

PATIENT PRIVACY GENERAL GUIDANCE DOCUMENT
SOUTHLAKE PRIVACY OFFICE

What is PHIPA?

PHIPA stands for the Personal Health Information Protection Act (also referred to as, “the Act”). PHIPA is Ontario’s health privacy legislation. To read this Act, visit <https://www.ontario.ca/laws/statute/04p03#BK56>

What is the purpose of PHIPA?

The Act has four (4) main purposes:

1. To establish rules for the collection, use, and disclosure of personal health information about individuals that protect the privacy and confidentiality of that information;
2. To provide individuals with a right of access to their personal health information;
3. To provide individuals with a right to correct or amend their personal health information, subject to specific limitations; and
4. To provide for independent review of complaints with respect to personal health information

What is Personal Health Information?

Personal Health Information (PHI) is outlined in section 4 of the Act, and is described as:

“Identifying information” about an individual in oral or recorded form, if the information:

- (a) relates to the physical or mental health of the individual;
- (b) relates to the providing of health care to the individual;

(c) is a plan of service within the meaning of the Home Care and Community Services Act, 1994;

(d) relates to payments or eligibility for health care, or eligibility for coverage for health care;

(e) relates to the donation by the individual of any body part or bodily substance of the individual;

(f) is the individual's health number, or

(g) identifies an individual's substitute decision-maker.

Identifying information means information that identifies an individual or for which it is reasonably foreseeable in the circumstances that it could be utilized, either alone or with other information, to identify an individual.

What is NOT Personal Health Information?

Any information that has been collected in which all personal identifiers have been removed (otherwise referred to as "de-identified" or "anonymized"), making determination of identity impossible.

How does Southlake Regional Health Centre protect my PHI?

Southlake is committed to protecting the privacy of its patients. We employ several mechanisms to ensure that your PHI is kept confidential. Here are a few ways we do this:

1. *Technical Safeguards.* Southlake's Information Technology (IT) department monitors the hospital's information security capabilities on an ongoing basis. The IT department issues "role based" access controls, which means that only authorized staff have access to electronic information on a need to know basis. Furthermore, Southlake's patient information is kept on systems which require the use of passwords and user authentication.

2. *Physical Safeguards.* Southlake has a number of physical safeguards and measures to protect patient records including: facility access controls (swipe cards and locked cabinets), clean desk policies, and mobile device security requirements.
3. *Administrative Safeguards.* Southlake's extensive privacy policies govern the way in which all hospital employees manage and access patient information. In addition, all hospital employees, contractors, volunteers, physicians, and special visitors must sign a Confidentiality Agreement. The Southlake Privacy Office conducts staff training, issues educational bulletins and is passionate about promoting a culture of privacy at the hospital.
4. *Regular Audits.* The Privacy Office conducts regular and random audits of system access and use, and may recommend disciplinary action for non-compliance with legal or hospital requirements governing access to information.

What does Southlake Regional Health Centre collect my PHI for?

Southlake limits the collection of your information to only those details that are necessary for the purposes of providing you with healthcare or as otherwise authorized by law. An individual is never deceived or coerced in order to obtain their consent for the collection of their information.

Southlake keeps information that is collected as accurate, complete and up-to-date as necessary to fulfill the purposes for which it was collected. You can help us with this when you register for services by having the full name and current contact information for your family physician. This helps to ensure that reports are sent to the correct physician.

Who does Southlake Regional Health Centre do with my PHI?

Your PHI will only be used or disclosed for the purpose for which it was collected, unless you have otherwise consented, or when it is required or permitted by law. Southlake retains your PHI for the

period of time prescribed by our retention policy. Southlake is permitted by law to use and disclose your PHI for the following purposes:

- To healthcare professionals to provide you with care or treatment;
- To care providers to improve/maintain the quality of your care
- Registries and entities prescribed in regulation such as Cancer Care Ontario, the Cardiac Care Network, Canadian Stroke Network, INSCYTE, the Institute for Clinical Evaluation Services, the Canadian Institute for Health Information, Children's Hospital of Eastern Ontario, Ontario Institute for Health Research, BORN, Trillium Gift of Life and health regulatory agencies
- Health Information Networks such as the electronic Child Health Network (eCHN), Hospital Diagnostic Imaging Repository Services (HDIRS), Ontario Laboratory Information System (OLIS) and Connecting Ontario.
- Ministry of Health and Long-Term Care e-health projects such as the Enterprise Master Patient Index (EMPI) and Wait Time Information System
- Researchers if the research has been approved by our Research Ethics Board
- The Medical Officer of Health to report communicable diseases
- The Workplace Safety & Insurance Board
- Law enforcement officers who present a warrant or subpoena, or to aid in an investigation
- The Children's Aid Society where child abuse is suspected; the Children's Lawyer
- The Public Guardian and Trustee

How do I access my PHI?

If you wish to obtain copies of your health records, please reach out to the Southlake Release of Information (ROI) Office at 905-895-4521 extension 2635.

How do I correct the PHI contained in my health record?

If you wish to submit a correction request to your health records, please reach out to the Southlake Release of Information (ROI) Office at 905-895-4521 extension 2635.

What is a “lock-box”?

The term ‘lockbox’ is not defined in PHIPA, however, it serves as an appropriate label for the patient’s ability to withdraw or withhold consent for the use or disclosure of their PHI for health care purposes. If you wish to learn more about “lock-box”, we suggest speaking to your healthcare provider or contacting the Southlake Privacy Office to go over terms and conditions.

How do I initiate a privacy complaint?

If you feel that your privacy rights have been violated, or have concerns regarding your privacy as a patient at Southlake, we encourage you to reach out to the Southlake Privacy Office. All incidents will be handled in a confidential manner. If you are not satisfied with the response of the Southlake Privacy Office, you may wish to escalate your incident to the Information and Privacy Commissioner of Ontario who can be contacted at:

Information and Privacy Commissioner of Ontario
2 Bloor Street East, Suite 1400
Toronto, ON, M4W 1A8
1-800-387-0073
Website: www.ipc.on.ca