



# Standards of Practice for Licensed Practical Nurses on Professional Boundaries

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College of LPNs and LPNs of Alberta

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## INTRODUCTION

The College of Licensed Practical Nurses and Health Care Aides of Alberta (CLHA) has the authority under the *Health Professions Act* (HPA) to carry out its activities and govern Licensed Practical Nurses (LPNs)<sup>1</sup> in a manner that protects and serves the public interest. Protecting the public involves setting boundaries with clients, former clients, individuals closely connected with a client, and **co-workers**.

## Standards of Practice and the HPA

Under the HPA, LPNs must adhere to their profession's standards of practice. Standards of practice provide the minimum level of behaviour that LPNs are expected to meet in their professional practice. Standards of practice are enforced under the HPA. Any action or behaviour that does not follow these standards of practice could be considered **unprofessional conduct** and may result in disciplinary action by the CLHA.

## Professional Boundary Violations

It is important for LPNs to understand the differences between professional and personal relationships. This document will address the **professional boundaries** that an LPN must not violate.

LPNs are responsible for keeping their relationships with clients, any person closely connected with a client, and co-workers within professional boundaries.

There is a power imbalance between LPNs and clients. When an LPN uses their position to control, intimidate, or inappropriately influence a client, former client, or someone closely connected with the client, this is a **professional boundary violation**.

LPNs are responsible for creating and keeping interactions between themselves, co-workers, and clients safe, respectful, and free from **discrimination**. Co-workers must work together in a way that puts the health and safety of their clients first. This includes demonstrating professional conduct while carrying out their work duties, whether online, in public, or in private spaces.

LPNs are required to report all types of abuse and boundary violations in the workplace to employers, the CLHA, or any other appropriate authorities as required by law and regulation.

More information about professional boundaries can be found in the *Professional Responsibility and Accountability* policy.

Terms found in the definition section are **bolded** where they appear for the first time in this document.

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<sup>1</sup> In this document, "LPN(s)" has the same meaning as "regulated member(s)" in the Health Professions Act.

## STANDARD 1: MAINTAINING PROFESSIONAL BOUNDARIES

1.0 LPNs must maintain professional boundaries regardless of any personal relationships.

### Professional Boundary Violation

1.1 A professional boundary violation happens when an LPN's actions with a client, former client, a person closely connected to the client, or a co-worker are inappropriate. This includes any action by an LPN that:

- a) may lower the self-worth of a person;
- b) may break trust; or
- c) may take advantage of the client, former client, a person closely connected to the client, or a co-worker through the LPN's position of power.

### Single or Repeated Incidents

1.2 A professional boundary violation may be a single or repeated event(s) of inappropriate actions or comments by an LPN that the LPN knows or **ought to reasonably know** could result in lower self-worth, breaking trust, or a person being taken advantage of by the LPN.

### Unprofessional Conduct

1.3 A professional boundary violation by an LPN may constitute unprofessional conduct.

### Violations in Person and Remote

1.4 Professional boundary violations may happen in person, virtually, in public, or in private spaces. This includes social media, video, telephone, or other technology.

## **STANDARD 2: BEGINNING AND ENDING RELATIONSHIPS WITH CLIENTS**

2.0 An LPN must be aware of when a client relationship begins and ends, and the LPN must not end the professional relationship for inappropriate reasons.

### **Beginning an LPN-client relationship**

2.1 An LPN-client relationship begins on the earliest of any of the following activities:

- the client, or their legally authorized representative, consents to receiving **professional services** from the LPN;
- the LPN provides professional services to the client;
- the LPN adds information or charts in the client record; or
- the LPN bills the client for the professional services.

### **Ending an LPN-client relationship**

2.2 A person is considered a former client of the LPN when at least one year has passed since the latest of any of the following activities:

- the client, or their legally authorized representative, consented to receiving professional services from the LPN;
- the LPN provided professional services to the client;
- the LPN added information or charted in the client record; or
- the LPN billed the client for the professional services,

### **Reasons for ending an LPN-client relationship**

2.3 An LPN-client relationship may be ended if:

- the client no longer needs care from the LPN,
- the client asks to end the relationship,
- the LPN takes a leave from work,
- the client makes a complaint to the CLHA Complaints Department about the LPN,
- the LPN's safety is put at risk, or
- conditions on the LPN's practice permit prevent the LPN from providing the required care.

2.4 An LPN-client relationship may never be ended for the purposes of forming or pursuing a sexual relationship with a client.

2.5 When applicable, an LPN must ensure that the end of the LPN-client relationship is communicated to the client and is documented in the client's record.

## STANDARD 3: LPN-CLIENT PROFESSIONAL BOUNDARY VIOLATIONS

3.0 An LPN must always keep professional boundaries with clients, former clients, and people closely connected to the client.

### Boundary Violations

- 3.1 An LPN must not commit **physical boundary violations**.
- 3.2 An LPN must not commit **verbal, non-verbal, and emotional boundary violations**.
- 3.3 An LPN must not commit **financial boundary violations**.
- 3.4 An LPN must not commit **sexual boundary violations**.

**NOTE:** Sexual boundaries are more broadly defined than sexual misconduct or sexual abuse. Sexual boundaries encompass any sexual behaviour that is unacceptable but not covered by the provisions in the HPA.

### Personal and Professional Relationships

- 3.5 An LPN who provides professional services to a client must not begin a close personal relationship with that client.
- 3.6 LPNs may provide professional services to a client with whom they have a pre-existing close personal relationship, provided they do not violate any of the boundaries outlined in standards 3.1-3.4.

### Factors to Consider Before Engaging in a Personal or Sexual Relationship with a Former Client

- 3.7 A personal or sexual relationship with a former client\* may be a professional boundary violation, even if it is not considered sexual abuse or sexual misconduct under the *Standards of Practice on Sexual Abuse, Sexual Misconduct, and Female Genital Mutilation*. This depends on whether there is a risk that the LPN will still have power over the former client because of the previous LPN-client relationship, and will depend on factors such as:
  - a) the type of care provided by the LPN to the client;
  - b) the length and strength of the LPN-client relationship;
  - c) the length of time since the LPN-client relationship ended;
  - d) whether the former client told the LPN personal or sexual information while they were a client;
  - e) the vulnerability of the former client based on factors such as diminished capacity for decision-making (e.g., such as Alzheimer's, dementia, or other mental health disorders), economic disadvantage, addiction, houselessness, or other factors;
  - f) whether the former client was under the age of 18 when the LPN-client relationship began; and
  - g) any other relevant factors.

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\* Please see standard 2.2 for the definition of a former client.

## **Factors to Consider Before Engaging in a Personal or Sexual Relationship with a Person Closely Connected with a Client**

3.8 An LPN should not enter into a personal or sexual relationship with a person closely connected with the client where there is a risk of an ongoing power imbalance. A power imbalance may exist depending on:

- the type of care provided by the LPN to the client,
- the length and strength of the LPN-client relationship,
- the amount of dependence the closely connected person has on the LPN, and
- the degree to which the client relies on the closely connected person.

## **Providing Professional Services to Partners and Family Members**

3.9 An LPN may give professional services to a family member, **spouse, adult interdependent partner, common-law partner**, or a person with whom they are in a pre-existing and **ongoing sexual relationship** if:

- the care is considered the type of personal care that would reasonably be provided to family members; or
- the LPN provided the professional service to the individual in an emergency situation, and there is no reasonable opportunity to transfer care to another qualified healthcare professional.

## **STANDARD 4: CO-WORKER PROFESSIONAL BOUNDARY VIOLATIONS**

4.0 In addition to the standards regarding LPN-client boundaries, an LPN must not violate professional boundaries with co-workers, including other employees, employers, contractors, volunteers, or students.

**NOTE:** Co-worker boundary violations can occur when one person takes advantage of a power imbalance, regardless of position. LPNs should be aware of any power imbalance between themselves and their co-workers.

### **What Constitutes HCA-Co-Worker Relationship**

4.1 An LPN and co-worker relationship exists when the LPN works with or has work-related interactions with other employees, contractors, volunteers, or students, whether in person or virtually.

### **Boundary Violations**

4.2 An LPN must not engage in unwanted physical or sexual contact or unwanted verbal communication with students or co-workers. These actions may constitute a boundary violation or breach of the *Standard of Practice for LPNs in Alberta* and *Code of Ethics for LPNs*.

4.3 An LPN must not engage in conduct with a co-worker that would constitute a criminal offence, including sexual assault.

## DEFINITIONS

**Adult interdependent partners:** in Alberta, two people are considered adult interdependent partners if they have made a legal agreement to become partners (i.e. share their lives, are emotionally committed to one another, and function as one group); they have lived together for three years or more; or, if they have lived together for less than three years but are in a relationship of some permanence, and there is a child of the relationship by either birth or adoption.

**Close personal relationship:** a person with whom the LPN has a close relationship, which is marked by emotional intimacy, trust, shared history, and often involves someone with whom the LPN has regular interactions.

**Common-law partner:** a person who lives with the LPN and includes at least one of the following:

- the LPN and the person have been in a relationship for at least twelve months, or
- the person is the parent of the same child as the LPN.<sup>1</sup>

**Co-worker:** any employee, volunteer, student, or contractor who works with the LPN.

**Discrimination:** an action or decision that has a negative effect on an individual or group based on personal characteristics, including a person's race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, or sexual orientation.

**Financial boundary violations:** occur where there is inappropriate behaviour involving money or finances between an LPN and a client, former client, or someone closely connected with a client (i.e. an LPN promoting a business to a client, asking for money, stealing money, exchanging gifts, etc.).

**Ongoing sexual relationship:** an agreed relationship of a sexual nature between an LPN and another individual, where the relationship involves regular sexual activities, and both the LPN and the person know that the relationship has not ended.

**Ought to reasonably know:** the knowledge an LPN should have depending on the situation.<sup>2</sup>

**Physical boundary violation:** occurs where there is inappropriate physical contact between an LPN and a client, former client, or someone closely connected with a client, or co-worker (i.e. hitting, pushing, touching without consent, hugging, kissing, etc.).

**Power imbalance:** means the power an LPN has over a client due to the LPN's professional position including their ability to withhold or alter the professional services that the client requires and the LPN's awareness of and ability to access private information and health information of the client.

**Professional boundaries:** the behavioural expectations of an LPN that create and maintain a safe relationship between the LPN and clients, former clients, someone closely connected with a client, or a co-worker.

**Professional boundary violation:** breaching professional behavioural expectations that create and keep a relationship safe for the client, former client, someone closely connected with a client, the co-worker, and the LPN.

**Professional service:** defined in the HPA as a service that falls within the practice of an LPN. This includes one or more of the following:

- applying nursing knowledge, skills, and judgment to assess patients' needs;
- providing nursing care for patients and families;
- teaching, managing, and conducting research in the science, techniques, and practice of nursing; and
- providing restricted activities authorized by regulation.

**Sexual boundary violation:** includes any conduct of a sexual nature directed towards a client, former client, or an individual closely connected with a client, or a co-worker (i.e. making sexual comments, discussing the possibility of a sexual relationship in the future, making sexualized comments about someone's body or clothing, telling sexual jokes, etc.).

**Sexual relationship:** a relationship between two people that involves sexual, physical, or emotional intimacy.

**Spouse:** a person legally married to an LPN. This does not include a spouse living separately and apart from the LPN if the LPN and the spouse have separated with a written separation agreement or have had their support obligations and family property division determined under a court order.

**Unprofessional conduct:** according to the HPA, unprofessional conduct includes actions and behaviours that reflect poorly on the LPN profession. Unprofessional conduct includes displaying a lack of knowledge, skill or judgment to provide professional services; not following the LPN standards of practice and code of ethics; or any other behaviour that is defined as unprofessional conduct under section 1(1) of the HPA.

**Verbal, non-verbal, and emotional boundary violations:** occur when there is inappropriate communication between an LPN and a client, former client, someone closely connected to a client, or a co-worker (i.e. communication that results in humiliation, manipulation, threats, intimidation, yelling, inappropriate hand gestures, etc.).

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<sup>1</sup> Government of Canada, Marital Status, 2023, [Marital status - Canada.ca](https://www.canada.ca/en/immigration-refugees-citizenship/canadian-citizenship/canadian-status.html).

<sup>2</sup> [Reasonably should know | Law Insider](https://www.lawinsider.com/law/basics/what-is-reasonable-should-know/)