



Privacy FAQs

What is privacy?

The individual right to retain control over the collection, use and disclosure of their personal health information.

What is the Personal Health Information Protection Act?

The Personal Health Information Protection Act, 2004 (PHIPA) is Ontario's health-specific privacy legislation. PHIPA will govern the manner in which personal health information may be collected, used and disclosed within the health care system. It will also regulate individuals and organizations that receive personal health information from health care professionals.

What is personal health information?

Personal health information is "identifying information" collected about an individual. It is information about an individual's health or health care history in relation to:

- The providing of health care to the individual, including the identification of a person as a provider of health care to the individual;
- A plan of service within the meaning of the Long-Term Care Act, 1994 for the individual;
- Payments or eligibility for health care in respect of the individual;
- The donation by the individual of any body part or bodily substance of the individual or is derived from the testing or examination of any such body part or bodily substance;
- Individual's health number, or
- An individual's substitute decision-maker.

What is not personal health information?

Any data that has been collected in which all personal identifiers have been removed (making determination of identity impossible) is not considered personal health information, nor is the name, title, business address or business telephone number of an employee of an organization.

Who does Headwaters use my information for?

Headwaters uses your information for the delivery of direct patient care, administration of the health care system, research, teaching, statistics, fundraising, and to meet legal and regulatory requirements.

Examples of potential uses include:

- To identify your record quickly and accurately each time you visit the hospital.
- To provide the most appropriate treatment. Your visit to the hospital may include a number of assessments and treatments. All of this information is recorded in your chart and made available to those involved in your care. Headwaters keeps a history of your health information for your future care.
- To comply with legal and regulatory requirements. For example, we collect your health information because it is required to fund health care services.
- To improve the quality and efficiency with which we provide health care services.

- To support Headwaters research programs. Researchers working on approved studies can have access to health information, provided that consent and privacy issues have been addressed and supported by our Research Ethics Board.
- To support Headwaters' educational activities. Health information is available for teaching purposes with measures taken to protect privacy and confidentiality.
- To share your contact information with Headwaters Health Care Foundation. Our Foundation works to support excellence in healthcare by raising funds for medical equipment.

Who does Headwaters give my information to?

Headwaters is required to disclose patient information to several other organizations. This includes the Ministry of Health, The Canadian Institute for Health Information, Public Health and Ontario Health and its subsidiaries. Information may also be disclosed to other physicians directly involved in your care. Headwaters places appropriate safeguards on the transmission of all information disclosed to other organizations and seeks to ensure that health information protection measures are in place and in accordance with the Ontario Personal Health Information Protection Act (PHIPA).

Does Headwaters ever sell patient information?

Headwaters does not sell patient information.

Will Headwaters disclose my health information to any outside company or my employer?

Headwaters requires patient consent, or a court order to disclose health information to any organization or person not directly involved with the provision of patient care. Headwaters will ensure that proper controls are in place to only disclose what is required.

Can I access my health information?

You have a right to access your personal health information, and Headwaters has an obligation to make it available to you, with limited exceptions. Exceptions are made if releasing your information would put yourself or a third party at risk, in which Headwaters may choose not to disclose some, or all of that information.

Where do I go to access my health information?

When you are a patient at Headwaters, you should ask your healthcare provider for information that you want to know. If your request is voluminous or substantial, or not covered by the information available to the attending healthcare provider, you will need to contact Release of Information in the Health Records Department to obtain or view your Headwaters patient record.

Release of Information will ask you complete a Request Access Form, present the proper identification and prepay an access fee in order for you to access your chart. [Click here](#) for more information on requesting access to health records and associated fees.

Can my family see my health information?

Although you have the right to access your records, this right does not automatically extend to family members and/or friends. If you consent to let a friend or family member see your records, then the friend/family member may access the part(s) that you have consented to let them see. Your consent will be documented in your record by your healthcare providers.

What about Children's Privacy and Decision-Making Rights?

There is no age of consent for treatment or privacy. Children who make their own treatment decisions may also make their own decisions about the privacy of their information.

Parents can receive information about their capable children if the child has given their permission. If the children are not capable, parents, as Substitute Decision-Maker may have access to the children's information.

What if I am unable to provide consent for the use, access and disclosure of my information?

If you are unable to give consent due to reasons of competency or consciousness, the consent decision falls to the appointed substitute decision-maker such as a parent or guardian, partner or other relative. This person is bound by law to act on your behalf and must make decisions based on their belief of what you would wish done if you were able to decide.

Can all Headwaters staff access my patient record?

Only Headwaters staff involved in your care may access your patient record. All Headwaters staff are bound by a strict confidentiality agreement, which is signed as a condition of employment. This agreement seeks to ensure staff only access information on a need to know basis.

Can my family physician access my Headwaters health record?

If required, Headwaters will release information to your family physician to support your care.

Is my health information available on the internet?

No, health information is not publicly available on the Internet. Headwaters may use the Internet to transfer unidentifiable health information securely through the e-mail system. These systems are secured by a combination of authentication and encryption.

Does Headwaters use video surveillance?

Yes, Headwaters does use closed circuit video surveillance (CCTV) for safety and security reasons. Requests for access to video surveillance can be directed to the Regional Privacy Office.

Can I record audio/video or take photographs at Headwaters?

All visitors to Headwaters are reminded of the importance of respecting privacy. To protect the privacy of those around you, please ask for permission from Headwaters (care team or Communications) before taking pictures or making an audio/visual recording. Recording other patients without their consent is against the law. Recording other people's conversations is also against the law.

Individuals reserve the right to refuse consent for videotaping, audiotaping, or photography. Any recording against the explicit refusal of consent will be considered a form of harassment. If at any point in time a recording is obstructive, disruptive, targeted or harassing towards a particular individual, Security will be contacted.

It is important to respect the privacy, confidentiality and security of other patients, visitors, physicians, staff, students, and volunteers. Thank you for helping us protect individuals' privacy.

How is my personal health information protected?

There are three components to protecting patient information at Headwaters:

Administrative Safeguards: The Headwaters Privacy Policies govern the manner in which all Headwaters care providers and other employees manage patient information. Furthermore, all Headwaters employees must sign a confidentiality agreement as a condition of employment.

Physical Safeguards: Headwaters has a number of physical safeguards which range from locked doors to staff wearing photo identification to identify themselves as Headwaters employees.

Technical Safeguards: Headwaters' information technology department upgrades the security capabilities of the patient information system on an ongoing basis. We have implemented role based access controls to ensure staff only may access information on a need to know basis. Headwaters' patient information system also uses passwords to protect the system from inappropriate accesses from within and a firewall to protect our system from users on the Internet.

When I call the hospital to see how my family member was doing, Headwaters' staff would not describe what the problem with my family member was or their condition.

Why is that?

When you call Headwaters, staff have no way to verify that you are who you say you are. Therefore, in order to protect patient privacy, only a minimal amount of information is given out over the phone.

Where is my Headwaters patient record stored, and for how long?

In general, patient records are kept for 10 years past the date of last admission. For the purpose of research, some medical records are kept for longer. A core record of your care at Headwaters is maintained in the Health Records Department. Many departments within Headwaters, including Imaging Services, and some of the clinics you may visit also maintain an additional record of your personal health information.

What is a breach of privacy?

Breach of privacy, confidentiality or security refers to the unauthorized access, collection, use, or disclosure of any personal health information or personal health information.

What is a "Lockbox"?

A "Lockbox" is commonly used to refer to a patient's ability to withdraw or withhold consent for the use or disclosure of their Personal Health Information (PHI) for health care purposes.

The Hospital recognizes that the withdrawing or withholding of consent can take on various forms including:

- Not to collect, use or disclosure a particular item of information contained in the patient's medical record (i.e. a particular diagnosis)
- Not to collect, use or disclose the contents of the patient's entire medical record
- Not to disclose the patient's PHI to a particular Health Information Custodian (HIC) or Agent(s) (i.e. physicians, nurses or social workers)
- Not to enable a particular HIC or Agent(s) to use the patient's PHI

How does the lockbox work?

The Hospital has the ability to electronically lock your Personal Health Information in the Electronic Medical Record (EMR); MEDITECH System and other internal electronic systems as applicable.

The Hospital can also apply a lockbox to paper records by securing the records in the Health Records Department.

There are risks with locking your information, as well as exceptions. [Click here](#) to learn more about locking your records.

What if some of the information in my health record is incorrect?

An individual who believes that their information is incomplete or inaccurate may make a request to correct their record. It is the responsibility of the custodian to ensure that information is complete and accurate.

How does an individual correct error or omissions to their records?

An individual seeking to correct their information can submit a written request to the Regional Privacy Office. The Hospital must respond within 30 days of receiving a correction request.

[Click here](#) to complete the request for corrections form.

Can the hospital refuse to correct an individual's personal health information?

The Hospital is obligated to correct information where an individual demonstrates, to the satisfaction of the hospital, that the record is in fact inaccurate or incomplete and the individual gives the Hospital the necessary information to correct the record.

However, the Hospital may refuse to correct personal health information that is a professional opinion or an observation of the health care provider.

How does an individual initiate a complaint?

An individual who feels their privacy rights under PHIPA have been violated has the right to submit a written complaint to the Regional Privacy Office. All privacy complaints will be treated in a confidential manner.

An individual may also submit a written complaint to the Information Privacy Commissioner of Ontario.

Information and Privacy Commissioner / Ontario
2 Bloor Street East, Suite 1400
Toronto, Ontario
Canada M4W 1A8

1-416-326-3333 or toll-free 1-800-387-0073
<http://www.ipc.on.ca>

Where can I find out more about information privacy rights and protection at Headwaters?

You can find out more information by contacting the Regional Privacy Office at:

Regional Privacy Office
201 Georgian Drive
Barrie, ON L4M 6M2

Email: privacy@headwatershealth.ca
Tel: 705.792.3318 or 519.941.2410 extension 2578
Fax: 705.797.3110