

Capital Health Written Privacy Statement

Your Personal Health Information and its Protection: Capital Health's Privacy Statement

As a Capital Health patient, you will be asked to share a variety of personal health information with us so we can give you quality health care and service. Protecting your privacy and maintaining confidentiality is important to us. We understand that personal health information is sensitive in nature. We have information practices to protect your information. For example, all Capital Health employees and associates are required to sign a confidentiality agreement. This brochure will give a general explanation of our privacy information practices.

Nova Scotia's Personal Health Information Act (PHIA) and its regulations outline our duty as a custodian to protect the privacy of the personal health information we collect, use and disclose about you. For example, we cannot collect, use or give out more personal health information about you than is needed. Under this Act, you have certain rights and choices around how your information is used and disclosed. This brochure will give you more information about how you can exercise your rights under the Act, such as how to access your health record at Capital Health or file a privacy complaint with us.

What is personal health information?

Personal health information is identifying information about you, and includes:

- Demographic information, such as your name, date of birth, address and phone number
- Your provincial health card number
- Your physical and mental health care history
- Financial information related to your payments or eligibility for healthcare

Personal health information can be recorded or unrecorded, such as a printed lab result or a conversation about your wellness plan, and continues to be protected after death.

Why do you collect, use, and/or disclose my personal health information?

We collect, use and give out personal information health about you for several purposes, including, but not limited to, in order to:

- Treat and care for you during your stay
- Help other health providers outside of Capital Health who are involved in your care, e.g. your family doctor, community pharmacist, nursing home
- Receive payment for delivering care, e.g. provincial government, private insurer
- Conduct quality improvement and risk management activities, e.g. patient safety reporting
- Conduct patient satisfaction surveys
- Plan and manage our internal operations, e.g. staff scheduling or bed management systems
- Train health professional students support other teaching activities, as we are a teaching hospital
- Conduct approved research, in accordance with PHIA
- Notify a representative of your faith group to visit you during your stay, if you identify this group
- Give your family and friends confirmation you are in hospital, your room and telephone extension, and general condition (e.g. fair, good) on the day they request the information
- Enable the Department of Health and Wellness to plan and manage the health care system
- Fulfill other purposes permitted or required by law, e.g. mandatory communicable disease reporting

Capital Health Written Privacy Statement

How do you collect personal health information about me?

We collect personal health information directly from you or the person acting on your behalf. Sometimes, we ask other health professionals or health care organizations involved in your care for information to help us provide you care. This may include the health care facility or physician who referred you to us. Occasionally, we may collect personal health information from other sources, if the law allows or with your consent. For example, we may seek information from the Nova Scotia Prescription Monitoring Program to assist us in treating you. Personal health information may be collected and stored in different ways, such as in your paper chart or our electronic information systems.

When is my consent required for a collection, use or disclosure of my personal health information by Capital Health under PHIA?

Depending on the purpose of the particular collection, use or disclosure, one of the following consent rules will apply:

- (a) Your consent may be implied from your actions,
- (b) Your express written or verbal consent is required, or
- (c) No consent may be required.

Some examples of each type of situation follow:

Knowledgeable implied consent

In order to provide quality health care to you, we can collect, use and give out your personal health information based on the principle of “knowledgeable implied consent.” This principle requires us to provide you with sufficient information around why we collect, use, and disclose your personal health information and your right to give or withhold consent. This information is provided either through a poster/brochure or a discussion with your clinical team. Once this information is provided, Capital Health can rely on this consent to share your personal health information internally with staff who need to know it to either directly provide or support your care. For example, when you enter an emergency waiting area, you will see posters describing the common uses and disclosures we make of personal health information. If you decide to seek care from us, having had the chance to read the poster, we can assume you are consenting to having your personal health information shared with the appropriate Capital Health staff and associates in order to care for you. This may include

- Physicians
- Pharmacists
- Medical lab Technicians
- Dieticians
- Ward Clerks

Unless you tell us otherwise, we may also assume on the basis of knowledgeable implied consent that you agree to us sharing your personal health information with other health professionals outside our organization who are involved in your care. For example, we would share your personal health information with your family doctor or the staff at the nursing home you are live in so they can care for you once you return home.

This standard also applies to our teaching activities. As an academic health organization, we help train large numbers of health professional students each year as they pursue their chosen careers. Real life experience interpreting health information and interacting with patients are key parts of their training.

Capital Health Written Privacy Statement

Express consent

Some examples of when we must obtain your express, stated consent include:

- Disclosing your information to the media, fundraising bodies, or marketers;
- Using or disclosing your information as part of research studies. Note: Some research studies do not require your consent and have safeguards in place, such as Research Ethics Board review and approval, to protect your privacy;
- Giving insurance companies, employers or your legal counsel access to your health record;
- Disclosing anything other than general information to your close family and friends, i.e. the fact that you are our patient, your location, and general condition (e.g. fair, good) to your family and close friends, on the day they ask.

No consent required

In certain situations we are permitted or required by PHIA to collect, use and disclose your personal health information without your consent, including, but not limited to:

- Billing provincial health plans
- Responding to a court order
- Planning and managing our internal operations
- Conducting quality improvement and risk management activities, e.g. patient safety reporting
- Enabling the Department of Health and Wellness to plan and manage the provincial health care system

Can I decide who can and can't access my personal health information?

Under PHIA, you have the right to ask that your personal health information not be collected, used or disclosed or to limit its use and disclosure, in cases where your consent is required. For example, you could ask us not to give out your personal health information to a specific health professional or organization. In response to a request, we are required to:

- Take reasonable steps to comply with your request.
- Advise you of any consequences of your request (e.g. the lack of information may result in an adverse event with your care or one of your health professionals may not feel confident that they have sufficient information to care for you).
- If we consider the personal health information to be reasonably necessary to share (e.g. we consider the information clinically important to share in order for you to receive safe follow up care), we must tell the health care professional or organization that we are not releasing all of your personal health information to them because you have not given us your consent to do so.

How do I make a request and what can Capital Health reasonably do?

What we can reasonably do varies depending on the nature of your request. Currently, patients who want to keep outside callers from confirming they are a patient can tell staff working in the area upon admission. If you want to prevent a Capital Health staff member or associate from looking at your personal health information on one of our electronic information systems, we can audit some systems to verify they have not done so. Please talk to your care team about any concerns you may have. Or you may contact the [Capital Health Privacy Office](#).

Can I request a copy of my personal health information? How much does it cost?

You have the right to view or receive a copy of your personal health information. There are a few exceptions. For example, Capital Health has the right to limit your access to your personal health information if your clinical care team here decides that

Capital Health Written Privacy Statement

your access could result in a risk of serious harm to yourself or others. PHIA sets the fees we can charge for access, which vary depending on a number of things, such as the type of record(s) requested or amount of information you need. We are required to provide you with an estimate of the fees after receiving your completed request, so you can decide whether you want to move forward with the request. We must respond to your request within timelines set by PHIA.

Your request to access your personal health information can be made to our Access to Personal Health Information Team. For more information about the process, please call (902) 473-5512, or [Contact - Privacy & Confidentiality](#). The [Authorization for Release of Health Information](#) request form can be obtained from [Documents and Forms](#) of the [Privacy & Confidentiality](#) website, in person, or mailed or faxed to you at your request.

Can I request that something in my personal health information be corrected?

Yes. You must make your request in writing to the Manager of Health Information Services. To obtain the Manager's contact information, please call Health Information Services toll free at 1-877-410-0014. Requests for changes to source documentation generated within Capital Health will be reviewed and responded to within 30 days of receipt. There are certain exceptions where we are not required to grant your request, such as when the information consists of the professional opinion or observation by our staff.

Can I ask to see a list of who has looked at my personal health information?

Under PHIA, you have the right to request a list of users who have looked at your personal health information on our electronic information systems. This list is called a "record of user activity" in the Act. Some systems have the ability to keep this list. You can request a record of user activity from the Capital Health Privacy Office using the contact information at the end of this brochure. We will provide the record to you within 30 days of receiving your request.

How do you protect my personal health information?

Capital Health has a number of administrative, physical and technical safeguards to protect your personal health information. For example, we grant role-based access to electronic information systems containing your personal health information. This means that the level of access a staff member is given is tied to how much information is needed to do his or her job. For example, clinical staff have broader access to personal health information than most administrative staff in order to provide care. Also, our policies and staff training reinforce that staff are only authorized to access personal health information they need to know. We can audit some electronic information systems to ensure compliance. Other safeguards include, but are not limited to:

Administrative Safeguards: Capital Health has policies that govern how staff and associates manage your personal health information. These include policies that cover:

- Privacy
- Release of information
- Retention of information
- Security of information during transport

Staff, physicians, volunteers and students also must make a pledge of confidentiality. This pledge outlines their responsibility to protect your personal health information.

Physical Safeguards: We have a number of physical safeguards, such as locked cabinets, secure fax and storage of health records, screen savers for computer terminals and photo identification for staff.

Capital Health Written Privacy Statement

Technical Safeguards: Access to electronic personal health information is password protected. All databases must be saved on secure networks and personal health information is located within a firewall for protection.

What happens if you lose my personal health information or someone who isn't authorized to see it gains access to it?

If there is a privacy breach involving your personal health information and we believe this breach may cause you harm or embarrassment, we are required to notify you of the breach. If we don't notify you, we are required to notify Nova Scotia's Review Officer for PHIA.

Can I make a complaint if I think you have not followed PHIA?

Yes. Please come to us first if you are not happy about something that has been done with your personal health information. To discuss your concern and see what can be done, in addition to speaking with your care team, please contact our Privacy Office, which can provide you with more information and a complaint form. Under PHIA, you must make your complaint to Capital Health in writing.

What if I am not happy with the way your organization has handled my complaint?

You may request a review under PHIA. The Review Officer for PHIA can be reached at:

Review Officer
Personal Health Information Act
P.O. Box 181
Halifax Nova Scotia B3J 2M4
Phone: 1-902-424-4684
Toll-free: 1-866-243-1564
Fax: 1-902-424-8303

How do I contact the Capital Health Privacy Office?

For more information about our privacy policies and practices, or to access the services the Office provides as described in this brochure, please contact:

[Capital Health Privacy Office](#)
Room 1031-D, Centennial Building
1276 South Park Street
Halifax, NS B3H 2Y9
Phone: 902-473-4866
Email: privacy@cdha.nshealth.ca
Fax: 902-473-7850