



PRIVACY POLICY

Peterborough Family Health Team (PFHT) and the Family Health Organizations (FHO) are committed to providing all residents of our community with a high-quality, seamless care experience built upon the foundation of primary care. We¹ will enhance quality of life for residents and health care professionals by leading the development of an integrated and effective health care system. As part of our mission, we are committed to promoting patient² privacy and protecting the confidentiality of the health information we hold.

Our physicians and interdisciplinary health professionals are each health information custodians (HIC) under the *Personal Health Information Protection Act, 2004* (PHIPA). For the purposes of privacy obligations, PFHT, FHO and our Team Members³ are agents. All of the agents abide by this policy and reflect a shared commitment to protecting personal health information. Please be aware a FHO may have additional policies/procedures reflecting the expectations of the organization and the greater obligation must be adhered to. If a FHO does not have additional policies/procedures the obligation will be to these policies and procedures.

Our Privacy Policy is an articulation of the privacy practices and standards to guide Team Members, who work closely and may be agents of the HIC.

Principle 1 – Accountability for Personal Health Information

PFHT and our FHOs are responsible for any personal health information we hold. There is a designated Privacy Officer for PFHT and for each FHO. The Privacy Officer is accountable for compliance with this Privacy Policy and compliance with PHIPA. The designated Privacy Officers are as follows:

Robert O'Brien Peterborough Family Health Team 185 King Street, 5 th floor Peterborough, ON K9J 2R8 (705) 749-1564 ext. 314	Dr. Rick Binette Peterborough Clinic FHO 26 Hospital Drive, Peterborough, ON K9J 7C3 (705) 743-2040	Kathy Grantham Medical Centre FHO 707 Charlotte Street, Peterborough, ON K9J 7B3 (705) 743-6222
Dr. Stephan Ragaz Peterborough Community FHO 170 Simcoe Street, Peterborough, ON K9H 2H7 (705) 742-3639	April Lawton Greater Peterborough FHO 304 Bellevue Street, Peterborough, ON K9H 5G1 (705) 743-7101	Bethann Handley Chemong FHO 150 Strickland Street, Lakefield, ON K0L 2H0 (705) 875-7990

PFHT and FHOs demonstrate commitment to privacy by implementing privacy policies and procedures to protect the personal health information we hold and by educating Team Members and any others who collect, use or disclose personal health information on our behalf about their privacy responsibilities.

¹ Throughout this policy the terms “our”, “we”, and “us” refer to the Peterborough Family Health Team and Family Health Organizations as we work in conjunction with each other regarding privacy policies and those policies related.

² We have used the term “patient” throughout the policy. It is possible that we hold PHI about individuals who are not Peterborough Family Health Team patients, and the privacy policy would apply equally to those individuals.

³ Throughout this policy the term “Team Member(s)” include those working for and employed by the Peterborough Family Health Team

All Team Members and those who act on our behalf must abide by PHIPA, this policy and any applicable rules of professional conduct.

Principle 2 – Identifying Purposes for Collecting Personal Health Information

We collect personal health information for purposes related to direct patient care, administration and management of our programs and services, patient billing, administration and management of the health care system, statistical reporting, meeting legal obligations and as otherwise permitted or required by law.

When the personal health information, which has been collected by PFHT and FHOs, is to be used for a purpose not previously identified, the new purpose will be identified prior to use. Unless the new purpose is permitted or required by law, consent will be required before the information can be used for that purpose.

Principle 3 – Consent for the Collection, Use and Disclosure of Personal Health Information

PFHT and FHOs require consent in order to collect, use, or disclose personal health information. However, there are some cases where we may collect, use or disclose person health information without consent as permitted or required by law. For example, PFHT and FHOs do not require consent for using or disclosing information for billing, risk management, quality improvement purposes, or to fulfill mandatory reporting obligations.

PFHT and FHOs assume that a patient's request for treatment constitutes implied consent for specific purposes, unless expressly instructed otherwise.

A patient is not obligated to give consent and a patient may withdraw consent at any time, but the withdrawal cannot be retrospective. The withdrawal may also be subject to legal or contractual restrictions and reasonable notice.

If a physician leaves one of the related Family Health Organizations and Peterborough Family Health Team, their patients will be notified and will have a choice whether to transfer their health records in accordance with College of Physicians and Surgeons of Ontario rules.

Principle 4 – Limiting Collection of Personal Health Information

PFHT and FHOs limit the amount and type of personal health information we collect to that which is necessary to fulfill the purposes identified. Information is collected directly from the patient, unless the law permits or requires collection from third parties. For example, from time to time we may need to collect information from patients' family members or other health care providers.

Personal health information may only be collected within the limits of each Team Member's role. Team Members should not initiate their own projects to collect new personal health information from any source without being authorized by the appropriate Privacy Officer.

Principle 5 – Limiting Use, Disclosure and Retention of Personal Health Information

Personal health information will not be used or disclosed by us for purposes other than those for which it was collected, except with the consent of the patient or as permitted or required by law.

Personal health information will be retained by the HIC only as long as necessary for the fulfillment of those purposes and used within the limits of each Team Member's role. Furthermore, Team Members may not read, look at, receive or otherwise use personal health information unless they need to know as part of their position, nor shall the Team Member share, talk about, send to, or otherwise disclose personal health information to anyone else, unless that activity falls within the "circle of care"⁴. Team members must adhere to the guidelines provided by the Provincial College overseeing their profession.

⁴ We have used the term circle of care to refer to the medical and Interdisciplinary Health Professionals that are part of the patients care.

Personal health information that is no longer required to fulfill the identified purposes will be destroyed, erased, or made anonymous safely and securely.

Principle 6 – Accuracy of Personal Health Information

PFHT and FHOs take reasonable steps to ensure that information we hold is as accurate, complete, and up to date as is necessary to minimize the possibility that inappropriate information may be used to make a decision about a patient.

Principle 7 – Safeguards for Personal Health Information

PFHT and FHOs have put in place safeguards for the personal health information we hold, which include:

- Physical safeguards (such as locked filing cabinets and rooms);
- Organizational safeguards (such as permitting access to personal health information by Team Members on a "need-to-know" basis only); and
- Technological safeguards (such as the use of passwords, encryption, and audits).

We require anyone who collects, uses, or discloses personal health information on our behalf to be aware of the importance of maintaining the confidentiality of personal health information. This is done through the signing of confidentiality agreements, privacy training, and contractual means.

We take steps to ensure that the personal health information we hold is protected against theft, loss and unauthorized use or disclosure. The details of these safeguards are set out in *Safeguards for Patient Information Guidelines*.

Care is used in the disposal or destruction of personal health information, to prevent unauthorized parties from gaining access to the information.

Principle 8 – Openness about Personal Health Information

Information about PFHT and FHO policies and practices relating to the management of personal health information are available to the public, including:

- Contact information for a Privacy Officer, to whom complaints or inquiries can be made;
- The process for obtaining access to personal health information we hold, and making requests for its correction – details outlined within the *Access and Correction Policy*;
- A description of the type of personal health information we hold, including a general account of our uses and disclosures; and
- A description of how a patient may make a complaint to Peterborough Family Health Team, Family Health Organization or to the Information and Privacy Commissioner of Ontario.

Principle 9 – Patient Access to Personal Health Information

Patients may make written requests to have access to their records of personal health information, in accordance with our *Access and Corrections Policy – Release of Patient Information*. All requests will be completed in conjunction with PFHT and the Privacy Officer for the FHO to which the patient is rostered.

We will respond to a patient's request for access within reasonable timelines and costs to the patient, as governed by law. PFHT will take reasonable steps to ensure that the requested information is made available in a format that is understandable.

Patients who successfully demonstrate the inaccuracy or incompleteness of their personal health information may request that their information be amended. In some cases instead of making a correction, patients may ask to append a statement of disagreement to their file.

Please Note: In certain situations, PFHT and our FHOs may not be able to provide access to all the personal health information we hold about a patient. Exceptions to the right of access requirement will be

in accordance with law. Examples may include information that could reasonably be expected to result in a risk of serious harm or the information is subject to legal privilege.

Principle 10 – Challenging Compliance with Peterborough Family Health Team and Family Health Organization Privacy Policies and Practices

Any person may ask questions or challenge our compliance with this policy or with PHIPA by contacting PFHT's Privacy Officer at (705) 749-1564 ext. 314. If the question is regarding a Family Health Organization employee, the request will be redirected to the appropriate Privacy Officer.

We will receive and respond to complaints or inquiries about our policies and practices relating to the handling of personal health information. We will inform patients who make inquiries or lodge complaints of other available complaint procedures.

PFHT and FHOs will investigate all complaints. If a complaint is found to be justified, PFHT or FHOs will take appropriate measures will be taken to respond.

The Information and Privacy Commissioner of Ontario oversees our compliance with privacy rules and PHIPA. Any individual can make an inquiry or complaint directly to the Information and Privacy Commissioner/Ontario by writing to or calling:

2 Bloor Street East, Suite 1400
Toronto, Ontario M4W 1A8
Phone: 1 (800) 387-0073
www.ipc.on.ca