

Jurisdictional Scan of Patient Notices of Health Information Practices

Prepared for the Pan Canadian Health Information
Privacy (HIP) Group

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1 Introduction to Jurisdictional Comparison of Canadian Patient Notices of Health Information Practices

The Privacy Forum on EHR Information Governance (“Privacy Forum”) is a federal / provincial / territorial body sponsored by Canada Health *Infoway* (“*Infoway*”). The Privacy Forum includes one representative from each Federal/Provincial/Territorial Health Ministry/Department and one representative from each jurisdiction’s Information and Privacy Commissioners/Ombudsperson Offices. The Privacy Forum serves to enable this group to discuss administrative tools and their experiences dealing with the information governance topics identified in the *White Paper on Information Governance of the Interoperable Electronic Health Record* (“Information Governance White Paper”).

Information Notices to Patients was one of the topics for jurisdictional consideration that *Infoway* identified in its Information Governance White Paper (see topic 5 in section 2.3). According to the Information Governance White Paper:

“The CSA Model Code and many privacy statutes in Canada state that patients are to be informed of the purposes for which custodians and trustees collect, use and disclose personal health information and of the safeguards that are in place to protect it, in a readily understandable manner, at or before the time information is collected. This notice requirement may be fulfilled through posters, brochures or websites where patients may obtain information on their healthcare provider’s information practices. This requirement exists in many jurisdictions today in the paper world.

Where such information is provided to the public, it is typically in relation to a specific domain repository initiative, such as a pharmacy network or a hospital or primary care physician’s office. Consideration needs to be given as to whether existing notices are sufficient to cover the interoperable EHR, if existing notices can be adjusted or if the EHR warrants a separate notice.”

This jurisdictional scan identifies common elements found in jurisdictional patient notices of health information practices (“patient notices”) provided by Privacy Forum participants to *Infoway*. Privacy Forum participants may use this document to develop or evaluate patient notices for their jurisdictional EHR initiatives. The document identifies thirteen core issues that the patient notices reviewed by the authors (e.g. what information is collected, and who has access to it?). Appendix A - Table of Patient Notice Content for Projects and Organizations, summarizes the content of the patient notices the authors reviewed during this jurisdictional scan. Patient notices reviewed represented either general jurisdictional information practices or project specific information practices. Specifically, the patient notices reviewed dealt with the following organizations or projects:

- Saskatchewan Picture Archiving and Communication System (“PACS”);
- Saskatchewan Pharmaceutical Information Program (“PIP”);
- Manitoba Health;
- Nova Scotia Provincial Programs of the Department of Health;

- Cape Breton District Health Authority (Nova Scotia);
- University Health Network (Toronto);
- The Hospital for Sick Children (Toronto);
- Cancer Care Ontario (“CCO”);
- Ontario Ministry of Health and Long-Term Care (“MOHLTC”); and
- Quebec National Capital Region Health Record.

The next section compares the notices and highlights common themes found within them.

2 Common Themes

The following table summarizes the information presented in Appendix A in order to describe thirteen common topics addressed in the patient notices surveyed and identify the general themes in how the notices address each topic.

Common Notice Topics	Common Themes in Addressing Topic
1. Purpose and Benefits of Program or Organization	Program specific patient notices provided thorough information about the purposes and benefits of the program in question. Patient notices from organizations and government ministries generally did not provide this information in their patient notices, likely due to the diversity of the services they provide.
2. Applicable Legislation	Most patient notices indicate the privacy legislation applicable to the program or organization in question. In some cases, the patient notices explained some of the implications of the legislation for the program or organization.
3. What information is collected?	All the patient notices address this question, though there was significant range in the detail of the information provided. In some cases, the patient notices provided only a summary description of the information collected. In other cases, the patient notices described in detail the full range of information collected, such as diagnostic and treatment information, demographic information to identify and contact individuals, and information collected for secondary purposes such as research and fundraising. The more detailed descriptions also indicated what information would be collected in which phase of the project.

Common Notice Topics	Common Themes in Addressing Topic
<p>4. For what purposes is information collected, used, and disclosed?</p>	<p>Almost all the patient notices addressed this question. Like the previous question, there was significant range in the detail of the information provided. In some cases, the patient notices provided a summary description of the purposes for which information is collected, used, and disclosed. In other cases, the patient notices provided a detailed description, distinguishing between purposes for which the patient's consent was obtained (e.g. disclosures to third parties, employers, insurers, family members) versus purposes for which obtaining the patient's consent was not required (e.g. disclosures required by law for regulatory purposes, disclosures by court order). The more detailed patient notices discussed the range of uses for the information, such as treatment, health system planning and statistical purposes, research, medical education, contacting patients to facilitate quality assurance surveys, verification of eligibility to receive treatment, and processing of billings and payments. A few patient notices discussed when de-identified information would be used (e.g. for research), and noted that the organization does not trade or sell personal health information.</p>
<p>5. Who has access to the information?</p>	<p>Almost all patient notices reviewed addressed this issue. Some of the patient notices described a broad range of information recipients, such as health care providers, the jurisdiction's health ministries, family members (upon instruction of the individual), public authorities with statutory authority to collect the information, and organizations which provide services to health care providers.</p>

Common Notice Topics	Common Themes in Addressing Topic
6. Can an individual choose not to have their information collected, and can they block particular uses or disclosures of some or all of their information?	About half of the patient notices reviewed addressed this issue. However, some of the patient notices provided detailed information, including: the distinction between opting out of a program versus participating in the program and blocking access to certain or all information collected by the program; the procedure by which information recipients may access blocked information and the implications of doing so; circumstances in which blocked information may be accessed; whether individuals may make information blocking decisions on behalf of other individuals (e.g. parent on behalf of child); how an individual may begin participating in the program after initially choosing to opt-out of it; and the implications of missing deadlines to submit forms to opt-out of programs.
7. Can an individual access their information, and must they pay a fee?	Most of the patient notices indicated that individuals may access their information, and explained the process for doing so. Only a few patient notices indicated whether fees applied to the information access.
8. Can an individual have errors in their information corrected?	The majority of patient notices reviewed indicated that individuals may request that information about them be corrected.
9. Can an individual challenge the way their information is being handled?	The majority of patient notices indicated that individuals may challenge the way their information is being handled, and explained the process for making such a challenge. In some cases, multiple venues for making a complaint were described (e.g. file a complaint with the organizational privacy officer or with the provincial privacy commissioner).

Common Notice Topics	Common Themes in Addressing Topic
10. What measures are being taken to ensure the security of information?	While almost every patient notice described measures taken to ensure information security, there was significant range in the detail of the information provided. Text ranged from a summary description of security measures employed to a detailed description of legislated security responsibilities, use of administrative safeguards, technical safeguards, and physical safeguards. Administrative safeguards described included privacy training; regular security reviews; confidentiality agreements for staff and third parties who provide services; policies and procedures governing workstation use and security, confidential information, retention of recorded information, password protection, faxing procedures, and email use; and use of sanctions for unauthorized access to information. Technical safeguards described included passwords; industry standard encryption and network security; firewalls; antivirus software; and server redundancy. Physical safeguards described included ID badges; locked doors and filing cabinets; and "clean desk" practices).
11. How long is information retained?	Only a few of the patient notices addressed this issue. These notices discussed the determining factors for retention periods, such as age of the patient at the time of last treatment, the type of information, what retention period is required by law, and whether the information will be used in a future phase of the project.
12. Are audit logs of information access maintained?	Less than half of the patient notices addressed this issue. Those that did discussed how a patient may access the audit logs, and auditing of access to blocked information.
13. How can additional information about the notices be obtained?	About half of the patient notices provided specific instructions for obtaining additional information about the notices. Other patient notices often provided contact information for the organization in general.

Appendix A: Table of Patient Notice Content for Projects and Organizations

This appendix identifies the content found in the patient notices reviewed as part of the jurisdictional patient notice scan. Each column identifies a topic generally addressed within the patient notice and each row describes the response of a particular patient notice. Given the large number of topics addressed in notices, the authors have divided the common topics addressed into two tables.

Table 1: Patient Notice Topics 1-6

Table 1 summarizes the notices surveyed response to the following topics:

1. Purpose and Benefits of Program or Organization
2. Applicable Legislation
3. What information is collected?
4. For what purposes is information collected, used, and disclosed?
5. Who has access to the information?
6. Can an individual choose not to have their information collected, and can they block particular uses or disclosures of some or all of their information?

Name of Program or Organization	1. Purpose and Benefits of Program or Organization	2. Applicable Legislation	3. What information is collected?	4. For what purposes is information collected, used, and disclosed?	5. Who has access to the information?	6. Can an individual choose not to have their information collected, and can they block particular uses or disclosures of some or all of their information?
Saskatchewan Picture Archiving and Communication System (PACS) ¹	PACS is an electronic health record designed for the storage, retrieval and display of diagnostic images, like X-rays, MRI and CT scans. PACS provides improved service in rural areas, decreased waiting times between tests and results, elimination of film transport between locations, and enhanced patient safety.	<i>Health Information Protection Act (HIPA)</i>	PACS will collect diagnostic images like X-rays, MRI and CT scans, and information about the type of diagnostic imaging exam requested by the physician as well as the name of the physician. To identify digital images, the following information is collected: the individual's name, address, gender, date of birth, health services number and medical records number.	The information is used primarily for clinical purposes. Information is only used or disclosed as authorized or required by the <i>Health Information Protection Act (HIPA)</i> .	PACS will be implemented in the three provincial hospitals located in Saskatoon, then in the six regional hospitals and the provincial hospitals in Regina. Private radiology clinics are not currently included in the implementation, however planning allows for their future inclusion. Authorized radiologists and family physicians will have secure access to the images online at any time, from any location.	Individuals cannot prevent their information from being collected. However, PACS provides "masking", which makes an individual's information unavailable for view. Masking forms are processed by the Centralized Privacy Service at Saskatchewan Health. Health care providers may only view masked information in the following circumstances: with consent from the individual, in an emergency when the individual is unable to provide consent, and when an authorized radiologist or technologist requires access to the information in order to report on or complete a procedure, respectively. All access to masked information is tracked, including the time and date of the access, name of the health care provider accessing the information, and the reason for accessing the information. An individual may "unmask" their information.

¹ Saskatchewan Health, Centralized Privacy Service, "Improved Access to Digital Imaging in Saskatchewan - The Saskatchewan Picture Archiving and Communication System (PACS)", www.health.gov.sk.ca

Name of Program or Organization	1. Purpose and Benefits of Program or Organization	2. Applicable Legislation	3. What information is collected?	4. For what purposes is information collected, used, and disclosed?	5. Who has access to the information?	6. Can an individual choose not to have their information collected, and can they block particular uses or disclosures of some or all of their information?
Saskatchewan Pharmaceutical Information Program (PIP) ²	The Pharmaceutical Information Program (PIP) provides authorized health care professionals (e.g. pharmacists and physicians) with confidential access to patient medication records. The program will be particularly helpful where several prescribers are involved in a patient's care, and will help prescribers avoid drug interactions and duplications of therapy, such as prescription drug abuse.	<i>Health Information Protection Act</i> (HIPA) and the <i>Prescription Drugs Act</i>	Prescription information is collected under the authority of the <i>Prescription Drugs Act</i> , and includes: date prescription dispensed, the name of the drug, the quantity of drug, the prescriber, the pharmacy, and the individual's Health Services Number or other identifying information. PIP will be extended in future phases to include information entered directly by physicians and other health care providers, such as allergy information, and prescriptions entered electronically by prescribers.	The information is used primarily for clinical purposes. Information is only used or disclosed as authorized or required by <i>Health Information Protection Act</i> (HIPA).	Pharmacists and physicians	Like the PACS described above, patients cannot opt-out of collection. However, PIP provides "masking" which makes an individual's information unavailable for view. See PACS description above for additional information on masking.
Manitoba Health ³	Administration of programs, policies and legislation under the authority of the Minister of Health and Manitoba Health. The information is used to: determine individuals' eligibility for health coverage and other Manitoba Health programs;	<i>The Freedom of Information and Protection of Privacy Act</i> (FIPPA) and <i>The Personal Health</i>	A variety of personal health information may be collected. However, the minimum amount of personal health information required for the purpose in question will be collected, used and	Information is only provided to third parties with the consent of the individual, or where permitted or required by law. Information will be disclosed to regional health authorities and other health system partners to facilitate the	Regional health authorities and other health system partners. Information is only provided to third parties with the consent of the individual, or where permitted or	N/A

² Saskatchewan Health, Drug Plan & Extended Benefits Branch, "The Pharmaceutical Information Program", www.health.gov.sk.ca

³ Manitoba Health Access and Privacy Coordinator, "Your Information, Your Privacy"

Name of Program or Organization	1. Purpose and Benefits of Program or Organization	2. Applicable Legislation	3. What information is collected?	4. For what purposes is information collected, used, and disclosed?	5. Who has access to the information?	6. Can an individual choose not to have their information collected, and can they block particular uses or disclosures of some or all of their information?
	process claims and administer payment of benefits; respond to inquiries, complaints and appeals; administer public health services; and for employment purposes, to determine suitability for employment, administer pay, benefits, and entitlements, and generate statistical information.	<i>Information Act (PHIA)</i>	disclosed.	provision of health care, and to assist in the planning and management of the health system. Information will be provided to regional health authorities and other health system partners to assist in the planning and management of the health system.	required by law.	
Nova Scotia Provincial Programs of the Department of Health ⁴	The Nova Scotia Provincial Programs of the Department of Health administers the following programs: Cancer Care Nova Scotia; Cardiovascular Health Nova Scotia; Diabetes Care Program of Nova Scotia; Nova Scotia Breast Screening Program; Nova Scotia Hearing and Speech Centres; Nova Scotia Provincial Blood Coordinating Program; and the Reproductive Care/Rh Program of Nova Scotia. Personal health information is used to monitor standards of care, education and research; provide quality care and treatment; plan for the delivery of health services; support research into specific diseases; produce provincial and	<i>Freedom of Information and Protection of Privacy Act (FOIPOP)</i> and the <i>Hospital Act</i>	A variety of personal health information is collected from hospitals, health care professionals and in some cases directly from the provincial programs. This information may include: routine medical information that is relevant to the program in question, such as diagnosis and treatment information; and information required to identify individuals such as name, address, telephone number, and health card number.	An individual is entitled to know why their personal information is collected, how it is used, and with whom and why it is shared. An individual is entitled to know who provided the information to the program in question.	N/A	An individual may request that a program not use his/her personal information. If the program must use the information, the request will be noted, and the Privacy Officer will provide the individual with an explanation as to why the information must be used without consent.

⁴ Nova Scotia Health, “Provincial Programs – How We Protect the Privacy of Your Personal Information”

Name of Program or Organization	1. Purpose and Benefits of Program or Organization	2. Applicable Legislation	3. What information is collected?	4. For what purposes is information collected, used, and disclosed?	5. Who has access to the information?	6. Can an individual choose not to have their information collected, and can they block particular uses or disclosures of some or all of their information?
	district statistics to identify trends; track diseases and trends in care; and share information to prevent or control disease, such as reporting infectious diseases to the Medical Officer of Health.					
Nova Scotia, Cape Breton District Health Authority ⁵	N/A	<i>Freedom of Information and Protection of Privacy Act</i> (FOIPOP) and the <i>Hospital Act</i>	The Cape Breton District Health Authority collects personal health information including: information needed to identify an individual, such as name, address, telephone number and health insurance number; information concerning physical or mental health; health services received; past health conditions; current symptoms; medications prescribed; examination and test results; diagnoses and treatment plans; information concerning the donation of any body part or bodily substance or information derived from the testing or	The information is used primarily for clinical purposes. Information is collected, used and disclosed for diagnosis and treatment, follow-up care, and identifying individuals. The Cape Breton District Health Authority may disclose personal health information without an individual's consent for purposes including: to comply with legal and regulatory requirements, to improve the quality of health care services and how they are provided, and for approved research, statistical, and educational purposes. In most cases, information provided for research has been de-identified. All information requests for research purposes must be approved by a Research Ethics Board, and by the Research	Cape Breton Health Authority staff access the personal health information as required to provide health care (on a need to know basis). In most cases, an individual's family physician also has access to the individual's health record.	N/A

⁵ Cape Breton District Health Authority, "Frequency Asked Privacy Questions"

Name of Program or Organization	1. Purpose and Benefits of Program or Organization	2. Applicable Legislation	3. What information is collected?	4. For what purposes is information collected, used, and disclosed?	5. Who has access to the information?	6. Can an individual choose not to have their information collected, and can they block particular uses or disclosures of some or all of their information?
			<p>examination of a body part or bodily substance; information collected in the course of providing health services; and information collected incidentally in the provision of health services.</p>	<p>Committee at the Cape Breton District Health Authority. Forms of research which would impact upon an individual's health care, such as voluntary clinical trials or clinical investigation, require the individual's consent which would be obtained from the individual by their health care provider. The Cape Breton District Health Authority may use contact information that it has collected to contact individuals for purposes of surveys regarding the quality of health care provided to the individuals. Personal information is not collected, used, or disclosed for fundraising purposes without an individual's consent. Personal information is not disclosed to employers. Family members will be provided with an individual's room number in a hospital and general health status, unless the individual requests otherwise.</p>		

<p>University Health Network (Toronto)⁶</p>			<p>Information about medical tests, procedures and care provided to individuals is collected. Demographic information such as name, address, and date of birth are also collected.</p>	<p>The information is used to provide health care services, to comply with legal and regulatory requirements, and for reimbursement for the provision of health services. Information is used to manage the provision of health services, to support health research, and to support medical education. UHN Foundations use individuals' contact information to raise money for research, medical education, and improved patient care, unless an individual instructs otherwise.</p>	<p>Health care providers at UHN, such as doctors, nurses, technicians, and therapists will have access to the information for health care purposes. Family members of legal representatives as per the individual's instructions, health regulatory agencies (for example, agencies that track wait times), public authorities as permitted and required by law (for example, Public Health to track infections), Government agencies (for example, the Workplace Safety & Insurance Board). Sufficient information is provided in order for visitors or callers in order for them to contact the individual, unless the individual has instructed otherwise. Information is provided to insurers with the consent of the individual.</p>	
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Name of Program or Organization	1. Purpose and Benefits of Program or Organization	2. Applicable Legislation	3. What information is collected?	4. For what purposes is information collected, used, and disclosed?	5. Who has access to the information?	6. Can an individual choose not to have their information collected, and can they block particular uses or disclosures of some or all of their information?
The Hospital for Sick Children (Toronto) ⁷			This information may include, for example, your name, date of birth, address, health history, and records of your visits to SickKids and the care that you received during those visits.	The information is used to provide health care, to manage health care services, for medical research, and medical education. Contact information is used to administer patient satisfaction surveys and fundraising.	Health care providers, including medical students and interns, researchers (who receive de-identified information), the Ministry of Health and Long-Term Care when required by law, third party contracts who provide services to the hospital, and others with the consent of the individual or as required or permitted by law.	
Cancer Care Ontario (CCO) ⁸	As a prescribed entity and prescribed registry, CCO collects personal health information for health system funding, management and planning.	<i>Personal Health Information Protection Act, 2004</i> (PHIPA)	Personal health information relating to cancer and wait times. Demographic information is also collected.	CCO collects personal health information from health care facilities, from the Ontario Ministry of Health and Long-Term Care, and other organizations. CCO uses the information it collects to plan and manage the cancer system in Ontario and manage the Wait Time Information System. CCO	CCO releases personal health information to researchers who comply with the research requirements set out in PHIPA.	CCO does not require an individual's consent to collect the individual's information and individuals' have no right to limit CCO's use of their information.

⁶ “Your Privacy, University Health Network’s Privacy Commitment to Patients” http://www.uhn.ca/Patients_&_Visitors/your_privacy/notices.asp

⁷ “Privacy of your info at SickKids” <http://www.sickkids.ca/FamilyInformation/section.aspx?s=Coming+to+SickKids&ssID=385&ss=Privacy+of+your+info+at+SickKids&ssID=7620>

⁸ “About Privacy at Cancer Care Ontario” <http://www.cancercare.on.ca/english/home/about/who/privacy/>

Name of Program or Organization	1. Purpose and Benefits of Program or Organization	2. Applicable Legislation	3. What information is collected?	4. For what purposes is information collected, used, and disclosed?	5. Who has access to the information?	6. Can an individual choose not to have their information collected, and can they block particular uses or disclosures of some or all of their information?
				does not release information to third parties unless required or permitted by law.		

Name of Program or Organization	1. Purpose and Benefits of Program or Organization	2. Applicable Legislation	3. What information is collected?	4. For what purposes is information collected, used, and disclosed?	5. Who has access to the information?	6. Can an individual choose not to have their information collected, and can they block particular uses or disclosures of some or all of their information?
Ontario Ministry of Health and Long-Term Care (MOHLTC) ⁹		<i>Personal Health Information Protection Act, 2004</i> (PHIPA)	The MOHLTC collects, uses and discloses personal health information with consent or with authority under PHIPA. The MOHLTC collects personal health information from individuals, from people acting on their behalf, and from healthcare providers. The MOHLTC will not collect personal health information if other information will serve the purpose, and will not collect more personal health information than is necessary.	The MOHLTC uses personal health information to: process, monitor and verify claims for payment for publicly funded healthcare services (e.g., through the Ontario Health Insurance Plan); determine or verify eligibility of individuals with respect to healthcare; plan, administer and evaluate programs and services funded by the MOHLTC; plan and manage the health system; conduct research in accordance with PHIPA; undertake specific activities as permitted or required by law (e.g., to comply with a court order); for purposes related to its statutory functions, including the administration of the laws for which it is responsible. The MOHLTC discloses personal health information for facilitating the provision of healthcare; and improving the provision of healthcare through registries. The MOHLTC does not trade or sell personal health information.		

⁹ “Ministry of Health and Long-Term Care Statement of Information Practices” http://www.health.gov.on.ca/english/public/legislation/bill_31/stat_info_practices.pdf.

Name of Program or Organization	1. Purpose and Benefits of Program or Organization	2. Applicable Legislation	3. What information is collected?	4. For what purposes is information collected, used, and disclosed?	5. Who has access to the information?	6. Can an individual choose not to have their information collected, and can they block particular uses or disclosures of some or all of their information?
Quebec National Capital Region Health Record ¹⁰	Improves the quality and efficiency of health care by providing for faster diagnosis, less duplication of tests, an updated list of medications to protect from adverse drug reactions, and reduction of medical error.		Depending upon the phase of the project: medications taken, lab test results, medical imaging test results, vaccines administered, and other information like the presence of pacemaker, donated organs.	Information is provided, without consent, as required by law to professional regulatory bodies and other bodies with legislated authority to collect it. Information is provided, with consent, to third parties such as: insurers, employers, and health care practitioners who do not provide the patient with care.	Depending upon the phase of the project: to doctors, nurses, pharmacists, biochemists, microbiologists, and archivists. Access is limited to what is required for job purposes. For example, doctors may view all details of a health record, while a biochemist may only view lab results.	Participation in the project is voluntary. If a refusal form is provided by the deadline then no record for the individual is established. After the deadline, no additional information will be added to the record and no access to the record will be provided except to individuals who had access to the record prior to the receipt of the refusal form, and who require it to provide health care. Access by these care providers is recorded. Refusal forms may be signed by individuals over 14 years of age, or by parents of children under 14. Legal guardians of an incapacitated individual may sign the form. An individual may later choose to participate in the program, after initially refusing to participate. Also, an individual may participate in the program but limit access to particular information, and/or limit access by particular individuals.

¹⁰ “Document d’information concernant la mise en oeuvre du projet pilote du Dossier de santé du Québec dans la région de la Capitale-Nationale, Québec Dossier de sante.

Table 2: Patient Notice Topics 7- 13

Table 2 summarizes the notices surveyed response to the following topics:

- 7. Can an individual access their information, and must they pay a fee?
- 8. Can an individual have errors in their information corrected?
- 9. Can an individual challenge the way their information is being handled?
- 10. What measures are being taken to ensure the security of information?
- 11. How long is information retained?
- 12. Are audit logs of information access maintained?
- 13. How can additional information about the notices be obtained?

Name of Program or Organization	7. Can an individual access their information, and must they pay a fee?	8. Can an individual have errors in their information corrected?	9. Can an individual challenge the way their information is being handled?	10. What measures are being taken to ensure the security of information?	11. How long is information retained?	12. Are audit logs of information access maintained?	13. How can additional information about the notices be obtained?
Saskatchewan Picture Archiving and Communication System (PACS)	N/A	N/A	N/A	Privacy safeguards established in the <i>Health Information Protection Act</i> apply to PACS. The PACS database is protected by industry standard technical, administrative and physical safeguards. Only authorized health care providers may access the information. Health care providers are informed of their privacy responsibilities and agree to maintain the confidentiality of information and access it on a need-to-know basis only. High-quality network security is in place,		All access to PACS information is tracked and recorded for audit purposes. Individuals can request a printout of who has accessed their information in PACS. All access to "masked" information is tracked including the time and	

Name of Program or Organization	7. Can an individual access their information, and must they pay a fee?	8. Can an individual have errors in their information corrected?	9. Can an individual challenge the way their information is being handled?	10. What measures are being taken to ensure the security of information?	11. How long is information retained?	12. Are audit logs of information access maintained?	13. How can additional information about the notices be obtained?
				and all electronic messages are encrypted. Loss of computer hardware through theft, fire, etc. will not impact the information in PACS. All patient diagnostic imaging information is stored on secure servers. Information is not stored on laptops or computer workstations. Images are transmitted from health care treatment facilities across the province over Saskatchewan's secure high-speed computer network, CommunityNet.		date of the access, name of the health care provider accessing the information, and the reason for accessing the information.	
Saskatchewan Pharmaceutical Information Program (PIP)	N/A	N/A	N/A	Privacy safeguards established in the <i>Health Information Protection Act</i> apply to PIP. The PIP database is protected by industry standard technical, administrative and physical safeguards. Only authorized health care providers may access the information. Health care providers are informed of their privacy responsibilities and agree to maintain the confidentiality of information and access it on a need-to-know basis only. High-quality network security is in place, and all electronic messages are encrypted. Loss of computer hardware through theft, fire, etc. will not impact the information in PACS. All patient diagnostic imaging information is stored on secure servers. Information is not	N/A	All access to PACS information is tracked and recorded for audit purposes. Individuals can request a printout of who has accessed their information in PACS. All access to "masked" information is tracked including the time and date of the access, name of the health care provider accessing the information, and the reason for	N/A

Name of Program or Organization	7. Can an individual access their information, and must they pay a fee?	8. Can an individual have errors in their information corrected?	9. Can an individual challenge the way their information is being handled?	10. What measures are being taken to ensure the security of information?	11. How long is information retained?	12. Are audit logs of information access maintained?	13. How can additional information about the notices be obtained?
				stored on laptops or computer workstations.		accessing the information.	
Manitoba Health	An individual may ask to see or get a copy of their information.	An individual may ask for a correction to their information.	An individual may complain to the Manitoba Ombudsman if they feel their information has been collected, used or disclosed in contravention of the <i>Personal Health Information Act</i> and the <i>Freedom of Information and Protection of Privacy Act</i> .	Information will be kept secure, and will not be made available to unauthorized persons. Information will be protected in accordance with the <i>Personal Health Information Act</i> and the <i>Freedom of Information and Protection of Privacy Act</i> .	N/A	N/A	N/A
Nova Scotia Provincial Programs of the Department of Health	An individual may request a copy of their personal information.	Personal information will be as correct, complete, and up-to-date as needed for a program's purposes. An individual may request (in writing) that their personal information be corrected. If a program is unable to perform the correction, the request will be noted.	An individual may complain about how their personal information is used or protected by a program. The complaint is made to the Privacy Officer of the program.	Personal information is protected by physical, electronic, and other safeguards.	N/A	N/A	N/A
Nova Scotia,	The Health	Individuals may	Questions and	The following measures are	The length of time	Individuals may	Questions

Name of Program or Organization	7. Can an individual access their information, and must they pay a fee?	8. Can an individual have errors in their information corrected?	9. Can an individual challenge the way their information is being handled?	10. What measures are being taken to ensure the security of information?	11. How long is information retained?	12. Are audit logs of information access maintained?	13. How can additional information about the notices be obtained?
Cape Breton District Health Authority	Record Department processes requests for information access. Fees are as determined by the <i>Release of Patient Information Fees Regulations</i> . ¹¹	contact the Privacy Officer with requests for correction of errors. Requests will be reviewed. By law, hospitals are not required to correct professional opinions made in good faith.	concerns can be addressed to the Privacy Officer.	employed: training for physicians, staff and volunteers; use of policies and procedures related to privacy and confidentiality, user access, security practices, and access audits; use of staff photo ID badges; electronic safeguards such as user names, passwords, firewalls, and antivirus software; and physical safeguards such as locked doors and filing cabinets.	which records are retained depends upon several factors including the type of information (tests or diagnostic imaging), the age of the patient at the time of last treatment (over or under 19 years of age), and whether the patient has passed away. In general, healthcare records are normally kept by hospitals for 20 years since the last visit, or 10 years after someone passes away. Questions about retention may be directed at the Health Record Department.	submit a written request to the privacy officer to view an audit log of access to the individual's information.	and concerns can be addressed to the Privacy Officer.
University Health Network (Toronto)	Information access requests are made to the Health Records Services	Information correction requests are made to the Health Records Services	N/A	N/A	N/A	N/A	The UHN Privacy Officer can provide additional

¹¹ No fees are charged to access information associated with the Nova Scotia Reproductive Care Program/Rh Program. See "Reproductive Care Program/Rh Program of Nova Scotia Procedure for Accessing Personal Information".

Name of Program or Organization	7. Can an individual access their information, and must they pay a fee?	8. Can an individual have errors in their information corrected?	9. Can an individual challenge the way their information is being handled?	10. What measures are being taken to ensure the security of information?	11. How long is information retained?	12. Are audit logs of information access maintained?	13. How can additional information about the notices be obtained?
	department.	department.					information.
The Hospital for Sick Children (Toronto)	Individuals can access their information.	The Manager, Health Records responds to error correction requests.	Complaints are investigated by the Privacy Office. Complaints can also be made to the Information and Privacy Commissioner/Ontario.	Research Ethics Board ensure confidentiality of information used in research. Information is only accessed as required. Access audits are performed. Measures are in place to prevent unauthorized access to information, and to regulate the use of information by third party service providers.	Only for as long as it is needed or required by law.	N/A	By contacting the Privacy Officer
Cancer Care Ontario (CCO)	Individuals are directed to the health practitioner which collected the information in question.	N/A	Complaints can be made with the Information and Privacy Commissioner/Ontario	Any disclosure of personal health information must comply with CCO's Data Use and Disclosure Policy. Data is encrypted during transmission, regular security reviews are performed, systems are tested and backed-up regularly, and CCO has an Disaster Recovery Plan. All CCO staff attend security training, And CCO practices undergo formal review by the Office of the Information and Privacy Commissioner/Ontario. Employee access to CCO data is granted on a 'need-to-know' basis.	N/A	N/A	From the CCO Privacy Office
Ontario Ministry of Health and Long-Term Care (MOHLTC)	Individual may submit a written information access request to the Manager of the Access and Privacy	Individual may submit a written correction request to the Manager of the Access and Privacy Office.	Complaints can be made to the Manager of the Access and Privacy Office, and to the Information and Privacy Commissioner/Ontario.	The MOHLTC uses administrative, technical, and physical safeguards. Many of these safeguards and practices apply across the Government of Ontario such as a requirement for civil servants to take an oath of secrecy.	N/A	N/A	The MOHLTC provides more detailed information about its practices and

Name of Program or Organization	7. Can an individual access their information, and must they pay a fee?	8. Can an individual have errors in their information corrected?	9. Can an individual challenge the way their information is being handled?	10. What measures are being taken to ensure the security of information?	11. How long is information retained?	12. Are audit logs of information access maintained?	13. How can additional information about the notices be obtained?
	Office.			The MOHLTC maintains physical safeguards, such as facility/premises access controls and "clean desk" practices, in addition to technical safeguards, such as unique user identification for access to electronic systems and security features to protect information transmitted electronically. The Ministry complies with policies governing workstation use and security; confidential information; retention of recorded information; password protection; faxing procedures; and usage of electronic mail systems. The Ministry trains staff in these policies, and relies on written agreements with respect to the privacy and confidentiality of information provided to third party service providers.			safeguards.
Quebec National Capital Region Health Record	An individual may view their information at no charge by submitting a written request. Transcriptions of records are available at the cost of transcription.	An individual may submit a written information correction request. A reply will be sent to the individual.	Individuals may file complaints with: the Director of Medical Affairs, the Régie de l'assurance maladie du Québec, the information and access commission, and the Minister of Health and Social Services.	Security measures include user identification. Sanctions may be imposed for unauthorized access.	At the end of the pilot project, subject to the decision of the legislature, consent of individuals is implied to keep the information for later phases of the project.	An individual may submit a written request to view a log of access to their information.	

Appendix B: Publicly Available Patient Notices

The following table provides a list of publicly available patient notices concerning topics ranging from provincial health information practices to specific EHR initiatives. Some of these notices were reviewed as part of the *Jurisdictional Scan of Patient Notices of Health Information Practices* above.

Jurisdiction	Project Name/Notice Title	Website URL
Alberta	Alberta Netcare Electronic Health Record, "Better Patient Information. Better Care Decisions."	http://www.albertanetcare.ca/NC_brochure_proof_rev.pdf
Saskatchewan	Saskatchewan Health, Centralized Privacy Service, "Improved Access to Digital Imaging in Saskatchewan - The Saskatchewan Picture Archiving and Communication System (PACS)"	http://www.health.gov.sk.ca/adx/asp/adxGetMedia.aspx?DocID=2060,94,88,Documents&MediaID=1313&Filename=pacs-brochure.pdf
	Saskatchewan Health, Drug Plan & Extended Benefits Branch, "The Pharmaceutical Information Program"	http://www.health.gov.sk.ca/adx/asp/adxGetMedia.aspx?DocID=446,94,88,Documents&MediaID=321&Filename=pij-brochure.pdf
Ontario	Ontario Ministry of Health and Long-Term Care, "Statement of Information Practices"	http://www.health.gov.on.ca/english/public/legislation/bill_31/stat_info_practices.pdf
	University Health Network, "Your Privacy, University Health Network's Privacy Commitment to Patients"	http://www.uhn.ca/Patients_&Visitors/your_privacy/notices.asp
	The Hospital for Sick Children, "Privacy of your info at SickKids"	http://www.sickkids.ca/FamilyInformation/section.asp?s=Coming+to+SickKids&sID=385&ss=Privacy+of+your+info+at+SickKids&ssID=7620
	Cancer Care Ontario, "About Privacy at Cancer Care Ontario"	http://www.cancercare.on.ca/english/home/about/who/privacy/
Nova Scotia	Nova Scotia Health, "Provincial Programs – How We Protect the Privacy of Your Personal Information"	http://www.nshsc.ns.ca/documents/DOHProv.ProgramsPrivacyPolicy.pdf
	Cape Breton District Health	http://www.cbdha.nshealth.ca/Priva

	Authority, "Frequency Asked Privacy Questions"	cy FAQ.PDF
Newfoundland and Labrador	Newfoundland and Labrador Centre for Health Information, "Pharmacy Network – At a Glance"	http://www.nlchi.nf.ca/pdf/PharmacyNetwork_AtAGlance_May08_FINAL_4pager.pdf

Appendix C: Publicly Available Information on EHR Initiatives

The following table provides a list of publicly available information concerning jurisdictional EHR initiatives.

Jurisdiction	Project Name	URL
Alberta	Netcare	http://www.albertanetcare.ca/
Saskatchewan	Pharmaceutical Information Program (PIP)	http://www.health.gov.sk.ca/pip
	Picture Archiving and Communication System (PACS)	http://www.health.gov.sk.ca/pacs
Quebec	Dossier de Santé	http://www.dossierdesante.gouv.qc.ca/fr_accueil.phtml (French)
		http://www.dossierdesante.gouv.qc.ca/en_accueil.phtml (English)
Newfoundland and Labrador	Newfoundland and Labrador Centre for Health Information	http://www.nlchi.nf.ca/