

# PRIVACY CODE FOR THE UNIVERSITY OF WESTERN ONTARIO SCHOOL OF DENTISTRY

## INTRODUCTION

Privacy of personal information is an important principle in the provision of quality dental care to our patients. We understand the importance of protecting your personal information. We are committed to collecting, using and disclosing your personal information responsibly. We also try to be as open and transparent as possible about the way we handle your personal information.

We have tried to make our School Privacy Code as easy to understand as possible. To ensure that you see how we are complying with the federal privacy legislation, the *Personal Information Protection and Electronic Documents Act* (PIPEDA), our Privacy Code is organized to follow the Act's ten interrelated principles that are the foundation of PIPEDA.

## DEFINITIONS

<b>Collection:</b>	The art of gathering, acquiring or obtaining personal information from any source, including third party sources by any means.
<b>College:</b>	Royal College of Dental Surgeons of Ontario.
<b>Consent:</b>	A voluntary agreement between two parties regarding what is being done or is being proposed to be done. Consent can either be express or implied. Express consent may be given explicitly, either orally or in writing.
<b>Disclosure:</b>	Making personal information available to others besides the student, faculty or staff.
<b>Legislation:</b>	The <i>Regulated Health Profession Act</i> (RHPA), Schedules attached, <i>Dentistry Act</i> , Regulations made under these Acts, and By-laws of the College, and the <i>Personal Information Protection and Electronic Documents Act</i> (PIPEDA).
<b>Patient:</b>	An individual about whom the School collects personal information in order to carry out prognosis, diagnosis, and treatment, including controlled acts.
<b>Personal Information:</b>	Information about a patient that is recorded in any form, and this includes: the patient's name, address, telephone/fax number, e-mail address, gender, marital status, children, date of birth, occupation, medical records, health records, insurance company, insurance coverage, history, place of work, employer.
<b>RHPA Procedural Code:</b>	The Health Professions Procedural Code, Schedule 2 to the <i>Regulated Health Professions Act</i> (RHPA).

## PIPEDA PRINCIPLES

### **Principle 1: Accountability**

The School is responsible for information collected by students, faculty and staff. Accountability for the School's compliance rests with the Privacy Information Officer, even though others in the School may be responsible for the day-to-day collection and processing of personal information. The School is responsible for information in our possession or custody, including information that has been transferred to a third party for processing. We will use contractual or other means to provide a comparable level of protection while the information is being accessed and/or processed by that third party.

Our School will implement policies and practices to give effect to the principles, including:

- implementing policies to protect personal information;
- establishing procedures to receive and respond to complaints and inquiries;
- training staff about privacy policies and practices;
- developing information to explain privacy policies and procedures.

### **Principle 2: Identifying Purposes for Collecting Information**

The purposes for which personal information is collected in the School will be identified before or at the time the information is collected. The School collects personal information for the following purposes:

- to deliver safe and efficient patient care by assessing your health needs and to advise you of treatment options
- to identify and to ensure continuous high quality service
- to establish and maintain communication with you and to distribute health care information and to book and confirm appointments
- to communicate with other treating health-care providers, including specialists and general dentists who are the referring dentists
- to allow us to efficiently follow-up for treatment, care, billing and the collection of unpaid accounts
- to teach and demonstrate on an anonymous basis
- to complete and submit dental claims for third party adjudication and payment
- to comply with legal and regulatory requirements, including the delivery of patients' charts and records to the Royal College of Dental Surgeons of Ontario and Health Profession Appeal and Review Board (HPARB) in a timely fashion, when required, according to the provisions of the *Regulated Health Professions Act*
- to deliver your charts and records to the School's insurance carrier to enable the insurance company to assess liability and quantify damages, if any
- to invoice for goods and services

When personal information has been collected and is to be used or disclosed for a purpose not previously identified, the new purpose will be identified prior to its use of the disclosure. Your consent is required before the information can be used or disclosed for that purpose.

School staff collecting personal information will be able to explain to you the purpose for which the information is being collected.

When you sign the Patient Consent Form, you will be deemed to understand and accept the School's collection, use and disclosure of your information for the specified purposes.

### **Principle 3: Consent**

The School will seek informed consent for the collection, use and/or disclosure of personal information, except where it might be inappropriate to obtain your consent, and subject to some exceptions set out in law. Existing protocols for electronic submissions of dental claims require a signature on file. Specific consent may be required for additional requests from insurers. This shall be collected at the time, or in conjunction, with predeterminations for extensive services, providing the scope of information released is disclosed. If there is any doubt, information shall be released directly to you for review and submission.

Consent for the collection, use and disclosure of personal information may be given in a number of ways, such as:

- signed medical history form;
- signed introductory questionnaire;
- taken verbally over the telephone and then charted;
- e-mail;
- written correspondence.

You may withdraw consent upon reasonable notice.

### **Principle 4: Limiting Collection of Personal Information**

The collection of personal information by the School shall be limited to that which is necessary for the purposes identified in this Privacy Code.

### **Principle 5: Limiting Use, Disclosure and Retention**

Personal information shall not be used or disclosed for purposes other than those for which the information is collected, except with your express consent, or as required by law. The School has protocols in place for the retention of personal information. Retention of information records is defined and referenced in College's Guidelines on Dental Recordkeeping. In destroying personal information, the School has developed guidelines to ensure secure destruction in accordance with the College's Guidelines on Dental Recordkeeping.

### **Principle 6: Accuracy of Personal Information**

The School endeavours to ensure that your personal information is as accurate, complete, and as up-to-date will depend upon the use of the information, taking into account the interest of our patients. Information shall be sufficiently accurate, complete and up-to-date to minimize the possibility that inappropriate information is used to make a decision about you as our patient.

### **Principle 7: Safeguards for Personal Information**

The School has taken appropriate measures to safeguard your personal information from loss or theft, as well as unauthorized access, disclosure, copying, use or modification.

Your information is protected, whether recorded on paper or electronically. The School staff are aware of the importance of maintaining the confidentiality of personal information. Care is used in the care and destruction of personal information to prevent unauthorized access to the information even during disposal and destruction.

### **Principle 8: Openness about Privacy**

The School will make readily available to you specific information about our policies and practices relating to the management of personal information. This information includes:

- a Patient Information Sheet that outlines the name of the Privacy Information Officer who is accountable for our School privacy policies. This is the person to whom you can direct any questions or complaints. The Information Sheet also describes how to access your personal information held in the School;
- a copy of our Patient Consent Form that explains how the School collects, uses and discloses your personal information;
- our office Privacy Code.

### **Principle 9: Patient Access to Personal Information**

Upon written request and with reasonable notice, you shall be informed of the existence, use and disclosure of your personal information, and shall be given access to that information.

Upon written request and with reasonable notice, the School will advise you whether or not we hold personal information about you. The School shall allow you access to this information.

Upon written request and with reasonable notice, the School shall provide you with an accounting of how your personal information has been used, including third party disclosures. In providing this information, we will attempt to be as specific as possible. When it is not possible to provide a list of the organizations or individuals to which there has been disclosure about you, we will provide you with a list of such organizations or individuals to which we may have disclosed information about you. Disclosure of probabilities in these cases would satisfy this requirement. We will respond to your request within a reasonable period of time, and at no cost to you. The request for information will be provided or made available in a form that is generally understandable.

The School will comply with the regulations of the College that define patient access to records.

You are free to challenge the accuracy and completeness of the information and seek to have it altered, amended, or changed. This process is explained in the Patient Information Sheet.

When a challenge is not resolved to your satisfaction, we will record the substance of the unresolved challenge.

When appropriate, the existence of the unresolved challenge shall be transmitted to third parties having access to the information in question.

### **Principle 10: Challenging Compliance**

You shall be able to challenge compliance with these principles with the School's Privacy Information Officer, who is accountable within the School for the School's compliance. The School has in place procedures to receive and respond to your complaints or inquiries. This information, including the name of the School's Privacy Information Officer, is included in the Patient Information Sheet, available on request. The procedures are easily accessible and simple to use.

The School has an obligation to inform our patients who make inquiries about how to access the privacy complaint process in the School, and about how to access that process. This information is outlined in the Patient Information Sheet. The Privacy Information Officer in the School will investigate each and every complaint made to the School in writing. If a complaint is found to be justified, the Privacy Information Officer will take appropriate measures, including, if necessary, amending any School policies and practices. Patients will be provided with information about how to contact the Privacy Commissioner of Canada to forward any unresolved complaint. This information is included in the Patient Information Sheet, available on request.