A doctor must always examine a patient, whether female or male, or a child, with a chaperone present in the consultation room.

A relative or friend of the patient is not reliable as a chaperone, as they may not fully appreciate the nature of the physical examination being performed. They may even testify against the doctor in the event of allegations of misconduct or physical abuse.

Professional boundaries – how to reduce risks:

- Be aware and be on constant guard
- The MMC states you should use a chaperone for all examinations, (not just intimate ones) for all patients
- Avoid exchanging gifts, or meetings in unusual places or out-of-hours
- Inform a nurse of appointment times
- Have a colleague, supervisor or mentor.

Personal behaviour

The public hold the medical profession in high regard. You should ensure that you observe proper standards of personal behaviour, not only in professional activities but at all times. For this reason, a criminal conviction may lead to disciplinary proceedings, even if the offence is unconnected to your professional practice.

Further information

- Malaysian Medical Council (MMC), *Duties of a Doctor* (2001) – www.mmc.gov.my
- MMC, *Code of Professional Conduct* (1986) – www.mmc.gov.my

For medicolegal advice please call us on:

1 800 81 5837 (FREECALL)

or email us at: querydoc@mps.org.uk

www.medicalprotection.org

This factsheet provides only a general overview of the topic and should not be relied upon as definitive guidance. If you are an MPS member, and you are facing an ethical or legal dilemma, call and ask to speak to a medicolegal adviser, who will give you specific advice.

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