

Announcement to Members Regarding the Spousal Exception Regulation

The College is pleased to advise Members that [O. Reg. 567/20 \(Spousal Exception Regulation\)](#), amending O. Reg. 203/94 (General Regulation) under the *Chiropractic Act, 1991* was passed and filed on **October 8, 2020** (that is to say, the Regulation is effective as of this date).

The passing of this Regulation into law means that Members are now permitted to treat their spouses – only where the Member’s spouse actually meets the statutory definition of “spouse” (see below) and where the sexual relationship is kept entirely out of the office setting. While treating a spouse, Members must follow all of the professional formalities and maintain a professional distance that Members would for any other client.

The definition of a “spouse” for the purposes of this Regulation is defined in the Health Professions Procedural Code of the *Regulated Health Professions Act, 1991* (RHPA), and includes **only**:

- (a) a person who is the member’s spouse as defined in section 1 of the *Family Law Act* (i.e. a person to whom the member is married), or
- (b) a person who has lived with the member in a conjugal relationship outside of marriage continuously for a period of not less than three years.

This Regulation permits Members to treat their spouses without it constituting sexual abuse as long as the Member is not engaged in the practice of the profession when the sexual conduct occurs. **Treating a sexual partner who does not meet the definition of a spouse under the RHPA will continue to be considered sexual abuse.**

For further information or if you have any questions, please contact Meghan Hault, D.Pod.M., Practice Advisor at mhault@cocoo.on.ca or 416-542-1333 ext. 227.



College of Chiropractors of Ontario

180 Dundas St. West, Suite 1901
Toronto, ON M5G 1Z8
T: 416.542.1333 F: 416.542.1666
Toll-Free: 1.877.232.7653. www.cocoo.on.ca