

 Halton Healthcare	<b>Confidentiality Policy – Halton Healthcare External Agents Policy</b>	
	Program/Dept: Health Records	Document Category: Health Records
	Developed by: Privacy Team	Original Approval Date: March 2005
	Approved by: Senior Management Committee	Reviewed Date: June 2016
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## Purpose

To allow Agents and Partners within the circle of care, access to HHS based confidential patient information, to perform HHS hospital based duties, while protecting confidentiality and privacy of our patient population.

Agents shall access confidential information **only to the extent necessary to carry out their hospital based duties.**

Except as required in the performance of a task related to their specific patient or work assignment, Agents will not in any way retrieve, read, repeat, copy, release or transmit such information to any other individual or organization. Agents must hold in strict confidence all information obtained through their access, and must not disclose such information to any individual inside or outside the hospital, including their immediate family members.

Any Agent accessing patient information not required to perform their hospital based duties (including access to their own health information, that of family members, friends, co-workers or acquaintances) will be considered in breach of this policy.

Under Section 72 (2) (a) of the Personal Health Information Protection Act:

A person who is guilty of an offence under subsection (1) is liable on conviction,

- (a) if the person is a natural person, to a fine of not more than \$50,000.00.

Any Agent found to be in contravention of this agreement will immediately have their password and access code removed from the HHS system, therefore prohibiting access – pending an investigation. Their immediate supervisor will be contacted by the Privacy Officer, the investigation results will be reviewed, a plan to proceed, including discipline, will be agreed upon and implemented.

## Definition of an Agent

Under the Personal Health Information Protection Act (PHIPA) an “agent” is defined as:

“A person that, with the authorization of the custodian, acts for or on behalf of the custodian in respect of personal health information for the purposes of the custodian, and not the agent’s own purposes, whether or not the agent has the authority to bind the custodian, whether or not the agent is employed by the custodian, and whether or not the agent is being remunerated.”

## Confidentiality Policy – HHS External Agents

HHS considers:

- i) Personnel, employed by a privileged HHS physician, for the purpose of booking HHS appointments for hospital based patients – to be “agents” for this limited purpose and only in relation to personal information.
- ii) Vendors, assisting privileged HHS physicians and HHS personnel as authorized by the Hospital, and limited to involvement with specific identified cases – are to be considered “agents”. Vendors, in addition to signing this Policy, must also sign and adhere to the Vendor Codes of Conduct as per the Program they are affiliated with.

### CCAC Employees

CCAC employees are not considered “agents” under PHIPA, but rather partners in the circle of care in the ongoing treatment and care of patients. CCAC employees assigned to Halton Healthcare, will be given ID’s and passwords, and will be required to complete a tutorial on use of the system, and sign this policy, prior to being provided access to the HHS electronic patient care system. CCAC employees shall only access electronic information on patients they are involved in caring for, through their employment with CCAC and association with HHS.

All rights and responsibilities afforded “agents”, will also apply to CCAC employees, hence this entire and complete policy will be applied to them as well.

Signed confidentiality documents, related to this policy, will be stored in the office of the Privacy Officer.

Please Note – Agency Nurses will sign the HHS Employee “Confidentiality Policy.”

### **Definition of Confidential Patient Information**

Confidential information includes, but is not limited to:

- patient information (medical records, conversations concerning their condition or treatment, financial circumstances, family circumstances etc.);
- employee information (employment records, salaries, family and/or personal circumstances etc.)

### **Protection of Electronic Data**

1. Agents will be assigned a HHS user access code. Access to the HHS system will be audited regularly by HHS personnel.
2. Agents must log off their HHS computer application at the end of their shift or when they are away from their terminals for an extended period of time.

## Confidentiality Policy – HHS External Agents

3. HHS Computer passwords are to be changed semi-annually.
4. Agents must safeguard and must not disclose their HHS computer access codes to any other person. They are responsible for all activities undertaken using their access code.
5. Computer monitors shall be positioned so that HHS information cannot be seen easily by anyone other than the Agent.

### Orientation

This policy is to be reviewed with the Agent, and signature obtained. In the case of Physician Secretarial Personnel – the Physician Employing the Agent - will be given a copy of this policy, will review the policy, and obtain the required signature as follows:

I, _____, have read and understood the above policy, and agree to abide <b>(please print)</b>	
by the conditions of this policy. I am aware that if I act against this policy, my actions could be cause for discipline, up to and including a fine and/or loss of privileges at HHS.	
_____ Signature and Title	_____ Date
_____ Employing Physician (if Applicable)	_____ Date

**PLEASE RETURN COMPLETED FORM TO THE PRIVACY OFFICER, c/o CLINICAL INFORMATION SERVICES**

References

Reviewed By/Consultation With:

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Key Words:

Confidentiality, Privacy, Privacy Officer, Password, Patient Information, Computer Access, Electronic Health Record, Breach, Agent, CCAC Employee

**Signed By:** \_\_\_\_\_

**Title:**           **Director, Clinical Information Services / Privacy Officer**           **(Archived Copy Only)**