



Personal Information Protection Policy

At Arbutus Physiotherapy & Health Centre, we are committed to providing our patients with exceptional service. As providing this service involves the collection, use and disclosure of some personal information about our patients, protecting their personal information is one of our highest priorities.

While we have always respected our patient privacy and safeguarded their personal information, we have strengthened our commitment to protecting personal information as a result of British Columbia's *Personal Information Protection Act (PIPA)*. PIPA, which came into effect on January 1, 2004, sets out the ground rules for how B.C. businesses and not-for-profit organizations may collect, use and disclose personal information.

We will inform our patients of why and how we collect, use and disclose their personal information, obtain their consent where required, and only handle their personal information in a manner that a reasonable person would consider appropriate in the circumstances.

This Personal Information Protection Policy, in compliance with PIPA, outlines the principles and practices we will follow in protecting patient personal information. Our privacy commitment includes ensuring the accuracy, confidentiality, and security of all personal information and allowing our patients to request access to, and correction of, their personal information.

Scope of this Policy

This Personal Information Protection Policy applies to Arbutus Physiotherapy & Health Centre and is inclusive of all its practitioners, therapists and doctors.

This policy also applies to administrative staff and/or service providers collecting, using or disclosing personal information on behalf of Arbutus Physiotherapy & Health Centre.

Definitions

Personal Information – information about an identifiable patient. Examples of personal information collected includes, but is not limited to, the following: Name, birthdate, Personal Health Number, extended benefits information, address, phone number, email address, doctor’s name/contact information, medical information/history, injuries/issue/reason for the visit etc. Personal information does not include contact information (described below).

Contact information – means information that would enable an individual to be contacted at a place of business and includes name, position name or title, business telephone number, business address, business email or business fax number. Contact information is not covered by this policy or PIPA.

Privacy Officer – This is the individual designated responsible for ensuring that Arbutus Physiotherapy & Health Centre complies with this policy and PIPA. Details about our Privacy Officer are available at the end of this document.

Policy 1 – Collecting Personal Information

- 1.1 Unless the purposes for collecting personal information are obvious and the patient voluntarily provides his or her personal information for those purposes, we will communicate the purposes for which personal information is being collected, either orally or in writing, before or at the time of collection.
- 1.2 We will only collect patient information that is necessary to fulfill the following purposes:
 - To verify identity;
 - To record the health needs of our patients;
 - To open and manage a patient profile in our booking system;
 - To deliver requested services;
 - To provide physiotherapy, naturopathy, massage therapy, sports coaching and/or sports medicine services;
 - To ensure a high standard of service to our patients;
 - To meet regulatory requirements;
 - To collect and process payments for service and products;

Policy 2 – Consent

- 2.1 We will obtain patient consent to collect, use or disclose personal information (except where, as noted below, we are authorized to do so without consent).

- 2.2 Consent can be provided orally, electronically or in writing. It can be implied where the purpose for collecting using or disclosing the personal information would be considered obvious and the patient voluntarily provides personal information for that purpose.
- 2.3 Consent may also be implied where a patient is given notice and a reasonable opportunity to opt-out of his or her personal information being used for mail-outs, marketing, appointment reminders, fundraising and the patient does not opt-out.
- 2.4 Subject to certain exceptions (e.g., the personal information is necessary to provide the service or product, or the withdrawal of consent would frustrate the performance of a legal obligation), patients can withhold or withdraw their consent for Arbutus Physiotherapy & Health Centre to use their personal information in certain ways. A patient's decision to withhold or withdraw their consent to certain uses of personal information may restrict our ability to provide a particular service or product. If so, we will explain the situation to assist the patient in making the decision.
- 2.5 We may collect, use or disclose personal information without the patient's knowledge or consent in the following limited circumstances:
- When the collection, use or disclosure of personal information is permitted or required by law;
 - In an emergency that threatens an individual's life, health, or personal security;
 - When we require legal advice from a lawyer;
 - For the purposes of collecting a debt;
 - To protect ourselves from fraud;
 - To investigate an anticipated breach of an agreement or a contravention of law

Policy 3 – Using and Disclosing Personal Information

- 3.1 We will only use or disclose patient personal information where necessary to fulfill the purposes identified at the time of collection or if needing to refer the patient to a healthcare professional outside of Arbutus Physiotherapy & Health Centre in which case prior consent will be collected from the patient.
- 3.2 We will not use or disclose patient personal information for any additional purpose unless we obtain consent to do so.
- 3.3 We will not sell patient lists or personal information to other parties.

Policy 4 – Retaining Personal Information

- 4.1 If we use patient personal information to make a decision that directly affects the patient, we will retain that personal information for at least 16 years as set out by the Physiotherapy Association of BC (PABC), so that the patient has a reasonable opportunity to request access to it.

- 4.2 Subject to policy 4.1, we will retain patient personal information only as long as necessary to fulfill the identified purposes or a legal or business purpose.

Policy 5 – Ensuring Accuracy of Personal Information

- 5.1 We will make reasonable efforts to ensure that patient personal information is accurate and complete where it may be used to make a decision about the patient or disclosed to another organization.
- 5.2 Patients may request correction to their personal information in order to ensure its accuracy and completeness. A request to correct personal information must be made in writing and provide sufficient detail to identify the personal information and the correction being sought.
- 5.3 If the personal information is demonstrated to be inaccurate or incomplete, we will correct the information as required and send the corrected information to any organization to which we disclosed the personal information in the previous year. If the correction is not made, we will note the patient's correction request in the file.

Policy 6 – Securing Personal Information

- 6.1 We are committed to ensuring the security of patient personal information in order to protect it from unauthorized access, collection, use, disclosure, copying, modification or disposal or similar risks.
- 6.2 The following security measures will be followed to ensure that patient personal information is appropriately protected:
- Jane Privacy Information: 'Jane' is the name of our Electronic Medical Records (EMR) application the we use for booking, charting, scheduling and billing. Jane's many built-in security systems are described below:**
- Jane Data is stored on secure servers on proper data centres located in Montreal, Canada.
 - Jane has a private server bank located in a secured SOC2, Type2-certified data center, and all data is backed up regularly on secondary servers.
 - Jane Data is encrypted using 256-bit encryption when sent between our device and our servers (in the same way as banking information would be).
 - Our partners for payments use the same 128-bit encryption as the big banks around the world.
 - Administrators, practitioners and patients each access Jane using their own account secured by a unique username and unique password. Account owners can control access permissions for each user, which includes control of accessing patient charts, billing records, and schedule records.
 - Jane offers a user-activity report to account owners in which they can see a detailed breakdown of all user activity. The report can be filtered by date range, user, and type of access for regular reviews on who is accessing patient charts.
 - Jane acts as an agent storing patient data on behalf of customers. The account owner (in our case the clinic owner) retains ownership of all patient data.
 - Jane will automatically log our practitioners & administrative staff out after 2 hours of inactivity.

- Jane sends an email notification to staff members whenever their credentials are used on a device for the first time.
 - Jane has a “Blur Patient Names” option for anytime our practitioners want to show a colleague a chart or if ever a patient leans over and looks at their device.
 - Jane allows a practitioner to add a dated Amendment to a chart. Amendments, once saved, become a permanent and un-editable component of the chart.
 - Jane has built-in reminders for our practitioners to sign and lock all charts right from their schedule.
 - Jane’s framework allows our practitioners to record all of the information legally required to gather, and it stores that information securely.
 - Jane allows practitioners to enter their signature via scan or Online Signatures so practitioners are able to sign all charts. Charts are then locked and time-stamped.
 - Chart access permissions are a critical component of being compliant. Jane recognizes all of these issues and in response, provides several levels of protection for patient health records.
- 6.3 We will use appropriate security measures when destroying patient personal information such as deleting electronically-stored information and/or shredding.
- 6.4 We will continually review and update our security policies and controls as technology changes to ensure ongoing personal information security.

Policy 7 – Providing Patient Access to Personal Information

- 7.1 Patients have a right to access their personal information unless we are legally advised otherwise.
- 7.2 A request to access personal information must be made in writing and provide sufficient detail to identify the personal information being sought. A request to access personal information should be forwarded to the Privacy Officer.
- 7.3 Upon request, we will also tell patients how we use their personal information and to whom it has been disclosed if applicable.
- 7.4 We will make the requested information available within 30 business days, or provide written notice of an extension where additional time is required to fulfill the request.
- 7.5 A minimal fee may be charged for providing access to personal information. Where a fee may apply, we will inform the patient of the cost and request further direction from the patient on whether or not we should proceed with the request.
- 7.6 If a request is refused in full or in part, we will notify the patient in writing, providing the reasons for refusal and the recourse available to the patient.

Policy 8 – Questions and Complaints: The Role of the Privacy Officer or designated individual

- 8.1 The Privacy Officer is responsible for ensuring Arbutus Physiotherapy & Health Centre is in compliance with this policy and the *Personal Information Protection Act*.

8.2 Patients should direct any complaints, concerns or questions regarding Arbutus Physiotherapy & Health Centre compliance in writing to the Privacy Officer. If the Privacy Officer is unable to resolve the concern, the patient may also write to the Information and Privacy Commissioner of British Columbia.

Contact information for Arbutus Physiotherapy & Health Centre Privacy Officer:

Kathi Ells

778-265-3663

kathi@arbutusphysiotherapy.ca