

Privacy and Confidentiality of Client Information

Policy Statement:

CarePartners will use the Personal Information provided verbally or in writing (including via electronic media) by Clients, the Community Care Access Centres (CCACs) or other third parties in order to:

- (a) Provide Clients with physical and mental health services and treatments;
- (b) Coordinate Clients' health care services with the members of the Health Care Team
- (c) Manage our relationship with clients;
- (d) Meet legal and regulatory requirements; and
- (e) Such other purposes consistent with these purposes.

CarePartners will only collect, use and disclose Personal Information for purposes that would be considered reasonable in the circumstances and only such information as is required for the purposes of providing services or information to clients. CarePartners will use only fair and lawful methods to collect Personal Information.

CarePartners' use of Personal Information will be limited to the purposes described in this Policy and CarePartners will not otherwise sell, trade, barter, exchange or disclose for consideration any Personal Information it has obtained.

CarePartners will disclose Personal Information to individuals or organizations:

- a) Who are members of the Client's Health Care Team;
- b) Who have been retained by CarePartners to assist in providing services to clients;
- c) Who are caregivers or family members of the Client concerned, if the Client provides consent; and
- d) Who are legal or other types of advisers of the Client concerned and his or her service providers.

CarePartners will not disclose a client's Personal Information unless it is required in order to provide our products or services.

Where CarePartners discloses Personal Information to individuals or organizations that perform services on its behalf, CarePartners will require those service providers to use such information

solely for the purposes of providing services to CarePartners, a client, distributor or the person concerned and to have appropriate safeguards for the protection of that Personal Information.

In order to meet client needs, Personal Information provided by clients may be shared between members of the CarePartners' nursing team and the Client's Health care team, including, but not limited to, other nurses, physicians, CCAC Case managers and therapists, as deemed necessary.

Where a client is referred or transferred to another health care provider, the client's consent will be obtained prior to disclosing the client's Personal Information.

Under specific circumstances, the use and/or disclosure of Personal Information may be justified or permitted or where CarePartners will be obliged to disclose information *without* consent. Such circumstances may include:

- a) Where required by law or by order or requirement of a court, administrative agency or governmental tribunal;
- b) Where CarePartners believes, upon reasonable grounds, that it is necessary to protect the rights, privacy, safety or property of an identifiable person or group;
- c) Where it is necessary to permit CarePartners to pursue available remedies or limit any damages that CarePartners may sustain; or
- d) Where the information is public.

Where obliged or permitted to disclose information without consent, CarePartners will not disclose more information than is required.

Consent

Unless permitted by law, no Personal Information will be collected, without first obtaining the consent of the individual concerned to the collection, use and disclosure of that information. However, CarePartners may seek consent to use and disclose Personal Information after it has been collected in those cases where CarePartners wishes to use the information for purposes that have not previously been identified, either in this Policy or otherwise, or for which the individual concerned has not previously consented.

In addition, where appropriate, specific authorizations or consents may be obtained from time to time.

If a Client refuses to consent to the collection, use or disclosure of Personal Information, the Client's wishes will be respected, subject to legal and contractual obligations. CarePartners will inform the Client of any consequences of refusal to provide consent or withdrawal of consent.

The Accuracy And Retention Of Personal Information

CarePartners will endeavour to ensure that any Personal Information provided and in its possession is as accurate, current and complete as necessary for the purposes for which CarePartners will use that information. If CarePartners becomes aware that Personal Information is inaccurate, incomplete or out of date, CarePartners will revise the Personal Information and, if necessary, use its best efforts to inform third parties which were provided with inaccurate information so that those third parties may also correct their records.

Consequences of Violating Client Rights to Privacy or Confidentiality

If any employee of CarePartners misuses Personal Information, this will be considered as a serious offence for which disciplinary action may be taken, up to and including termination of employment. If any individual or organization misuses Personal Information - provided for the purpose of providing services to or for CarePartners - this will be considered a serious issue for which action may be taken, up to and including termination of any agreement between CarePartners and that individual or organization.

Disclosure

If personal information is shared outside the health care team without the client or SDM's consent or if personal information is shared in contravention of the client's or SDM's specific directions, the CarePartners Privacy Officer or a delegate will inform the client or SDM of the breach in privacy in a timely manner.

Special Information:

"Personal Information" means any information, recorded in any form, about an identified individual or an individual whose identity may be inferred or determined from such information, including "Personal Health Information".

"Personal Health Information" means any identifying information about an individual that:

- (a) Relates to the physical or mental health of the individual, including information that consists of the medical history of the individual's family;
- (b) Relates to the providing of health care to the individual;
- (c) Is a plan of service within the meaning of the *Long-Term Care Act, 1994* for the individual;
- (d) Relates to payments or eligibility for health care in respect of the individual;

(e) Relates to 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;

(f) Is the individual's health number, or

(g) Identifies a provider of health care to the individual or a substitute decision-maker of the individual.

“Health Care Team” means the multidisciplinary group of individuals who are directly or indirectly involved in providing the Client’s health care.