

Privacy Information



POLICIES AND PROCEDURES WITH RESPECT TO THE HEALTH INFORMATION PROTECTION ACT

Introduction

Every individual, family or couple receiving services from a Registered Chiropractor at **(name of clinic)** should be aware of the collection, use, storage and disclosure of their personal health information obtained during the course of receiving chiropractic services.

What is *The Health Information Protection Act*?

The Health Information Protection Act (HIPA) legislates the rights of individuals with respect to the privacy of their personal health information. This Act also legislates the obligations of trustees with respect to the collection, use, retention, correction, access, storage and disclosure of an individual's personal health information records.

What is meant by "Personal Health Information"?

Personal health information means any physical or mental health record about the individual that is collected during the course of providing services. A "record" means any health information about the individual that is collected and retained in any manner, including, but not limited to hand-written notes, formal reports, or information stored on a computer. Refer to HIPA, section 2.M.

Policies and Procedures

Note: In the policies and procedures below, "individual" refers to a particular person, who receives chiropractic services from **(name of clinic)**.

1. Collection, Use and Disclosure of Personal Health Information

Only personal health information that is necessary for the effective and required treatment, assessment or care of an individual will be collected by **(name of clinic)**. At times, information is collected from other sources (ie. physicians, other health care practitioners, insurance companies) for the purpose of providing appropriate chiropractic services. This information is collected only if the individual has consented to the collection of this material or if the material is deemed essential in providing the necessary chiropractic service to the individual.

All personal health information collected on an individual by **(name of clinic)** will be held in secure custody and used only to assist the individual to whom it directly relates. Information will only be shared on a need-to-know basis.

2. Protection of Personal Health Information

In order to maintain the integrity and confidentiality of the individual, all personal health information that is under the custody and care of **(name of clinic)** is held in a secure room designated for the retention of such material. All personal health information held in the computer system has adequate safeguards to protect unauthorized access to the information (for example: security access/pass codes).

3. Retention and Destruction of Personal Health Information

All personal health information collected on an individual will be retained for a period of fifteen (15) years. Personal health information collected for its original purpose will be retrievable and useable for the full retention period. Information stored on the hard drive of a computer will be transferred to the hard drive of a new computer when technological changes are required. Old hard drives and other electronic equipment are to be cleared of personal health information before destruction.

In order to protect the confidentiality of individuals who have received services at **(name of clinic)**, all personal health information records will be destroyed at the end of the retention period by contracting the services of a reputable company specific for this purpose.

When **(name of clinic)** ceases as a business to provide chiropractic services to the public, all personal health information records will continue to remain in the custody of the trustee (chiropractor) or designated trustee, for the retention period. The information will then be disposed of in the manner described.

4. Disclosure of Personal Health Information

There are different consents for different situations regarding disclosure of personal health information.

All individuals providing written consent to disclose their personal health information will be provided with information as to the intended use of the disclosed information. Information disclosed to other persons, agencies or trustees will be on a need-to-know basis. That is, only information deemed necessary for an understanding or treatment progress of the individual, or the continued treatment of the individual will be disclosed. Any consent signed by an individual will be valid for a period of ninety (90) days; at which time a second consent will be required to further disclose personal health information.

Any individual receiving chiropractic services has the right to revoke their consent to disclose personal health information to others. Consent can be revoked at any time with written or verbal notice to **(name of clinic)**, but revocation only becomes effective from the date of the signed revocation. Verbal notice must be documented.

There are times that personal health information can be shared without the individual's signed permission. For instance, personal health information will be released without an individual's permission if the chiropractor believes that disclosing the information will avoid or minimize a danger to the health or safety of the individual or other persons. Information may also be disclosed without an individual's consent when a court order or subpoena is issued requesting the information.

Additional examples include disclosure of personal health information for the purposes of obtaining payment for the provision of services, or when disclosure is in accordance with the ethical practices of *The Chiropractic Act, 1994* and HIPA. Prior to the commencement of any chiropractic service, all individuals will be informed about any disclosures of personal health information that may be made without that individual's consent.

5. Access to Personal Health Information

All individuals who have received, or are currently receiving chiropractic services from a registered chiropractor at **(name of clinic)**, have the right to request access to their personal health information. Requests for access to personal health information must be received in writing, and the information requested must only concern the recipient of the services. Individuals may also designate, in writing, another person who shall have the right to access their personal health information. All requests will be responded to within thirty (30) days from the date of the written request.

There are circumstances when the right to access an individual's personal health information may be denied. For example, access could be denied if:

- Knowledge of the information could reasonably be expected to endanger the physical or mental health or safety of the individual or other persons;
- Disclosure of the information would reveal the personal health information of another person who has not consented to the disclosure;
- Disclosure of the information could identify a third party who supplied information in confidence;
- The information was collected principally in anticipation of, or for use in, a civil or criminal proceeding;
- Disclosure of the information could interfere with a lawful investigation.

In some cases, when access to personal health information is denied, individuals may still be able to have access to part of their record, as long as this can reasonably be accomplished without disclosing the information to which the applicant is denied.

6. Amend Personal Health Information

Individuals may also request an amendment be made to their personal health information if the individual believes that there are errors or omissions in the record. Amendments are not guaranteed, but a notation will be placed in the individual's record with respect to the requested amendment. Amendments must be forwarded to the appropriate trustee who needs to know the amended information.

7. Referral to the Office of the Information and Privacy Commissioner of Saskatchewan

If the patient is not satisfied with the handling of their personal health information and our clinic cannot resolve the matter, the patient can request, in writing, a review by the Chiropractors' Association of Saskatchewan, or the patient may take the matter directly to the Office of the Information and Privacy Commissioner for Saskatchewan.

Chiropractors' Association of Saskatchewan

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