


## COCHRANE TEMISKAMING RESOURCE CENTRE

### POLICY MANUAL: CLIENT INFORMATION MANAGEMENT SYSTEM PRIVACY MANUAL

Title: <b>CTRC PRIVACY POLICY and YOUR PERSONAL HEALTH INFORMATION</b>	Policy # 1.2
Approval/Revision Date: November 2004/January 2010	Page: 1 of 5
Issued by: Client Records and Services to adhere to the Personal Health Information Protection Act,	
For use by: All CIMS Users	Signed by an Executive Director

#### **POLICY:**

At the Cochrane Temiskaming Resource Centre, the privacy of your personal health information has always been an important aspect of how we operate. As such, Cochrane Temiskaming Resource Centre has developed the following Privacy Policy in order to ensure compliance with privacy legislation, as well as to inform individuals of our continuing commitment to the protection of their personal health information.

#### **What is the Personal Health Information Protection Act?**

The Personal Health Information Protection Act (PHIPA) became law on November 1, 2004. It determines what happens to your personal health information when it is being collected, used or disclosed by people or organizations known as health information custodians. Health information custodians (HIC's) include:

- Health care professionals,
- Hospitals;
- Pharmacies;
- Homes for special care;
- Agencies providing services to children and adults with a developmental disability;
- Community health and mental health programs; and
- Community care access centres

#### **What is personal health information? (PHI)**

Personal information (PHI) is the information that health care providers collect about you and use to provide you with health care. PHI includes identifiable factual information recorded about an individual.

#### **What is a record of personal health information?**


It is the record kept by HICs who provide you with health care. The records contain your personal health information as well as non-health information. At CTRC we refer to this as the clients file or "casebook".

#### **Who is responsible for protecting the personal information collected, used and disclosed by Cochrane Temiskaming Resource Centre?**

The Cochrane Temiskaming Resource Centre has a designated Privacy Officer for the organization. All employees and members of the Board are responsible for ensuring compliance with this Privacy Policy. At times, Cochrane Temiskaming Resource Centre staff may be delegated to act on behalf of the Privacy Officer or to take responsibility for occasional collection, use and disclosure of personal information. .

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#### What is “collection, use or disclosure” under PHIPA?

Collection: We collect PHI about a client directly from the client or from the person acting on that client’s behalf. The PHI that we collect may include health history and records of the client’s health care. When we have consent, or the law permits, we collect PHI about the client from other sources. Before collecting a client’s PHI, we will explain the purpose of collecting the information. We will only collect, use and disclose your PHI with your consent, except where otherwise permitted or required by law.

Use and Disclosure of PHI: This agency uses and discloses PHI to:

- Treat and care for the client in the community
- Plan, administer and manage our internal operations
- Conduct risk management activities
- Conduct quality improvement activities
- Teach
- Conduct research
- Compile statistics
- Comply with legal and regulatory requirements and
- Fulfill other purposes permitted or required by law.
- Non-identifying information may be shared with the Ministry of Community and Social Services and the Ministry of Children’s Services for program planning, which may include demographic information, information on children’s needs, waiting lists numbers, etc. Personal Health Information is not shared with the Ministries.


#### Getting Consent

The consent to the collection, use or disclosure of the information may be implied or expressed.

1. **Express (written) consent** will always be asked in the following circumstances:
  - For all collection, use or disclosures of information (see Authorization for Services )
  - Where the disclosing of the information is to someone who is not a Health Information Custodian (i.e. a school board, an insurer, an employer, WSIB, CAS, lawyer, etc.); and
  - Where the disclosing of the information is to someone who is a Health Information Custodian but for the purposes other than providing health care (e.g. a school)
2. **Implied consent** is obtained where one is provided with a notice (either posted in a place where one is likely to see it, directly given to you or explained to you verbally) and an opportunity to withhold consent is given.
  - Limitations and withdrawal of consent may be provided at any time, unless doing so prevents service providers from recording the information that is required by law or

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- under professional standards. Expressed (written) instruction can be given to specify what information should not be used or disclosed.
3. Personal information can sometimes be collected, used or disclosed without consent in limited instances that are expressly permitted by PHIPA. For example, some statutes require disclosure of personal information, such as the Coroners Act, the Vital Statistics Act and the Child and Family Services Act.
    - **UNLESS A CLIENT TELLS US NOT TO:** we will disclose information to other health care providers in the “Circle of Care” who need to know this information to provide the client with care or help . The “Circle of Care” includes health care professionals, pharmacies, laboratories, ambulance service, other hospital, nursing homes, Community Care Access Centres, agencies providing services to children and adults with a developmental disability and home service providers who provide the client with health care services. . (see Informed Consent for Distribution of Reports)
  4. **The “Your personal Health Information Brochure” must be posted throughout the agency for clients to view.** This same statement will be provided to the legal guardian by the Intake Coordinator following the completed referral process. During the first interview, all staff will ensure to inform clients of the agency’s policy for collection, use, and disclosure procedures of personal health information. Where the client is not able to understand the concept of collection, use and disclosure; staff are able to continue to collect, use and disclose until such time that the client is able to view the statement and/or staff are able to obtain consent .

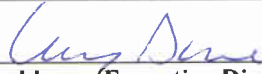
#### **Why does Cochrane Temiskaming Resource Centre collect, use or disclose personal information?**

Cochrane Temiskaming Resource Centre is committed to providing its clients with the best possible intervention to ensure achievement of their maximum potential. Cochrane Temiskaming Resource Centre may collect, use and disclose personal information, when applicable, for the following purposes:

- As a basis to plan client care and intervention
- As a communication tool between intervention staff
- Legal documentation regarding client care
- As a source of data for clinical research and statistics
- As a planning tool to facilitate changes
- To comply with legal and regulatory requirements

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#### **How much personal information does Cochrane Temiskaming Resource Centre collect, use or disclose?**

Cochrane Temiskaming Resource Centre collects, uses and discloses personal information only to the extent required to fulfill the purposes stated within this policy.

#### **How can individuals access their personal information held by Cochrane Temiskaming Resource Centre?**

Clients have a right to access their own personal information in the possession and control of Cochrane Temiskaming Resource Centre. Clients are able to request a restriction on certain uses and disclosures of their information, amend their health records, obtain an account of disclosures of their health information, or revoke authorization to use or disclose their health information except to the extent that action has already been taken. (subject to legal exceptions)

#### **How long does Cochrane Temiskaming Resource Centre retain personal information?**

Cochrane Temiskaming Resource Centre retains personal information only for as long as is required to fulfill the purposes stated in this policy, and to meet all requirements by law.

#### **How accurate is the personal information collected, used and disclosed by Cochrane Temiskaming Resource Centre?**

It is the responsibility of the client to advise Cochrane Temiskaming Resource Centre of changes to their personal information.

Clients should notify the appropriate Cochrane Temiskaming Resource Centre contact of any changes to their personal information.

#### **How secure is the personal information stored at Cochrane Temiskaming Resource Centre?**

Cochrane Temiskaming Resource Centre is committed to ensuring that personal information is protected from unauthorized access, unintended disclosure or theft.. This protection is provided by firewalls in the computer system, passwords to protect databases, signed confidentiality agreements, locking file cabinets and restricted access to offices. PHI is kept confidential and secure and used only by those directly involved in the client's care

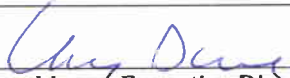
#### **How is personal information collected, used or disclosed via Cochrane Temiskaming Resource Centre web site?**

The Cochrane Temiskaming Resource Centre website may log internet protocol addresses of visitors. This information is used, in aggregate form, to provide statistical measures about usage of the site. This in turn allows us to continually improve the content and design of our web sites.

Cochrane Temiskaming Resource Centre website does contain links to other websites owned and operated by third parties. While we attempt to ensure that these organizations adhere to similar privacy policies, we are not responsible for the content or privacy practices of such sites. It is highly recommended that you review the privacy policies of other sites prior to providing any personal information on those sites.

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#### **How can individuals relay their concerns about their personal information held by Cochrane Temiskaming Resource Centre?**

If individuals have a complaint related to the Cochrane Temiskaming Resource Centre Privacy Policy, they may contact the Privacy Officer in writing. If the Privacy Officer is unable to resolve the concern, or if there are further complaints, individuals may contact the Privacy Commissioner of Ontario.

#### **How to Contact Us**

For more information about our privacy practices or if a client raises a concern:

Cochrane Temiskaming Resource Centre  
Privacy Officer  
600 Toke Street  
Timmins, ON P4N 6W1  
Telephone: 705-267-8181, ext 254  
Fax: 705-264-4255  
e-mail: [cwing@ctrc.on.ca](mailto:cwing@ctrc.on.ca)

#### **Grievances**

A client has the right to discuss issues/ discrepancies with the Information and Privacy Commissioner of Ontario. The Commissioner can be reached at:

Information and Privacy Commissioner of Ontario  
2 Bloor Street East Suite 1400  
Toronto, ON M4W 1A8  
Telephone: 1-800-387-0073  
Fax: (416) 325-9195  
E-mail: [info@ipc.on.ca](mailto:info@ipc.on.ca)

**Reference:** *Personal Health Information Protection Act, November 2004 (PHIPA)  
PHIPA 18 (6)*