

Privacy statement under the  
*Personal Health Information Act*

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## Introduction

The Department of Health and Community Services is responsible for setting the overall strategic directions and priorities for the health care system in Newfoundland and Labrador. In doing so, the department works with partners like private sector care providers (e.g., doctors and pharmacists), Regional Health Authorities, community organizations, professional associations, post-secondary educational institutions, unions, consumers and other provincial government departments.

To properly oversee programs and services intended to maintain and promote the health and well-being of the people of Newfoundland and Labrador, the department collects, uses and discloses the personal health information of individuals who use the health system in the province, in accordance with applicable laws.

This privacy statement applies to the personal health information that the department collects, uses or discloses in the course of operating and administering provincial health programs and services. This privacy statement describes:

- How to contact the department if you have a question about our information handling practices
- How the department collects, uses and discloses your personal health information
- How the department safeguards your personal health information
- Your right to access and request correction of records containing your personal health information
- How to contact the Office of the Information and Privacy Commissioner to discuss a concern you might have about the department's information handling practices

## The *Personal Health Information Act*

On April 1<sup>st</sup>, 2011, the *Personal Health Information Act* (PHIA) came into force in Newfoundland and Labrador. This law:

- Sets out the rules that “custodians” of personal health information must follow in collecting, using, disclosing and safeguarding your information

- Provides Newfoundlanders and Labradorians with the right to request access to and correction of records containing their personal health information

The Department of Health and Community Services is a “custodian” under the *Personal Health Information Act*. Other examples of “custodians” under the Act include health care professionals like doctors and pharmacists in private practice and the province’s Regional Health Authorities.

For more information about the *Personal Health Information Act*, please visit the department’s website at [www.health.gov.nl.ca/health/PHIA](http://www.health.gov.nl.ca/health/PHIA).

## **Department’s designated contact person**

If you have a question about how the department collects, uses or discloses your personal health information, or if you would like to request access to or the correction of a record containing your personal health information, please contact the department’s designated contact person:

### **Privacy Manager**

Department of Health and Community Services  
West Block, Confederation Building  
P.O. Box 8700  
St. John’s, NL A1B 4J6  
Telephone: (709) 729-4984  
Fax: (709) 729-5824

## **Our information handling practices**

### **Our privacy commitment to you**

The department takes your privacy seriously and is committed to safeguarding the confidentiality of your information. The department will only collect, use or disclose your personal health information in accordance with the provisions of the *Personal Health Information Act* and its regulations or where otherwise permitted or required by law.

### **Collection of your personal health information**

The department collects your personal health information for purposes related to overseeing the health care system in Newfoundland and Labrador. Those purposes include:

- Collecting personal health information from you directly in order to provide you with health care services. For example, the department might collect information from you in order to provide you with a benefit through a program

such as the provincial Prescription Drug Program (NLPDP) or the Medical Care Plan (MCP).

- Collecting personal health information from our partners in the health and community services sector, in accordance with our mandate to deliver health care programs and services for the province. For example, the department might collect your personal health information from Regional Health Authorities for billing purposes related to services you might have received. The department might also collect your personal health information in order to manage and evaluate the province's health care system in order to ensure that you receive timely, quality care.

We will not collect more information than is reasonably necessary to meet the purpose of the collection and the department will not collect identifiable personal health information if other information will serve the purpose.

### **Use and disclosure of your information**

The department uses and discloses personal health information to:

- Process and verify claims for payment for publicly-funded health care services (e.g., through MCP)
- Determine or verify a person's eligibility to participate in a publicly-funded health care program or to receive a benefit, product or health care service
- Plan, administer and evaluate programs and services funded by the department
- Undertake specific activities as permitted or required by law (e.g., to comply with a court order)
- Conduct approved research for assessing, evaluating, planning and improving health and safety, in accordance with the requirements of the *Personal Health Information Act* and the *Health Research Ethics Authority Act*
- Monitor and manage public health risks (e.g., to monitor an outbreak of influenza)
- Fulfil other purposes, as permitted or required by law

We will not use or disclose your personal health information without your consent except in limited circumstances where it is authorized to do so by law. The department is committed to protecting your privacy and will critically consider the circumstances of each disclosure before disclosing your personal health information without your consent. The Department of Health and Community Services does not sell personal health information.

### **Safeguarding your information**

The department has implemented physical, administrative and technological safeguards to protect the personal health information in its custody and control

against theft, loss and unauthorized access, use or disclosure. Means of protecting your information adopted by the department include:

- Limiting access by staff to only those who have a need to use your information to perform the duties of their employment
- Password-protecting electronic applications and information systems
- Implementing firewalls and encryption where appropriate and necessary
- Requiring the use of locked filing cabinets and secure premises
- Developing procedures related to retaining your information, including minimum and maximum retention periods
- Ensuring that, when your information is no longer necessary for the purpose for which it was collected, it is destroyed, erased or de-identified effectively and securely

## **Access to and correction of your records**

Under the *Personal Health Information Act* you have the right to request access to any records containing your personal health information. You also have the right to request a correction of your information where you believe a record is inaccurate or incomplete. Depending on the nature of your request, the department may charge a fee to process your request. The department will notify you in advance of any potential fees related to an access or correction request.

If you would like to request access to or correction of a record containing your personal health information in the department's custody or control, please submit a request in writing to the department's designated contact person.

## **Questions or concerns**

If you have a question about how the department collects, uses or discloses your personal health information, please contact the department's designated contact person. You also have the right to contact the Newfoundland and Labrador Information and Privacy Commissioner to discuss a concern you might have about the department's information handling practices. You can contact the Office of the Information and Privacy Commissioner as follows:

### **Office of the Information and Privacy Commissioner**

2nd Floor, 34 Pippy Place  
P.O. Box 13004, Station A  
St. John's, NL A1B 3V8

Telephone: (709) 729-6309  
Fax: (709) 729-6500  
Toll Free: 1-877-729-6309  
E-mail: [commissioner@oipc.nl.ca](mailto:commissioner@oipc.nl.ca)