

Oak Ridges Medical Diagnostic Imaging

Notice of Privacy to Clients

Oak Ridges Medical Diagnostic Imaging ("ORMDI") is committed to protecting your personal information and your personal health information.

ORMDI complies with two privacy laws. One, the Ontario *Personal Health Information Protection Act, 2004* (PHIPA) applies to personal health information. The second, the federal *Personal Information Protection and Electronic Documents Act* (PIPEDA) is business related and applies to personal information that is collected with respect to the operation of our clinics. This type of commercial information is stored separately from your personal health information. As the protections under both statutes are similar, we have combined the description of our information protection practices into this one Notice.

This Notice tells you the ways in which we may collect, use and disclose your Information and how we safeguard such Information (defined below). It also describes your rights and certain obligations we have regarding the use and disclosure of your Information.

We are required by law to:

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

We are committed to maintaining the accuracy, confidentiality and security of your Information.

Safeguarding your personal information

ORMDI believes that securing your personal information and your personal health information is a very important part of our job.

We endeavor to safeguard personal information using methods that are appropriate to the sensitivity of the information. We make sure that only those people who need to see your personal health information and your personal information have access to the information. We maintain physical, technical and procedural safeguards which are designed to prevent your Information from theft, loss and unauthorized access, copying, use, modification, disclosure or disposal. For example, physical measures including locked file cabinets, restricted access to imaging facilities and restricted access to all offices. Technical safeguards include the use of passwords and limitation of access to electronic storage. Procedural safeguards include requiring all our employees, physicians and agents sign Confidentiality Agreements.

Definition of terms

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

When we say "we", "our", or "us", this refers to ORMDI.

"HIC" means health information custodian.

"Information" means personal health information and personal information.

"personal information" means information about an identifiable individual and includes information such as your name, mailing address, email address, phone number at home and work, and name of your employer. It does not include your business contact information in your capacity as an employee of an organization. For purposes of this Privacy Notice, "personal information" does not include "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. medical records including charts, diagnostic/laboratory results and other health information collected or produced while we provide you with health care services;
4. eligibility and payment for health care; and
5. 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 ORMDI.

How we may use and disclose Information about you

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

Collection

We collect the Information

- for the purposes described in this Privacy Notice; or
- for any additional purposes for which we have obtained your consent to the use or disclosure of your personal health information or your personal information, as applicable.

It is important that the information contained in our records is both accurate and current. If your personal information happens to change during the course of our relationship, please keep us informed of such changes.

Use

ORMDI may use your Information (as permitted by PHIPA and PIPEDA) for the following purposes:

PHIPA

- a) providing or assisting in providing you with the highest of care and service, including relaying the result of diagnostic imaging testing to the requesting healthcare professional
- b) assist in the interpretation of the diagnostic imaging results
- c) providing you with copies of your medical records
- d) planning or delivering care or services, including evaluating or monitoring those services
- e) purposes permitted or required by law (e.g., if legislation requires disclosure, in the case of a legal proceeding or to the governing body of any of our professionals)
- f) risk management, error management or activities to improve or maintain the quality of care of ORMDI programs and services and its operations
- g) coordinating care and/or assisting in the provision of care
- h) obtaining payment
- i) contacting you to arrange for your appointments and/or to respond to your inquiries
- j) providing you with general health related educational information that may be of specific interest to you based on your treatment at ORMDI and other general medical updates
- k) contacting family or a potential substitute decision maker if you are injured or unable to give consent.

PIPEDA

- l) responding to your general inquiries
- m) enabling us to comply with applicable law or regulatory process; and
- n) any other reasonable purpose to which you consent.

Disclosure**PHIPA**

We will follow the principles below in respect of disclosure of your personal health information:

- a) Personal health information may be shared with other HICs involved in your care (e.g. physician in the community or other health care practitioners who referred you to us, public hospital, pharmacy, laboratory, ambulance service), unless instructed otherwise by you.
- b) We will take reasonable steps to ensure that your personal health 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 health information to persons that are not HICs, unless the disclosure is otherwise permitted or required by law (see below). We will act in accordance with PHIPA.

Other permitted or required disclosures of personal health information under PHIPA 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 ORMDI
- 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 ("Minister") 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) To an entity authorized by PHIPA such as Cancer Care Ontario for the purpose of analysis or compiling statistical information about the management or allocation of resources for the health system
- g) To the Minister, upon request, for the purpose of monitoring or verifying claims for payment of health care
- h) 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.

We may disclose your personal health information to comply with our legal and regulatory requirements under the *Regulated Health Professions Act* and other applicable statutes. We will not supply an insurer or your employer with your personal health information without your express consent. In the event a request for such information is made, we will forward it to you and obtain your specific consent to release the requested information.

PIPEDA

We will disclose your personal information if we have told you we will do so (either in this Notice or at the time the information is collected from you) and have obtained your consent, which may be express or implied. Additionally, ORMDI may disclose the personal information where permitted or required by applicable law or regulatory requirements, or to comply with valid legal process such as court orders, or during emergency situations or where necessary to protect the safety of a person or group.

In addition, both personal health information and personal information may be transferred to a successor, should there be a change in ownership in all or a part of ORMDI, provided that the successor is bound by appropriate agreements and required to use or disclose your Information in a manner consistent with the use and disclosure provisions of this Privacy Notice.

Safeguarding and Storage of Information

Your health records are held at the ORMDI. We do not store or transfer Information outside Ontario.

Your rights regarding the Information about you held by ORMDI

You have the following rights regarding your PHI and other personal information.

Consent. It is important to us that we collect, use or disclose your Information where we have your consent to do so.

PHIPA

We will only collect, use or disclose your personal health information outside your circle of care with your express consent or in accordance with PHIPA. ORMDI provides a more detailed outline to its clients about what type of personal health information will be collected as part of providing health care services to you.

PIPEDA

Depending on the sensitivity of the personal information, your consent may be express, implied or deemed (using an opt-out mechanism). Express consent can be given orally, electronically or in writing. Implied consent is consent that can reasonably be inferred from your action or inaction. For example, when you accept our products or services, we will assume your consent to the collection, use and disclosure of your personal information for purposes related to your acceptance and use of those products or services, or for other purposes identified to you at the relevant time. Deemed consent is consent we assume in the event that you do not exercise an opt-out mechanism offered to you.

Typically, we will seek your consent at the time that we collect your personal information. In some circumstances, your consent may be obtained after collection but prior to our use or disclosure of your personal information. If we plan to use or disclose your personal information for a purpose not previously identified (either in this Privacy Notice or separately), we will endeavor to advise you of that purpose before such use or disclosure.

We may collect, use or disclose your personal information without your knowledge or consent where we are permitted or required to do so by applicable law or regulatory requirements.

Your right of access. You may ask to see the Information held by ORMDI about you or make a formal written request to see and/or obtain a copy of your health record and the other personal information we have collected about you. We may deny or restrict your access 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). Your request must be in writing, signed and dated.

We will endeavor 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 and will advise if there is a cost to be incurred to satisfy your access request.

Your right to Correct the Information. If you believe your health record or personal information to be inaccurate or incomplete, you may request that the Information 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 ORMDI 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 ORMDI's privacy practices and this Notice

We may revise ORMDI's privacy practices and this Notice from time to time. In addition, at any time you may request a copy of the Notice currently in effect. You may find a copy of our privacy policy on our website at www.ormdi.ca

Information, questions, access 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 ORMDI Privacy Officer at the address provided below. If you have any questions or would like further information about this Notice, please contact:

Privacy Officer: Zani Dhalla, Facility Director
301-13291 Yonge Street
Richmond Hill, Ontario L4E 4L6
Phone: 905-773-6861
Fax: 905-773-2161
Email: zdhalla@ormdi.ca

Delegate: Dr. Jay Wortsman, QA Officer
301-13291 Yonge Street
Richmond Hill, Ontario L4E 4L6
Phone: 905-773-6861
Fax: 905-773-2161
Email: jwortsman2@gmail.com

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You may also make a complaint about our personal health 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

If you have concerns about our personal information and privacy practices, you may contact the federal Privacy Commissioner at:

Office of the Privacy Commissioner of Canada
112 Kent Street
Place de Ville
Tower B, 3rd Floor
Ottawa, Ontario
K1A 1H3

Toll-free: **1-800-282-1376**
Phone: **(613) 947-1698**
Fax: **(613) 947-6850**

Should there be, in a specific case, any inconsistency between this Privacy Notice and PHIPA or PIPEDA, whichever is applicable, this Privacy Notice shall be interpreted, in respect of that case, to give effect to, and comply with, such privacy law. Any interpretation of this Privacy Notice will be made by the ORMDI Privacy Officer. This Privacy Notice does not create or confer upon any individual any right or obligation, or impose upon ORMDI any rights or obligations outside of, or in addition to, any rights or obligations imposed by PHIPA and PIPEDA, as applicable.