

Section: Privacy	Policy Number: PRIV2011-01
Subject: Privacy and Confidentiality	Effective Date: September 7, 2011

Privacy Policy

Policy

The Algoma NPLC is committed to respecting the privacy rights of our patients and to the protection their Personal Health Information. Algoma NPLC is a Health Information Custodian and is subject to the Personal Health Information Protection Act, 2004, a law that establishes rules concerning the collection, use and disclosure of Personal Health Information. Algoma NPLC has implemented this policy to ensure that everyone in our organization treats patients and their Personal Health Information with sensitivity and respect.

Accountability

1. All staff, students, volunteers, and other Agents are responsible and accountable for the protection of Personal Health Information.
2. The Algoma NPLC has appointed the Administrative Lead who will be responsible for ensuring the Algoma NPLC's compliance with this policy and for addressing any matters that arise under this policy.
3. The Algoma NPLC has implemented internal policies and practices that support this policy, including:
 - a. Implementing procedures to protect personal information.
 - b. Establishing procedures to receive and respond to complaints and inquiries.
 - c. Training staff and communicating to staff information about the Algoma NPLC's procedures and information handling practices.
 - d. Developing information for Individuals to explain the Algoma NPLC's policies and procedures.

Identified Purposes

1. The Algoma NPLC shall identify the purposes for Personal Health Information that is collected, used and disclosed.
2. Algoma NPLC uses and discloses Personal Health Information for the following purposes:
 - a. To treat and care for patients,
 - b. To receive payment for the treatment and care of patients (from OHIP, WSIB, private insurer or others)
 - c. To plan, administer and manage our internal operations,
 - d. To conduct risk management and quality improvement activities,
 - e. To teach students in the health care field,
 - f. To conduct research,

Section: Privacy	Policy Number: PRIV2011-01
Subject: Privacy and Confidentiality	Effective Date: September 7, 2011

- g. To compile statistics,
 - h. To comply with legal and regulatory requirements, and
 - i. To fulfil other purposes permitted or required by law.
3. Staff, students, volunteers, and other agents shall not use Personal Health Information for any other purpose than an identified purpose without the express permission of Algoma NPLC, which may also require the express consent of the patient.
4. Staff, students, volunteers, and other Agents should be able to explain to patients the purposes for which Personal Health Information is collected at or before the time of collection. At a minimum, Algoma NPLC shall post a notice visible to Individuals indicating the purposes for which Personal Health Information is collected, used and/or disclosed.
5. Where Personal Health Information that has been collected is to be used for a purpose not previously identified, the new purpose shall be identified prior to use. The consent of the patient is required before the information can be used for the new purpose unless the new purpose is required or permitted by law.

Consent

1. The knowledge and consent of the patient, including their implied consent, is required for the collection, use and disclosure of Personal Health Information except where it is required or permitted by law, or where for legal, medical or security reasons it is impossible or impractical to seek consent.
2. Unless otherwise specified by the patient, consent for the use of Personal Health Information by the Algoma NPLC, and disclosure of Personal Health Information by Algoma NPLC to another Health Information Custodian for the purposes of providing health care or assisting in providing health care, is implied.
3. Algoma NPLC will make reasonable efforts to ensure that the patient is advised of the purposes for which the information is collected, used, disclosed and retained, including the posting of a notice of purposes in a manner that it is likely to come to the patient's attention or providing a notice of purposes directly to the patient.
4. Algoma NPLC will not deny access to health care because a patient has not given consent to the collection, use or disclosure of Personal Information, unless the information is essential for the safe delivery of that health care.
5. A patient may withdraw consent at any time, subject to legal restrictions and reasonable notice. Withdrawal of consent will not have a retroactive effect. Algoma NPLC will inform the patient of any implications of such withdrawal.

Section: Privacy	Policy Number: PRIV2011-01
Subject: Privacy and Confidentiality	Effective Date: September 7, 2011

Limiting Collection

1. Algoma NPLC shall not collect Personal Health Information indiscriminately. Both the amount and type of information collected will be limited to that which is necessary to fulfill the purposes identified.
2. Personal Health Information shall be collected only by fair and lawful means. Patients shall not be misled or deceived about the purposes for which information is being collected.

Limiting Use, Disclosure and Retention

1. Personal Health Information shall not be used or disclosed for purposes other than those for which it was collected, except with the consent of the patient or as required or permitted by law.
2. Personal Health Information may be used by Algoma NPLC or disclosed to other Health Information Custodians without the express consent of the Individual for the purposes of providing health care or assisting in providing health care, unless the Individual has specified otherwise.
3. Subject to any legislative or regulatory requirements for retention of health records, Personal Health Information that is no longer required to fulfill the identified purposes shall be destroyed, erased, or made anonymous.

Accuracy

1. Staff, students, volunteers, and other agents shall undertake reasonable measures that ensure Personal Health Information is as accurate, complete and up-to-date as is necessary to eliminate or minimize the risk that inaccurate information may be used to make a decision about the individual.
2. Limitations to the accuracy and completeness of Personal Health Information shared with Health Information Custodians or disclosed to 3rd parties will be clearly set out to the recipient of the information where possible.
3. Where it is found that Personal Health Information is inaccurate or incomplete, or a patient or client successfully demonstrates that their Personal Health Information is inaccurate or incomplete, Algoma NPLC will ensure that the information is amended as required.
4. Algoma NPLC shall make reasonable efforts to inform 3rd parties who had received inaccurate or incomplete Personal Health Information of any corrections or other amendments.

Algoma

Nurse Practitioner-Led Clinic

Policies and Procedures

Section: Privacy	Policy Number: PRIV2011-01
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Safeguards

1. Algoma NPLC shall ensure that appropriate physical, administrative and technical safeguards are in place to protect Personal Health Information against loss, theft, unauthorized access, disclosure, copying, use or modification.
2. Algoma NPLC shall develop and implement an Information Security Policy.

Openness

1. The Algoma NPLC shall provide a written public statement to patients and the public that:
 - a. Provides a general description of Algoma NPLC's information handling practices.
 - b. Describes how to contact the person indicated in the Accountability section of this policy.
 - c. Describes how a patient or client may obtain access to or request correction of a record of Personal Health Information.
 - d. Describes how a patient or client may make a complaint to Algoma NPLC and to the Information and Privacy Commissioner for Ontario.

Individual Access

1. Patients shall be informed of the existence, use and disclosure of their Personal Health Information and will be given access to that information.
2. Patients shall be able to challenge the accuracy and completeness of their Personal Health Information and to have it amended as appropriate. Information contained within health records will not be deleted, but rather, the original must be maintained, with any amendments or corrections being made in a transparent manner.
3. Algoma NPLC shall provide to patients an account of 3rd parties to whom Personal Health Information has been disclosed upon request. When it is not possible to provide a list of the organizations to which it has actually disclosed information about a patient, Algoma NPLC shall provide a list of organizations to which it may have disclosed information about the patient.
4. Algoma NPLC shall respond to a patient's request for access to their Personal Health Information and to any request for correction or amendment, within a reasonable time and at no cost to the patient.
5. When a challenge is not resolved to the satisfaction of the patient, Algoma NPLC will record the substance of the unresolved challenge. When appropriate, the existence of the unresolved challenge will be transmitted to third parties having access to the information in question.

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Challenging Compliance

1. Algoma NPLC will put in place procedures to receive and respond to complaints and inquiries about our policies and practices relating to the handling of Personal Health Information.
2. Algoma NPLC will investigate all complaints. If a complaint is found to be justified, Algoma NPLC will take appropriate measures to resolve the complaint and reduce the risk of future recurrence.

Enforcement

1. Enforcement of this policy is the shared responsibility of the NP Lead and Administrative Lead and his/her delegates.
2. This policy applies to all staff, students, volunteers, and other agents of Algoma NPLC who are subject to sanctions including reprimand, suspension and dismissal or termination of employment/contract for violations of this policy.

Administration

1. This policy will be reviewed annually by the Board of Directors and the Leadership Team.