

# You said what? Appropriate conversations in Chinese medicine.

Complaints of wrongdoing against Chinese medicine practitioners and acupuncturists aren't always about the treatment provided or the clinical outcome. Guild Insurance sees numerous cases annually which related to professional behaviour and conduct. This sort of complaint may initially seem less serious than those relating to poor clinical outcomes, however, having your professional conduct questioned and issues raised about inappropriate behaviour towards patients can be incredibly distressing.

Some of these professional conduct complaints relate to conversations, both during and outside of the consultation. Once investigated, it's usually found that the practitioner in no way intended to breach any professional boundaries or make the patient feel uncomfortable. However, this is what's occurred. The information below has been created to help practitioners understand what they should be doing and saying differently to avoid facing complaints similar to the following examples.

## Examples of inappropriate conversations

- > A patient complained alleging the practitioner made them feel uncomfortable by asking questions about them moving in with their partner. The practitioner claimed it was only

intended to be a friendly chat during treatment, however the patient felt judged when the practitioner made a comment about them living with their partner while not married.

- > A patient complained of feeling uncomfortable as the practitioner lowered the patient's pants during treatment without consent. Following investigation, it was found the treatment provided and lowering the patient's pants was, in this instance, clinically justified. However, distracted by a chat they were having about weekend activities, the practitioner forgot to continually talk to the patient about treatment and didn't seek the patient's informed consent before moving their clothing.
- > A patient complained about questions the practitioner asked about dating. The practitioner claimed the conversation was just intended as a friendly chat; however, the patient felt the practitioner was trying to initiate an intimate relationship.

## Tips about professional conversations

### Don't become too friendly with your patients.

While it's clinically beneficial to build a rapport with patients, professional boundaries need to be maintained.

And this means there are conversations you would have with a friend or family member that you shouldn't have with a patient. Conversations should be had in a professional manner to avoid becoming too casual, relaxed, or jokey when talking to patients. Often comments made in light humour, or to build rapport, can lead to difficult situations and potentially embarrassing accusations or reputation damaging conditions on your registration. What may be funny to you may not be to someone else. The relationship with a patient should always remain a professional one; keeping in mind the patient is paying for a healthcare consultation, not a social conversation.

### Limit non-professional or non-treatment related conversations.

These types of conversations can easily complicate and confuse a professional situation. When a practitioner asks personal questions of their patient, this is most likely intended to just be a friendly chat. However, patients often report being confused and uncomfortable and don't understand why they're being asked questions not related to treatment. While some conversations may be fine, such as asking how a person's weekend was, things can easily change when more questions are asked, such as about the partner they spent the weekend with.

**Explain to patients why questions are being asked.**

If you need to ask some personal or lifestyle questions to assist with history taking or to better understand an injury or pain, be careful to explain why you're asking. This is particularly important when asking about partners, sexual activity, or sensitive body parts.

**Don't forget to keep talking about treatment.**

When non-treatment related discussions are had, this detracts from time that should be spent discussing treatment. The discussion about treatment shouldn't just be had at the beginning of the consultation, it's an ongoing

conversation throughout. Not only can chats about something other than treatment make a patient feel uncomfortable, but they may also mean the patient isn't fully informed about their treatment.

**Consider the situation of the patient during a conversation.**

During treatment, patients are often sitting or lying in positions which may make them feel vulnerable or exposed, particularly if they aren't fully clothed. Personal conversations had during this time are likely to compound the uncomfortable feeling. It doesn't mean to say that when the patient is fully clothed sitting at your desk it will be okay to ask about a personal matter. However,

keep in mind that a patient could easily misinterpret the intentions behind your questions or conversation, if they're already feeling uneasy.

**Consider the method of communication.**

SMS, email, and other forms of electronic communication encourage brief messages and don't often adequately convey the full intent or tone of the message. Therefore, if communicating in this way, practitioners need to be mindful that patients may easily misinterpret the message and make assumptions. Also, don't forget that electronic communication, as with all communication with a patient, needs to form part of the clinical record.



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