

The Medcan Clinic's Notice of Privacy to Clients

Our pledge regarding your personal information

The Medcan Clinic is committed to protecting your personal information, including your personal health information. We create a record of the care and services you receive at Medcan for use in your care and treatment.

Medcan's privacy policies are in accordance with Ontario's *Personal Health Information Protection Act, 2004* (PHIPA) and the federal *Personal Information Protection and Electronic Documents Act* (PIPEDA).

This Notice tells you about the ways in which we may collect, use and disclose your personal information and how we safeguard such information. It also describes your rights and certain obligations we have regarding the use and disclosure of your personal health information.

We are required by law to:

- Make sure your personal information is protected
- Provide you with this Notice outlining our legal duties and privacy practices with respect to your personal health information

Safeguarding your personal information

Medcan believes that securing your personal information is a very important part of our job.

We make sure that only those people who need to see your personal records are allowed to look at them. We protect your information through our administrative policies and by adopting physical, systems and electronic safeguards.

Definition of terms

When we say "you" in this Notice, this refers to Medcan Clinic's clients.

When we say "we", "our", or "us", this refers to the Medcan Clinic.

"HIC" means health information custodian.

"personal information" means information about an identifiable individual (other than the name, title, business address or telephone number of an employee) and includes personal health information.

"personal health information" or "PHI" means information relating to and identifying an individual, including information that concerns:

1. your physical or mental health and your family's health history
2. the provision of health care to you, including your health care providers;
3. eligibility and payment for health care; and
4. your health card number

Who will follow this notice?

The privacy practices described in this Notice will be followed by all healthcare professionals and employees at Medcan.

How we may use and disclose personal information about you

The following sections describe different ways that we may collect, use and disclose your personal information.

Collection. We will only collect personal information that is necessary for providing you health care. We may collect financial information for purposes of payment.

Use. We may use your personal information for:

- a) providing or assisting in providing you with the highest of care and service
- b) planning or delivering care or services, including evaluating or monitoring those services
- c) purposes permitted or required by law (e.g., if legislation requires disclosure, in the case of a legal proceeding)
- d) risk management, error management or activities to improve or maintain the quality of care of Medcan programs
- e) coordinating care and/or assisting in the provision of care
- f) obtaining payment
- g) research approved by a Research Ethics Board. Medical data may be aggregated and analyzed for the purpose of study and research. Client confidentiality of specific medical information will be protected. Any additional testing for research purposes will involve a separate informed consent process.
- h) providing you with information, newsletters, invitations and other communications from Medcan in relation to Medcan services, and;
- i) contacting family or a potential substitute decision maker if you are injured or unable to give consent.

Disclosure. If information is shared outside Medcan, it is considered a disclosure. We will follow the principles below in respect of disclosure of your personal information:

- a) Information may be shared with other HICs involved in your care (e.g. physician in the community or other health care practitioner, public hospital, pharmacy, laboratory, ambulance service), unless instructed otherwise by you.
- b) We will take reasonable steps to ensure that your personal information is protected against theft, loss and unauthorized access, use or disclosure and will inform you of any unauthorized access of your PHI.
- c) Your express consent will be obtained for disclosure of your personal information to persons that are not HICs.

Other permitted or required disclosures of personal information include:

- a) To reduce or eliminate a significant risk to a person or persons
- b) To a person conducting an audit or accreditation review, as long as the person does not remove any records from Medcan
- c) To a medical officer of health or public health authority for purposes of public health
- d) To the Minister of Health and Long-Term Care or to another HIC to determine or provide funding for health care
- e) To a person compiling or maintaining a registry to facilitate or improve the provision of health care
- f) PHI collected in Ontario about an individual will only be disclosed to a person outside Ontario in these circumstances:
 - (i) if you consent to the disclosure;
 - (ii) the disclosure is permitted under PHIPA;
 - (iii) the person receiving the PHI performs a function similar to a function permitted under PHIPA;
 - (iv) the disclosure is for health planning or health administration;
 - (v) the information relates to health care provided in Ontario to someone who resides in another province or territory of Canada and is given to the government of that province or territory and the disclosure is made by a prescribed entity; or

- (vi) the PHI is reasonably necessary for the provision of health care (provided there are no express instructions from you not to disclose this information) or for payment in connection with provision of health care to you.

Your rights regarding PHI about you

Your health records are held at the Medcan Clinic. You have the following rights, regarding your PHI.

Consent. You have the right to give, withhold or withdraw consent for the collection, use and/or disclosure of your PHI to support the health care we provide to you. The only exception is where we are permitted or required by law to collect, use or disclose the information without obtaining consent.

Your right of access. You may ask to see your health record or make a formal written request to see and/or obtain a copy of your record. We may deny or restrict your access to your health record in very limited circumstances (e.g., if the information is subject to legal privilege, it is reasonable to believe that disclosure would result in a risk of serious bodily harm to you or another person, if a provincial or federal act prohibits disclosure).

We will endeavour to respond to a formal access request within 30 days, unless assembling or locating numerous pieces of information necessitates a lengthy search. We will provide written notice of the reason for the time extension and the length of the extension.

Correction. If you believe your record to be inaccurate or incomplete, you may request that the record be corrected. We will make the correction if you demonstrate that the information is inaccurate or incomplete for the purposes for which the information is being used. We may not correct the record if it was not originally created at Medcan and we do not have sufficient knowledge, expertise or authority to correct it; or if the record consists of a professional opinion or observation made in good faith about you.

At your request, we will provide written notice to third parties about the correction, to the extent reasonably possible and if the correction could reasonably be expected to have an impact on your ongoing health care or benefits, to the persons who received the incorrect information.

Changes to the Medcan Clinic's privacy practices and this Notice

We may revise Medcan Clinic's privacy practices and this Notice from time to time. We will post a copy of the current Notice on the Medcan Clinic website at www.medcan.com. In addition, at any time you may request a copy of the Notice currently in effect.

Information, questions or complaints

If you wish more information, access to your records or you believe that your privacy rights have not been followed as required by law or as explained in this Notice, you may file a written complaint with us. Please send it to the Medcan Clinic Privacy Officer at the address provided below. If you have any questions or would like further information about this Notice, please contact:

Bronwen Evans
The Medcan Clinic Privacy Officer
150 York Street, Suite 1500
Toronto, ON M5H 3S5
(416) 350-8374
bronwenevans@medcan.com

You may also make a complaint about our information and privacy practices to the Information and Privacy Commissioner at:
Information and Privacy Commissioner/Ontario
2 Bloor Street East, Suite 1400
Toronto, Ontario M4W 1A8
Tel: (416) 326-3333 Toll-free: 1-800-387-0073