

 <p>Winnipeg Regional Health Authority Office régional de la santé de Winnipeg Caring for Health À l'écoute de notre santé</p> <p style="text-align: center;">POLICY</p>	REGIONAL		Level: 1
	Applicable to all WRHA governed sites and facilities (including hospitals and personal care homes), and all funded hospitals and personal care homes. All other funded entities are excluded unless set out within a particular Service Purchase Agreement.		
	Policy Name: Collection of Personal Health Information	Policy Number: 10.40.070	Page 1 of 3
	Approval Signature: <i>Original signed by M. Sussman</i>	Section: General Administration	
Date: May 2016	Supercedes: April 2010		

1.0 **PURPOSE:**

- 1.1 To ensure that Individuals are notified about what Personal Health Information including Demographic Information is being collected and why.
- 1.2 To ensure that Personal Health Information is collected in a manner that protects the Confidentiality, Privacy, Security and Integrity of that information in accordance with *The Personal Health Information Act* ("PHIA").

2.0 **DEFINITIONS:**

- 2.1 **Confidentiality:** The obligation of a Trustee to protect the Personal Health Information entrusted to it, to maintain the secrecy of the information and not misuse or wrongfully disclose it.
- 2.2 **Demographic Information:** An Individual's name, address, telephone number, and email address.
- 2.3 **Health Care Facility:** A hospital, personal care home, psychiatric facility, medical clinic, laboratory, CancerCare Manitoba and community health centre or other facility in which health care is provided and that is designated in the PHIA regulations.
- 2.4 **Individual:** A patient, client or resident receiving health care services within the WRHA/Health Care Facility. For the purpose of access, correction, use and disclosure of Personal Health Information includes Persons Permitted to Exercise the Rights of an Individual.
- 2.5 **Integrity of Personal Health Information:** The preservation of its content throughout storage, use, transfer and retrieval so that there is confidence that the information has not been tampered with or modified other than as authorized.

DISCLAIMER: Please be advised that printed versions of any policy, or policies posted on external web pages, may not be the most current version of the policy. Although we make every effort to ensure that all information is accurate and complete, policies are regularly under review and in the process of being amended and we cannot guarantee the accuracy of printed policies or policies on external web pages. At any given time the most current version of any WRHA policy will be deemed to apply. Users should verify that any policy is the most current policy before acting on it. For the most up to date version of any policy please call 204-926-7000 and ask for the Regional Policy Chair's office.

- 2.6 **Personal Health Information**: Recorded information about an identifiable Individual that relates to:
- the Individual's health, or health care history, including genetic information about the Individual;
 - the provision of health care to the Individual; or
 - payment for health care provided to the Individual;
- and includes:
- the PHIN (personal health identification number) and any other identification number, symbol or particular assigned to an Individual; and
 - any identifying information about the Individual that is collected in the course of, and is incidental to, the provision of health care or payment for health care;
- and for further clarity includes:
- personal information such as financial position, home conditions, domestic difficulties or any other private matters relating to the Individual which have been disclosed to the Trustee.
- and for the purpose of the Confidentiality policy:
- any Personal Health Information exchanged verbally about the Individual.
- 2.7 **Privacy**: The fundamental right of the Individual to control the collection, use and disclosure of their Personal Health Information.
- 2.8 **Privacy Officer**: An employee, designated by the WRHA or a Health Care Facility whose responsibilities include dealing with requests from Individuals who wish to examine and copy or to correct Personal Health Information collected and maintained by the Trustee and facilitating the Trustee's compliance with PHIA. The definition is intended to mean the Privacy Officer and/or their delegate.
- 2.9 **Security**: The process of protecting the Personal Health Information by assessing threats and risks to information and taking steps to mitigate these threats and risks. The result is the consistent application of standards and controls to protect the integrity and Privacy of the information during all aspects of its, use, processing, disclosure, transmittal, transport, storage, retention including conversion to a different medium and destruction.
- 2.10 **Site**: A Health Care Facility, community health centre, community office within the WRHA.
- 2.11 **Trustee**: A health professional, Health Care Facility, public body, or health services agency that collects or maintains Personal Health Information. For clarity, the WRHA as a public body is the Trustee of the Personal Health Information collected and maintained within health care facilities and Sites owned and/or operated by the WRHA and includes Community Health Services. The other hospitals and personal care homes within the region are Trustees of the Personal Health Information collected and maintained at each Health Care Facility.

3.0 **POLICY:**

3.1 **Source of Personal Health Information**

Personal health information shall be collected directly from the Individual the information is about unless:

- the Individual has authorized another method of collection;
- collection of information directly from the Individual could reasonably be expected to endanger the mental or physical health or safety of the Individual or another person;
- collection of the information is in the interest of the Individual and time or circumstances do not permit collection directly from the Individual;
- collection of the information directly from the Individual could reasonably be expected to result in inaccurate information being collected;
- the information is collected for the purpose of:
 - compiling an accurate family or genetic health care history of the Individual; or
 - determining or verifying the Individual's eligibility to participate in a program of or receive a benefit or services from the Trustee or from the government, and is collected in the course of processing an application made by or on behalf of the Individual; or
- another method of collection is authorized or required by a court order or an enactment of Manitoba or Canada.

3.2 **Restrictions on collection**

Collection of Personal Health Information shall be limited to the minimum amount reasonably necessary to accomplish the purpose for which it is collected. The type and amount of information collected is determined by the nature of the health care being provided.

3.3 **Notice of Collection Practices**

3.3.1 A Trustee collecting Personal Health Information shall, before it is collected or as soon as possible afterwards, inform the Individual of the purpose for collecting the information. This may be done by posting notices within the Health Care Facility and/or providing Individuals with a brochure.

3.3.2 Notification to an Individual need not be repeated as long as the Individual has recently been provided with this information and the collection relates to the same or a related purpose as originally identified.

4.0 **PROCEDURE:** N/A

5.0 **REFERENCES:**

5.1 *The Personal Health Information Act (Manitoba)*

5.2 *The Personal Health Information Act Regulations*

Policy Contact: *Christina Von Schindler, WRHA Chief Privacy Officer*