

Understanding the Process of Committing Boundary Violations: How Regulators Can Respond

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Objectives

- Distinguish sexual from non-sexual boundary violations
- Explain how boundary violations occur
- List various licensee behavior “red flags”
- Name components of an impactful remedial plan



Boundary Violations: Examples

- Text, email, or social media communication w/ pts
- Dual relationships w/ pt or 3rd party
- Exchange of gifts or money
- Practicing outside of scope
- Inappropriate touch
- Inappropriate humor
- Supervisory lapses
- Over-sharing

How do these things happen?

Why do smart, well-meaning, highly trained and skilled PTs and PTAs—who should know better, and often do know better—go off track like this?

What were they thinking?

What is a boundary?

A boundary is something that...

- Limits
- Protects
- Defines
- Divides
- Marks beginnings and endings
- Indicates differences
- Manages and organizes

What is a professional boundary?

Professional boundaries examples

- Profession's code of ethics
- Scope of practice
- Role-related actions
- Role-related language
- Policies
- Treatment guidelines
- Laws

What do professional
boundaries do?

Professional boundaries...

- Help clinicians demonstrate professional virtues (honesty, trustworthiness, humility, compassion, altruism, diligence, etc.)
- Reflect adherence to professional ethical principles (respect for pt autonomy; beneficence; nonmaleficence; justice)

Professional boundaries...

- Define effective and appropriate interactions between professionals and the public they serve or the people they work with or teach
- Exist to protect both the professional and the patient or other person, as well as their professional relationship

Boundary infractions are committed when someone knowingly or unknowingly crosses the emotional, physical, spiritual, or sexual limits of another.

Adapted from Anne Katherine,
Boundaries: Where You End and I Begin, 1991

Boundary infractions are committed when the act results from exploitation of the trust, knowledge, or influence of emotions derived from the physical therapist – patient relationship.

Adapted from The Model Practice Act for Physical Therapy,
7th ed, 2022

How do boundary violations occur?

Premise

Everyone has the potential to commit a boundary violation.

If the premise is true...

Why do only some stray?

Why do they stray at the time and place and way that they do?

Why?

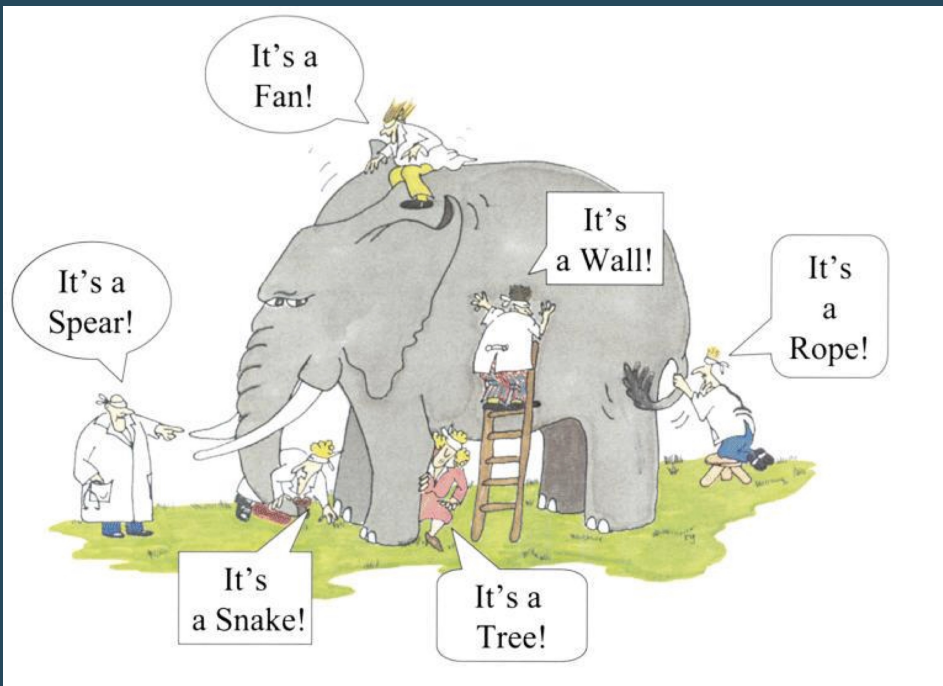
Lack of training about professional boundaries

Why?

Poor communication

Why?

Parallax: the effect whereby the position or the direction of an object appears to differ when viewed from different positions



Why?

Inattentional blindness

Why?

Inattentional blindness

- When it simply becomes impossible for one to attend to all the stimuli in a given situation, a temporary *blindness effect* can take place as a result.
- That is, individuals fail to see objects or stimuli that should have been plainly visible / audible / discernable but are unexpected and quite often salient.

Why?

Cold state vs hot state

- Cold state is intellectual, analytical
- Hot state is emotional and immediate

Predictably Irrational

Prof. Dan Ariely
Duke University
Behavioral Economics

Predictably Irrational

- In a “cold” state, smart, rational people answer questions in one way, believing they understand themselves, their preferences, and what actions they are capable of.
- In a “hot” state, these same people answer the same questions very differently, showing that they underestimated their reactions and *could not predict the degree to which emotions would change them.*

Violations occur in PTs / PTAs with...

Risk Factors (external)

- PT profession
- Practice location
- Patient population
- Isolation (professional, personal, geographic)
- History of prior professional problems

Violations occur in PTs / PTAs with...

Vulnerabilities (internal)

- Personality type
- History of trauma
- Relationship problems
- Illness (self or loved one)
- Unmet personal needs (current or past)
- Poor developmental experiences w/ boundaries

Violations occur in PTs / PTAs with...

Inadequate accountability

- Supervision
- Peer review or consultation
- Lack of policies (office, personal)
- Adherence to policies
- Practice guidelines

Violations occur in PTs / PTAs with...

Resistance

- Denial
- Rationalization
- Defensiveness
- Other-blaming
- Justification

Violations occur in PTs / PTAs with...

A catalyst

- A person who pushes your buttons
- A crisis at home or at work
- Transitions (good or bad)
- Trauma
- Loss

Lapses occur along a continuum

- A spectrum of severity
- Major violations are usually preceded by lesser misdeeds

Sexual Boundary Violators: Research

- 1990s mostly
- Male
- Sexual boundary violators
- Helping professions
- Different patterns of exploitation
- Patterns (archetypes) identified

Sexual Boundary Violators: Research to Intervention

Archetypes apply to

- Non-males
- Members of other helping professions
- Non-sexual boundary violators

Archetypes of Boundary Violators

Six Major Typologies

1. The Wounded Healer
2. The Naïve Royal
3. The Self-Serving Martyr
4. The Lovesick One
5. Masochistic Surrenderer
6. The Dark Magician

1-3, 6: From R. Irons and J. Schneider; 4-5: From G. Gabbard

Wounded Healer

- Overly committed to serving pts
- Overly dependent on pts for validating self-worth
- Puts personal life secondary; may be emotionally isolated
- Serious unmet needs or trauma from early life (= the “wound”)
- Attempts to find ultimate healing not by addressing their wounds directly but through a re-enactment of saving others

Naïve Royal

- Early career, so may lack awareness of their authority and the power dynamic between them and others
- May have had poor training in / modeling of maintaining proper boundaries
- Feel especially powerful / invulnerable in their new role; may enjoy this, feel entitled
- Often the exploited person is particularly difficult, intriguing, or provocative; PT can be easily seduced
- May need assistance in understanding that not everyone has good intentions

Control vs Charge

Repositions the PT with the other person

- Other person tends to increase their control by diminishing the significance of the professional relationship
- PT tries to be less in charge by denying the significance of their professional authority

Self-Serving Martyr

- Middle to late career
- Consumed with professional duties in order to get their needs met; sacrifice self, personal growth, family life
- Over time, increases in anger and resentment over years of self-sacrifice. Also entitlement, self-pity, isolation
- May develop alcohol, drug, and/or behavioral problems
- Need to develop better work-related boundaries, learn to avoid over-extending themselves, find ways to meet personal needs

Lovesick One

- They believe they have truly fallen in love w/ the other
- Needy, naïve, vulnerable to seduction, have deficits in personal lives
- Collapse into the first person who makes them feel whole
- The love is transcendent; it is destiny
- The love justifies exceptions to the rules
- The love is curative for the PT, the other person or both
- May also feel great shame

Masochistic Surrenderer

- PT is overwhelmed by a particularly needy, demanding, often manipulative pt
- PT becomes “everything” to the pt; provides unrestricted access, accommodates every request
- Resentment and rage boil underneath at the person they have allowed to suck them dry
- Typically has difficulty expressing anger, setting limits, saying “no” in many areas of life
- Embarks down slippery slope of increasingly greater boundary oversteps

Dark Magician

- Least commonly encountered (least likely to get caught?)
- Driven by grandiosity and a desire to control and dominate; manipulate and “groom” victims to meet their needs
- Lack empathy, remorse; disregard societal norms
- Sex = expression of power, superiority, dominance
- Charming, charismatic, manipulative
- Victims carefully chosen
- Sexual exploitation seen as a right
- Frequently portrayed in the media
- Treatment resistant; usually require license revocation

Can Boundary Violations Be Prevented?

Prevention of boundary violations is a laudable goal, but attaining it is unfortunately about as likely as eliminating crime and poverty.

Eric Plakun, American psychiatrist, 1999

Can Boundary Violators Be Remediated?

- Yes—almost all
- Possible exception: The Dark Magician
- Need impactful regulation
- This is secondary prevention (recidivism prevention)

Impactful Regulation

- Broaden investigations
- Use diagnostic evaluations for sexual misconduct
- Intensive remedial coursework
- Extend your regulatory reach

Impactful Regulation

Broaden your investigation

- Increase your potential for discovering patterns by reviewing previous complaints
- Interrupt patterns
- Uncover underlying vulnerabilities that could lead to future misdeeds and can guide your choice of sanctions
- If sexual misconduct: trauma-informed investigation

Impactful Regulation

Use diagnostic evaluations for sexual misconduct

- Assess the behavior
- Identify contributing illness, impairment, underlying conditions
- Uncover any longstanding maladaptive patterns of inappropriate behavior
- Make treatment recommendations

Impactful Regulation

Intensive remedial coursework

- Choose the correct course
- Content vs process approach
- Adequate rigor
- Adequate accountability expectations
- Timing: immediacy matters

Impactful Remediation

Remedial course features

- Safe, confidential learning environment
- Small group, designated faculty
- Restorative, transformative, not punitive
- Telling of story required
- Peers model taking responsibility
- Education plan w/ action steps to apply in practice

Impactful Regulation

Extend your regulatory reach: long-term accountability

- On-site monitoring / peer assessor
- Periodic check-ins w/ compliance monitor
- Mentoring / supervision
- Coaching
- Long-term accountability course

Impactful Regulation

Extend your regulatory reach

- Peer support
- Decrease isolation
- Chaperone

Summary

- Non-sexual and sexual boundary violations
- How and why boundary violations occur
- Lesser misdeeds as red flags
- Impactful regulation and remediation

Questions

Thank you!

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