

Privacy Policy

The protection of privacy policy covers all client data, regardless of what medium is used to store, move or copy the data. This policy covers all steps in the life cycle of the data -collection, use, disclosure, retention and/or destruction. Finally, this policy applies to every person who works with client data including (but not limited to) officers, physicians, contractors, sub-contractors, trusted colleagues and agents.

GOAL, SCOPE and STANDARDS

The goal of this policy is to help ensure that privacy of patient data is respected on an ongoing basis. In formulating his approach to the protection of privacy, Gerard Philipps-Gange or his designate has these objectives:

- To adhere to the principles of fair information practice, as laid out in the Canadian Standards Association Model Code for the Protection of Personal Information - Canada's standard for fair information practice - to the maximum extent practical,
- To comply with federal and provincial legislations e.g. the Public Hospitals Act, the Mental Health Act, the Personal Information Protection and Electronic Documents Act, Health Information Protection Act and any other applicable law that may be enacted in future,
- To support the delivery of high-quality client care,
- To reflect established, relevant standards and guidelines including:
 1. Guidelines for the Protection of Health Information from COACH: Canada's Health Informatics Association
 2. Healthcare Professional Practice Guidelines, as applicable
 3. Guidelines from the Canadian Health Records Association

COLLECTION USE AND/OR DISCLOSURE OF PERSONAL HEALTH INFORMATION

To the extent practical, client data will be collected, used and/or disclosed only for purposes that have been identified to the client at, or before, the time of client registration through a variety of means.

CONSENT FOR THE COLLECTION USE AND DISCLOSURE OF PERSONAL HEALTH INFORMATION

Client/Substitute Decision Maker (SDM) consent (implied or expressed) is required before Gerard Philipps-Gange or his designate collects, uses and discloses personal health information.

IMPLIED CONSENT

Gerard Philipps-Gange or his designate relies on implied consent for collection, use and disclosure of personal health information. Gerard Philipps-Gange or his designate informs patients/SDMs of the purposes for collection, use and disclosure

EXPRESS CONSENT

Explicit, informed and voluntary consent of clients/SDMs is required if the purpose for collection, use and disclosure is not described in the notice statement or if the collection, use and disclosure of personal health information is for purposes other than for the provision of health care.

EXCEPTION to Consent for Collection, Use and Disclosure

(Reference: Personal Health Information Protection Act)

In certain circumstances personal health information can be collected, used or disclosed without the knowledge and consent of the individual. For example:

In compliance with a court order, through the execution of a search warrant;

In compliance with a duly authorized request from the coroner's office;

When fulfilling an obligation to Report a health professional who has sexually abused a client;

When fulfilling an obligation to inform a potential victim of violence of a client's intention to inflict harm;

When fulfilling a legal obligation to report suspected child abuse;

When fulfilling an obligation to inform an appropriate family member, health care professional or police, if necessary, of a client's intention to end his/her life;

When following the advice of legal counsel acting on behalf of Gerard Philipps-Gange.

DISCLOSURE TO 3RD PARTIES

If the third party to which patient data are disclosed is not a recognized health information custodian (i.e., a health professional, a healthcare organization, OHIP, CIHI), then before patient data are disclosed, the third party must sign an agreement with Gerard Philipps-Gange to hold the patient data in confidence, and use it only for the agreed upon purpose.

LIMITING COLLECTION

When practical, patient data are to be collected directly from the patient/SDM. If necessary with the consent of the patient/SDM, data can be collected from secondary sources such as relatives or friends, as appropriate.

LIMITING USE, DISCLOSURE AND RETENTION

Personal Health Information will not be used or disclosed for purposes other than those for which it was collected, except, with the consent of the individual or as required by law. Gerard Philipps-Gange is responsible for ensuring that records are stored safely and confidentially for no longer than the period of time necessary to satisfy the identified purposes of the records and to meet legal requirements. Preservation of Records. As a health information custodian, Gerard Philipps-Gange must ensure that, during the retention period of records, client data remains usable and unaltered, despite aging record media. This may require storing records in a controlled environment and may require transferring records to fresh and/or different media from time to time. Such transfers will be done only after confidentiality is assured.

SAFEGUARDS FOR PERSONAL HEALTH INFORMATION

Authorized Users

Client data will be used only in a manner consistent with the identified purposes and will be used only by those persons who are fulfilling those purposes.

ACCESS CONTROLS

Access to client data (whether in written, verbal or digital form) is to be strictly controlled.

Client data are not to be discussed in any place where unauthorized persons might overhear the

discussion. All media containing client data (e.g., laptop computers, mail, files) must be carefully positioned, packaged, stored, transported and/or disposed of in reasonable efforts at preventing unauthorized viewing or other access by others.

INTERNAL SHARING OF INFORMATION

Client data are to be shared among as few people as necessary in order to fulfill the legitimate purposes listed in this policy.

TRANSPORT OF RECORDS

Whenever client records are moved from one location to another all reasonable steps must be taken to ensure that the confidentiality of records in transit is preserved.

Faxing of Confidential Data

Caution must be exercised whenever confidential data are to be faxed.

- The appropriate fax cover sheet should be used with a confidential statement on the cover sheet. The statement should read: "This information is directed in confidence solely to the person named above and may contain confidential material and may not be otherwise distributed, copied or disclosed. If you have received this fax in error, please notify the sender immediately via a return fax and destroy original message. Thank you for your cooperation."
- The destination fax number should be double checked for accuracy.
- Whenever practical the recipient should be notified ahead of time when the fax is being sent.

ACCESS AND AMENDMENTS BY PATIENTS

Each client has the right to view his or her health record. There are 2 exceptions to the viewing of health records:

1. A client's request to access his or her own health record must be refused if personal health information pertaining to another person would be simultaneously disclosed and that other person has not consented to that disclosure, or if the patient or another person may be harmed as a result of permitting access, as determined by the healthcare professional under the provisions of the Mental Health Act. A patient's request to access his or her own health record must be delayed until references to other identifiable persons are removed.
2. The recipient of the request will ensure that the requestor is in fact the patient/SDM or patient's authorized representative (e.g. lawyer), prior to making the record available for viewing.

A patient/SDM request to amend information to the Health Record must be directed to Gerard Philipps-Gange or designate. The designate will make the appropriate arrangements for the amendment. The original record will be preserved. The source of the amendment will be documented in the record.