

Position on Touch and Sexual Misconduct and the SASHA member

The question has been asked "When is it acceptable to touch patients/clients? When is it not sexual misconduct?"

The member practicing counseling or therapy shall not engage, attempt to engage or offer to engage a consumer in sexual behavior whether the consumer consents to such behavior or not. Sexual misconduct includes kissing, sexual intercourse and/or the touching by either the member or the consumer of the other's breasts or genitals.

Members do not engage in such sexual misconduct with current consumers. Members do not engage in sexual intimacies with individuals they know to be close relatives, guardians, or significant others of a current consumer.

Sexual misconduct is also sexual solicitation, physical advances, or verbal or non-verbal conduct that is sexual in nature, that occurs in connection with the member's activities or roles as a Sexuality Counselor or Sex Therapist, and that either (1) is unwelcome, is offensive, or creates a hostile workplace or educational environment, and the member knows or is told this or (2) is sufficiently severe or intense to be abusive to a reasonable person in the context.

Sexual misconduct can consist of a single intense or severe act or of multiple persistent or pervasive acts. For purposes of determining the existence of sexual misconduct, the counseling or therapeutic relationship is deemed to continue in perpetuity.

However, many SASHA members, within the scope of their professional practice, must examine, diagnose and treat patients/clients by way of physical contact. For example, physicians, nurses, physical therapists, occupational therapists, physicians assistants, and pelvic floor specialists are licensed to provide a standard of care that includes manual contact for clinical purposes SASHA recognizes this exception for those practitioners, as described in the licensure within the practitioners' jurisdictions and does not view this type of physical examination as a violation of the SASHA *code of Ethics*.

In addition the SASHA member shall act in accord with the standards and guidelines for the protection of consumers promulgated by other professional associations with which the member is affiliated and the laws of the jurisdiction(s) in which the member provides professional services.

In other words, the *Practice Acts, Code of Ethics ext.*, which are relevant to the jurisdiction of the practitioner with their specific governing body of registration, govern the practitioner who is a SASHA member alongside the SASHA *Code of Ethics and Conduct*.