

Basic Privacy Tips

- Access client and/or other confidential information only as is needed to perform your duties.
- Do not share any client and/or other confidential information to any person within or outside of Labrador-Grenfell Health, except as may be required in the course of your duties. Even after your employment or affiliation with Labrador-Grenfell Health has ended, such disclosure (sharing) of information is still considered a privacy breach.
- Always protect client and/or other confidential information, while only discussing with others on a “need-to-know” basis.
- Keep client and/or other confidential information secure at all times and do not leave such information in unsecure locations.
- Do not discuss client and/or other confidential information in public places.
- Promptly retrieve confidential documents from printers, copiers and faxes.
- Immediately report any privacy breach (or potential breach) that you become aware of.
- Adhere to Labrador-Grenfell Health’s policies and procedures as they relate to privacy, confidentiality and the Personal Health Information Act (PHIA).

Additional Resources

This brochure provides a basic overview of your privacy obligations, as well as your obligations under the Personal Health Information Act (PHIA). This pamphlet does not constitute legal direction or advice. For interpretation and/or guidance, you are advised to refer to the Health Authority’s policies and procedures, PHIA legislation, and/or consult with the Regional Privacy Office.

Privacy/confidentiality policies for the Health Authority are available on Labrador-Grenfell Health’s website:
<http://www.lghealth.ca/>
Also, you may visit the PHIA link at the Health and Community Services website:
<http://www.health.gov.nl.ca/health/PHIA/>

Should you have further questions or concerns, please contact:

Regional Privacy Office
Telephone: 454-0162
Fax: 454-2467
E-mail: privacy@lghealth.ca



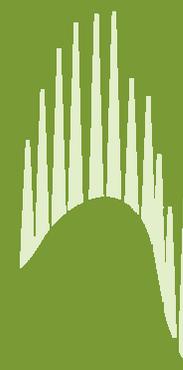
Labrador - Grenfell Health

Privacy, Confidentiality and the Personal Health Information Act: Information for Employees/Agents, Students and Volunteers



Labrador - Grenfell Health

*Privacy...
it's everyone's
responsibility*



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What is the Personal Health Information Act (PHIA)?

The Personal Health Information Act (PHIA) is a health-sector specific privacy law, proclaimed on April 1, 2011, that establishes rules for the collection, use and disclosure (sharing) of personal health information in both the public and private sectors. PHIA also sets out the rights of residents of Newfoundland and Labrador regarding obtaining access to and exercising control of their personal health information.

Personal health information includes information (oral and recorded) that can be used to identify an individual. This can include their name, address, MCP, social insurance number, contact details, as well as any information relating to the physical or mental health of an individual and/or care provided to them (i.e., test results, family health history, treatment records, registration information, etc.).

PHIA recognizes that people expect their health information to be kept confidential and that it should not be collected, used or disclosed (shared) for purposes not related to their care and treatment. However, the Act also recognizes that information is sometimes needed for other authorized purposes outside of direct client care. Therefore, PHIA strikes a balance between (1) protecting individuals' privacy and (2) using personal health information for legitimate health-related purposes, such as:

- Delivering primary health care
- Planning and monitoring of the health system
- Public health and safety
- Health research (Research Ethics Board)
- Criminal investigations

Whatever your role with Labrador-Grenfell Health, it is important understand your responsibilities and obligations related to PHIA, as well as the Health Authority's policies and procedures regarding privacy and the security of confidential information.

Collection, Use and Disclosure

In general, you must not collect, use and/or disclose (share) personal health information unless you have the individual's consent (implied or expressed), or otherwise, where the collection, use and/or disclosure without consent is required or permitted by the Act (i.e., within the "circle of care," defined as persons participating in and activities related to the provision of health care to the individual who is the subject of the personal health information).

In all instances, you must only collect, use and disclose the amount of personal health information that is necessary to achieve the intended purpose.

All employees, students and other persons/entities engaged with Labrador-Grenfell Health must make every effort to ensure that information to which they have access is kept confidential and private. This includes not only the personal health information of our clients, but also confidential, private and/or personal information relating to staff and/or the business of the Health Authority.

PHIA Education and Oath/Affirmation of Confidentiality

Upon engagement with Labrador-Grenfell Health, all employees, students, volunteers and other affiliates are required to sign an Oath/Affirmation of Confidentiality. This Oath/Affirmation must be notarized by a designated official and for this purpose, Commissioners for Oaths have been designated at all sites throughout the Health Authority. All employees/agents, students, volunteers and other affiliates will also be required to complete PHIA/ privacy education in some capacity. The level of education may vary depending on your role with the organization.

Privacy Breaches

At Labrador-Grenfell Health, privacy breaches are taken very seriously. The unauthorized collection, use or disclosure of personal health, employee and/or corporate information is considered a privacy breach, even though the breach may be unintentional. Some examples include:

- Intentional access, use, and/or viewing of personal health or other confidential information that is not necessary to perform one's legitimate duties. Such activity would be considered a breach, even if that information is never discussed with anyone else.
- The disclosure of a client's presence in a facility (i.e., hospital) to an unauthorized party without the client's consent and/or for an unauthorized purpose.

If it is established that a breach of privacy or confidentiality has occurred, those individuals deemed responsible may be subject to penalty or discipline up to and including termination of employment or affiliation with the Health Authority. In addition, PHIA specifies that a person who willfully causes a privacy breach involving personal health information may be subject to a fine up to \$10,000 and/or six (6) months in prison. Other consequences may include civil suits, loss of client confidentiality and trust, discipline from professional body and/or association, damage to the reputation of the organization and the individual responsible for the privacy breach, etc.

All privacy breaches must be reported to the appropriate Labrador-Grenfell Health personnel. If you suspect or are aware of a privacy breach, please discuss with your direct manager/supervisor or the manager/supervisor for the department under which you are operating, as an Occurrence Report must be completed and forwarded to the Patient Safety and Quality Department.