

Privacy Charter

Details

Creation Date:

Revision Date:

Applies to: All Employees and Contractors

Approved by:

Purpose

The clinic has adopted this Privacy Charter to guide how the clinic collects, uses, and discloses health information. The Charter spells out the principles used by our clinic to guide our adherence to the Health Information Act (HIA). It also articulates the clinic's commitment to their patients and personnel with respect to privacy and security of health information.

Principles

Principle 1 - Accountability / Management

We are accountable for the health information you give us. Our Clinic is accountable for all health information in our possession or control, including any health information that we disclose to other custodians or that we are required to share with third parties to provide you with health services.

We have established policies and procedures aimed at maintaining the privacy of our patients. This includes appointing a Privacy Officer to oversee privacy issues, educating our employees about our Privacy Policy and their role in protecting your privacy. Patients with questions about our privacy practices are free to contact our Clinic Privacy Officer.

Principle 2 - Notice

We will explain why we collect individually identifying health information before we collect it. We have posted a notice explaining why we collect your individually identifying health information, and the legal authority that authorizes us to collect it.

We will collect individually identifying health information only for the following purposes, or as otherwise permitted by law:

- Provision of health services
- Verify eligibility or obtain and process payment for health services
- Health-Related Educational Communications (e.g., appointment reminders, providing information about treatment alternatives, or other health-related benefits and services that may be of interest to you).



Principle 3 - Collection

We limit the amount and type of health information we collect. Our clinic will only collect health information for the purposes that we have identified or as otherwise permitted by law. In addition, we will only collect as much health information that is necessary to carry out the purpose for which we are collecting it.

Your health information will be collected directly from you, except in the limited circumstances where we are authorized by the HIA to indirectly collect such information.

Principle 4 - Use and Disclosure

We will use and disclose your health information only for the reasons for which it was provided to us, unless otherwise permitted by law. In providing health services to you, we may use your health information within the clinic or may disclose it to other custodians to provide you with health services on a basis for the purpose it was collected. Any third-party disclosure of information requires your written consent, unless otherwise permitted by law.

The HIA also identifies situations in which the disclosure is mandatory or discretionary. In all cases, we will only disclose as much information necessary for the purpose it is being disclosed or per HIA requirements.

In the future, some health information will be deemed 'prescribed health information' and we will be required to make it accessible to authorized custodians via the Alberta Electronic Health Record (EHR) [commonly called Alberta Netcare]. Consideration of expressed wishes of the patient will be considered when making your information accessible, and patients can ask for some of their health information to be 'masked'. When authorized health service providers access health information in Alberta Netcare it is considered a use of health information, not disclosure.

Principle 5 - Consent

We may disclose your health information to a third party with your written consent. If you consent to disclosure of your health information, you may revoke that consent at any time per the requirements set out in HIA (s34). The consequences of withdrawal of consent will be discussed with you and documented.

Principle 6 - Access

You have a right to access your health information that is in our clinic's custody or control within the provisions of HIA. Patients own the health information in their medical record; the clinic owns the medical record. During the provision of health services, we will share your health information with you or your authorized representative verbally and allow access to or provide copies of your health information records when practical (including information in Alberta Netcare).

As a patient, you are entitled to a copy of your medical record, but our clinic also has the right to refuse to disclose health information under some circumstances [HIA s11 (1) & (2)] and to make access subject to payment of fees as allowed per HIA regulations.

Principle 7 - Safeguards

We will protect your health information from unauthorized access, use, disclosure, or destruction.

We have assessed the risks to your health information and implemented administrative, technical, and physical safeguards to eliminate or minimize the risk. Examples of these safeguards include clinic policies and procedures that ensure that health information cannot be seen by unauthorized persons, having employees sign oaths of confidentiality to ensure that they understand the importance of confidentiality, electronic security mechanisms like firewalls and password protection, and securing the clinic when we are closed.

Principle 8 - Quality

We take efforts to ensure that the health information in our custody or control is accurate and complete before using or disclosing that health information. We update our registration and billing data as required. We ensure that our Clinic records are complete and accurate; we also track additions and amendments. We correct inaccurate or incomplete factual information.

Subject to limited and specific exceptions in the HIA, individuals have a right of request corrections or amendments to this information whether in the clinic EMR or Alberta Netcare.

Principle 9 - Retention and Destruction of Records

We will retain your health information per the College of Physicians and Surgeons of Alberta (CPSA) guidelines, and securely destroy of your health information when it is no longer needed. We will keep your health information per CPSA record retention guidelines or as long as necessary to accomplish the purpose for which it was collected (whichever is longer). We also follow the ten-year retention period per the HIA with regard to use and disclosure logs.

We destroy paper health information by shredding and destroy or use professional disk wiping software to remove health information from computer hard drives and other media.

In the event our clinic changes in its provision of health care, patients will be contacted with information about the change and, when applicable, where information has been transferred. You will be free to continue to use that clinic or to have your information transferred to the clinic of your choice.

Principle 10 – Monitoring & Enforcement

We monitor compliance with our privacy policies and procedures and have a process for handling complaints about handling of health information. We regularly assess our health information safeguards, and ensure our physicians and staff know what they are and that they follow them. We have put in place sanctions for anyone who breaches or attempts to breach our safeguards this demonstrates the importance we place on preserving privacy and confidentiality.

We investigate all privacy complaints or suspected privacy breaches, and take appropriate remedial measures including amending our policies, disciplining staff, etc.

We have a process for handling requests for correction or amendments to health information. In the event that a complaint cannot be resolved, the Clinic Privacy Officer will advise the individual of the mechanism for referral of the complaint to the College of Physicians and Surgeons of Alberta, or the Office of the Information and Privacy Commissioner of Alberta.