



ClinicalConnect Privacy Policies Guide

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Introduction:

There are eight (8) ClinicalConnect Privacy Policies. The ClinicalConnect Privacy Policies do not replace privacy and security policies, processes and training programs that all health information custodians (custodians) must have in place to comply with the *Personal Health Information Protection Act, 2004* (PHIPA).

Under PHIPA, custodians are required to have adequate “information practices” including privacy and security processes, policies and procedures and training:

- General
 - Notice of information practices for patients and the public (Privacy Notice)
- Safeguards
 - Agent access to personal health information (PHI) on need to know basis only
 - Accounts and passwords
 - Audits (Logging and Auditing)
 - Physical security on-site
 - Patient information in transit
 - Sending patient information (by email, text, fax, mail)
 - Destroying patient information
 - Third party vendors
 - Computer use and use of technology
 - Social media permissions and restrictions
 - Privacy readiness assessments
- Access and Correction and Release of Patient Information
 - Patient requests for own health records (Access)
 - Requests to correct health record (Correction)
 - Requests to share information with other health care providers for health care purposes (circle of care)
 - Third party requests for patient information with consent or as permitted or required by law (release of information) (including for example, police, Children’s Aid Society, regulatory Colleges, insurance companies, lawyers)
- Consent Directives (Consent Management)
 - Responding to requests to withdraw, withhold or reinstate consent to share health information for the purpose of providing or assisting in the provision of health care
 - Explaining implications of a Consent Directive
 - Implementation procedures
 - Consent Directive exclusions
 - Notice to health care providers when Consent Directive in place
- Privacy Breach Protocol (Breach Management)
 - Containing a Breach
 - Notifying those affected, e.g. patient, IPC, Regulatory Colleges
 - Investigation and remediation
- Responding to Inquires and Complaints from individuals
- Educating Agents (Privacy and Security Training)
- Record Retention (Retention)

The ClinicalConnect Privacy Policies describe how Privacy Contact at Participant must ensure the interface of Participant's Privacy Policies with ClinicalConnect Privacy Policies to facilitate privacy compliance and appropriate levels of privacy protection for individuals and their personal health information (Patient Data) that can be accessed and used (viewed) through the ClinicalConnect Portal to provide or assist in the provision of health care to a patient of Participant.

The ClinicalConnect Privacy Policies govern Patient Data contributed to the ClinicalConnect System from Data Contributor South West Ontario Acute Care Hospital sites, Regional Cancer Programs and Local Health Integration Network Home and Community Care Services (LHIN HCCS)) (formerly CCACs).

This guide provides a quick reference and summarizes processes and requirements under the ClinicalConnect Terms and Conditions, Privacy Policies and PHIPA that Privacy Contact is required to ensure are in place for Participant.

If a ClinicalConnect Participant has signed required agreements with eHealth Ontario and has been approved to access to Provincial Repositories such as the Ontario Laboratory Information System (OLIS), Digital Health Drug Repository (DHDR), Acute and Community Clinical Data Repository (acCCR), Primary Care Clinical Data Repository (pcCCR), Diagnostic Imaging Common Services (DI CS), Privacy Contact will also be required to ensure compliance with requirements under the eHealth Ontario agreements and eHealth Ontario Electronic Health Record Policies.

The ClinicalConnect Privacy Policies and the eHealth Ontario Electronic Health Record Policies have been harmonized, however processes and requirements differ depending on whether Patient Data has been contributed to the ClinicalConnect System from a Contributor ClinicalConnect Participant or which provincial repository Patient Data is accessed from through the ClinicalConnect Portal.

Definitions

Definitions are set out in the [ClinicalConnect Terms & Conditions](#)

Contributor means a South West Ontario acute care hospital site, regional cancer program or South West Ontario Local Health Integration Network Home and Community Service (LHIN) (formerly CCAC) who share certain health records (Patient Data) through the ClinicalConnect System between Participants (defined below) for the purpose of providing or assisting in the health care to patients of the Participants.

Consent Directive means a directive provided pursuant to PHIPA by a patient or their substitute decision-maker regarding the withholding, withdrawal or reinstatement of the patient's personal health information.

ClinicalConnect Portal means the network accessible portal used to provide Participants and their authorized Users with access to the ClinicalConnect System.

ClinicalConnect Program Office means the HITS eHealth Office at Hamilton Health Sciences (HHS), which serves as the Program Office for the ClinicalConnect System.

ClinicalConnect System means the electronic system used by HHS to provide the ClinicalConnect Services, and includes the ClinicalConnect Portal.

ClinicalConnect Terms means the terms and conditions that all ClinicalConnect Participants are bound by under the Participation Agreement available on the ClinicalConnect Information Website [ClinicalConnect Terms & Conditions](#).

Participant means a health information custodian who has executed the ClinicalConnect Participation Agreement.

Personal Health Information has the meaning set out in PHIPA.

Policies means the ClinicalConnect Privacy policies summarized in this guide.

Use in reference to Personal Health Information, has the meaning as defined in PHIPA and includes viewing.

User means an individual who has been authorized by a Participant (in accordance with the ClinicalConnect Terms and Conditions), to access and use the ClinicalConnect Portal as the Participant's PHIPA Agent on behalf of the Participant. For clarity, the term User also applies to a Participant who is an individual that accesses the ClinicalConnect Portal.

1 Access and Correction Policy

Defines how requests for access and correction of personal health information (Patient Data) contributed to ClinicalConnect for access and use (view) to provide or assist in the provision of a patient's health care are to be responded to by Participant.

Part V of PHIPA sets out processes for how individuals can access and request correction of their records of personal health information created by health information custodians under PHIPA. All ClinicalConnect Participants must have an Access and Correction Policy in place for the records of PHI that they create as a HIC under PHIPA.

1.1 Access Requests

1.1.1 Patient Data contributed to ClinicalConnect from Contributor

If a request for access is received by Participant that relates to Patient Data created and contributed to the ClinicalConnect System through Participant's Electronic System, Privacy Contact is required to ensure that the provisions under Section V of PHIPA are followed in accordance with Participant's Access and Correction policy.

1.1.2 Patient Data contributed to ClinicalConnect from South West Ontario Contributor

If a request for access is received by Participant that relates to Patient Data created and contributed to ClinicalConnect from South West Ontario Contributor, Privacy Contact is required to ensure that **within 4 business days**, the individual is informed that the information is not within the custody or control of Participant and the individual is provided with the contact information of the **Privacy Office of Contributor**.

A list of Participant Organizations that includes data contributors is available on the ClinicalConnect information website at <http://info.clinicalconnect.ca>

If Contributor cannot be confirmed, Privacy Contact is required to ensure that ClinicalConnect Program Office is contacted for assistance or the individual is provided with the contact information for the **ClinicalConnect Program Office**. Telephone: (905) 577-8270 ext. 9, Email: privacy@clinicalconnect.ca.

Privacy Contact is required to ensure receipt of request is logged including documentation of where the individual was redirected.

1.1.3 Patient Data contributed to ClinicalConnect from multiple South West Ontario Contributors

If a request for access is received by Participant that relates to Patient Data created and contributed to ClinicalConnect from multiple South West Ontario Contributors, Privacy Contact is required to ensure that **within 4 business days**, the individual is informed that the information is not within the custody or control of Participant and they are provided with the contact information for the **ClinicalConnect Program Office**. Telephone: (905) 577-8270 ext. 9, Email: privacy@clinicalconnect.ca.

Privacy Contact is required to ensure receipt of request is logged including documentation of where the individual was redirected.

1.1.4 Lab Data contributed to ClinicalConnect from Ontario Laboratory Information System (OLIS)

If a request for access is received by Participant that relates to Data contributed to ClinicalConnect from OLIS, Privacy Contact is required to ensure that **within 4 business days**, the individual is informed that the information is not within the custody or control of Participant and they are provided with the contact information for the **Freedom of Information & Privacy Coordinator, Access and Privacy Office, Ministry of Health and Long-Term Care**, Telephone: 416-327-7040, Email: generalapo@ontario.ca.

Privacy Contact is required to ensure receipt of the request is logged including documentation of where the individual was redirected.

1.1.5 Publicly Funded Drugs and Pharmacy Services or Monitored Drugs (narcotics and controlled substances) from the Digital Health Drug Repository (DHDR)

If a request for access is received by Participant that relates to publicly funded drugs and pharmacy services or monitored drugs (narcotics and controlled substances), as outlined in the DHDR Data Reference Guide

<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=&ENV=WWE&TIT=5056-87E&NO=014-5056-87E>, Privacy Contact is required to ensure that **within 4 business days**, the individual is informed that the information is not within the custody or control of the Participant and they are provided with the contact information for the **Service Ontario INFOnline**. Telephone: Monday to Friday 8:30 am-5:30 pm 1-800-291-1405. More information about the DHDR is available on the Ministry of Health and Long-Term Care's (MOHLTC) website at www.ontario.ca/mydruginfo

Privacy Contact is required to ensure receipt of the request is logged including documentation of where the individual was redirected.

1.1.6 Patient Data from Diagnostic Imaging Common Services (DI CS) Provincial Repository, Acute and Community Clinical Data Repository (acCDR) or Primary Care Clinical Data Repository (pcCDR)

If a request for access to Patient Data is received by Participant that relates to information from DI CS, acCDR or pcCDR, Privacy Contact is required to ensure that **within 4 business days**, the individual is informed that the information is not within the custody or control of the Participant and they are provided with the contact information for **eHealth Ontario Program Office**, Telephone: 1-866-250-1554, Email: privacy@ehealthontario.ca.

Privacy Contact is required to ensure receipt of the request is logged including documentation of where the individual was redirected.

1.2 Correction Requests

1.2.1 Patient Data contributed to ClinicalConnect from Contributor Participant

If a request for correction is received by Participant that relates to Patient Data created and contributed to ClinicalConnect from Participant's Electronic System, Privacy Contact is required to ensure that the provisions under Section V of PHIPA are followed in accordance with Participant's Access and Correction policy.

Privacy Contact is required to ensure that a log or copy of the correction request is retained including documentation of whether correction was made or the individual provided a statement of disagreement.

1.2.2 Patient Data contributed to ClinicalConnect from South West Ontario Data Contributor

If a request for correction is received by Participant that relates to Patient Data created and contributed to ClinicalConnect from South West Ontario Contributor, Privacy Contact is required to ensure that **within 4 business days**, the individual is informed that the information is not within the custody or control of Participant and the individual is provided with the contact information of **Privacy Office of Contributor**.

A list of Participant Organizations that includes data contributors is available on the ClinicalConnect information website at <http://info.clinicalconnect.ca>

If Contributor cannot be confirmed, Privacy Contact is required to ensure that the ClinicalConnect Program Office is contacted for assistance or the individual is provided with the contact information for the **ClinicalConnect Program Office**. Telephone: (905) 577-8270 ext. 9, Email: privacy@clinicalconnect.ca

Privacy Contact is required to ensure that if an individual is referred to a Contributor's Privacy Office or the ClinicalConnect Program Office, receipt of the correction request is logged including documentation of where the individual was redirected.

1.2.3 Patient Data contributed to ClinicalConnect from multiple South West Ontario Contributors

If a request for correction is received by Participant that relates to Patient Data created and contributed to ClinicalConnect from multiple South West Ontario Contributors, Privacy Contact is required to ensure that within **4 business days**, the individual is informed that the information is not within the custody or control of Participant and they are provided with the contact information for the **ClinicalConnect Program Office**. Telephone: (905) 577-8270 ext. 9, Email: privacy@clinicalconnect.ca

Privacy Contact is required to ensure receipt of the correction request is logged including documentation of where the individual was redirected.

1.2.4 Data from Ontario Laboratory Information System (OLIS)

If a request for correction is received by Participant that relates to Data from OLIS, Privacy Contact is required to ensure that **within 4 business days**, the individual is informed that the information is not within the custody or control of Participant and they are provided with the contact information for the **Freedom of Information & Privacy Coordinator, Access and Privacy Office, Ministry of Health and Long-Term Care**, Telephone: 416-327-7040, Email: generalapo@ontario.ca

Privacy Contact is required to ensure receipt of the correction request is logged including documentation of where the individual was redirected.

1.2.5 Ontario Publicly Funded Drugs and Pharmacy Services and Monitored Drugs (narcotics and controlled substances from Digital Health Drug Repository (DHDR))

If a request for correction is received by Participant that relates to Ontario publicly funded drugs and pharmacy services or monitored drugs (narcotics and controlled substances), as outlined in the DHDR Data Reference Guide <http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=&ENV=WWE&TIT=5056-87E&NO=014-5056-87E>, Privacy Contact is required to ensure that **within 4 business days**, the individual is informed that the information is not within the custody or control of the Participant and they are provided with the contact information for the **Service Ontario INFOline**. Telephone: Monday to Friday 8:30 am-5:30 pm 1-800-291-1405. More information about the DHDR is available on the Ministry of Health and Long-Term Care's (MOHLTC) website at www.ontario.ca/mydruginfo

Privacy Contact is required to ensure receipt of the request is logged including documentation of where the individual was redirected.

1.2.6 Patient Data from Diagnostic Imaging Common Services (DI CS) Provincial Repository, Acute and Community Clinical Data Repository (acCDR) or Primary Care Clinical Data Repository (pcCDR)

If a request for correction is received by Participant that relates to information from DI CS, acCDR or pcCDR, Privacy Contact is required to ensure that **within 4 business days**, the individual is informed that the information is not within the custody or control of the Participant and they are provided with the contact information for **eHealth Ontario**, Telephone: 1-866-250-1554, Email: privacy@ehealthontario.ca

Privacy Contact is required to ensure receipt of the correction request is logged including documentation of where the individual was redirected.

2 Assurance Policy

Defines how Participant is required to provide attestations about Participant's compliance with PHIPA, ClinicalConnect Terms and Conditions and Privacy Policies.

Privacy Contact is required to provide attestations on behalf of Participant.

3 Consent Management

Defines how individuals can withhold, withdraw or reinstate their consent to the collection, use or disclosure of Patient Data contributed to ClinicalConnect by Contributors and the Overrides of Consent Directives permitted through the ClinicalConnect Portal.

The consent management provisions in Part III of PHIPA guide the Consent Directive provisions in the ClinicalConnect Consent Management Policy.

The ClinicalConnect Program Office provides support to Privacy Contact at Participant for handling requests to apply Consent Directives relating to Patient Data contributed to the ClinicalConnect System.

PHIPA permits individuals to withhold, withdraw or reinstate consent for Patient Data to be accessed and used to provide or assist in the provision of their health care subject to limitations set out in Part III of PHIPA.

3.1 Requests for Consent Directives

3.1.1 Patient Data Contributed to ClinicalConnect by Contributor

If Participant receives a request from an individual to apply a consent directive on Patient Data created and contributed to ClinicalConnect through Participant's Electronic System, Privacy Contact is required to ensure that provisions under Part III of PHIPA are followed in accordance with Participant's Consent Management Policy.

Privacy Contact is required to ensure receipt of the consent directive request is logged including documentation of the type of consent directive applied.

3.1.2 Patient Data Contributed to ClinicalConnect by another South West Ontario Contributor

If a request for correction is received by Participant that relates to Patient Data created and contributed to ClinicalConnect from another South West Ontario Contributor, Privacy Contact is required to ensure that **within 4 business days**, the individual is informed that the information is not within the custody or control of Participant and the individual is provided with the contact information for **Privacy Office of Contributor**.

A list of Participant Organizations that includes data contributors is available on the ClinicalConnect information website at <http://info.clinicalconnect.ca>

If Contributor cannot be confirmed, Privacy Contact is required to ensure that the ClinicalConnect Program Office is contacted for assistance or the individual is provided with the contact information for the **ClinicalConnect Program Office**. Telephone: (905) 577-8270 ext. 9, Email: privacy@clinicalconnect.ca

Privacy Contact is required to ensure that if an individual is referred to another Contributor's Privacy Office or the ClinicalConnect Program Office, receipt of the correction request is logged including documentation of where the individual was redirected.

3.1.3 Patient Data Contributed to ClinicalConnect from multiple South West Ontario Contributors

If Participant receives a request to apply a consent directive related to Patient Data created and contributed to ClinicalConnect from multiple South West Ontario Contributors, Privacy Contact is required to ensure that within **4 business days**, the individual is informed that the information is not within the custody or control of the Participant and they are provided with the contact information for the **ClinicalConnect Program Office**. Telephone: (905) 577-8270 ext. 9, Email: privacy@clinicalconnect.ca.

Privacy Contact is required to ensure receipt of the consent directive request is logged including documentation of where the individual was redirected.

3.1.4 Patient Data from Ontario Laboratory Information System (OLIS)

If Participant receives a request to apply a consent directive related to data from OLIS, Privacy Contact is required to ensure that **within 4 business days**, the individual is informed that the information is not within the custody or control of Participant and they are provided with the contact information for the **Freedom of Information & Privacy Coordinator, Access and Privacy Office, Ministry of Health and Long-Term Care**, Telephone: 416-327-7040, Email: generalapo@ontario.ca.

Privacy Contact is required to ensure receipt of the consent directive request is logged including documentation of where the individual was redirected.

3.1.5 Ontario Public Funded Drugs, and Pharmacy Services and Monitored Drugs (Narcotics and Controlled Substances) from Digital Health Drug Repository (DHDR)

If Participant receives a request to apply a consent directive related to Ontario publicly funded drugs and pharmacy services or monitored drugs (narcotics and controlled substances), as outlined in the DHDR Data Reference Guide

<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=&ENV=WWE&TIT=5056-87E&NO=014-5056-87E>, Privacy Contact is required to ensure that **within 4 business days**, the individual is informed that the information is not within the custody or control of the Participant and they are provided with the contact information for the **Service Ontario INFOline**. Telephone: Monday to Friday 8:30 am-5:30 pm 1-800-291-1405. More information about the DHDR is available on the Ministry of Health and Long-Term Care's (MOHLTC) website at www.ontario.ca/mydruginfo

Privacy Contact is required to ensure receipt of the consent directive request is logged including documentation of where the individual was redirected.

3.1.6 Patient Data from Diagnostic Imaging Common Services (DI CS) Provincial Repository, Acute and Community Clinical Data Repository (acCDR) or Primary Care Clinical Data Repository (pcCDR)

If Participant receives a request to apply a consent directive related to Patient Data from DI CS, acCDR or pcCDR, Privacy Contact is required to ensure that **within 4 business days**, the individual is informed that the information is not within the custody or control of the Participant and they are provided with the contact information for **eHealth Ontario**, Telephone: 1-866-250-1554, Email: privacy@ehealthontario.ca.

Privacy Contact is required to ensure receipt of the consent directive request is logged including documentation of where the individual was redirected.

3.2 Consent Directive Overrides

The ClinicalConnect User Guide provides detailed documentation about Consent Directive Override features and functions found in the latest version of ClinicalConnect

https://info.clinicalconnect.ca/CC_Resources/User%20Guides/ClinicalConnect_UserGuide_April_18_2018.pdf

Consent Directive applied in South West Ontario Contributor Hospital Information System

South West Ontario Contributor Hospital Information Systems (HIS), flags all of a patient's personal health information (Patient Data) or specific visits/encounters as confidential or sealed when a consent directive has been applied. The ClinicalConnect System honours consent directives applied in the HIS and the Patient Data subject to the consent directive is "blocked" from view through the ClinicalConnect Portal (sometimes referred to as a "Lock Box").

When a User performs a search in the ClinicalConnect Portal, Patient Data that has a consent directive applied will display as confidential/sealed in the search results with the Medical Record Number (MRN), Full Name, Date of Birth (DOB), Health Card Number (HCN) and Facility identifiers only visible. The remaining fields are masked as confidential or sealed.

If a confidential/sealed visit/encounter is selected, only a Physician User has override privileges to perform a consent directive override to “unblock” the Patient Data and view it through the ClinicalConnect Portal for the current login session. The consent directive override can be performed with the patient’s consent, the substitute decision maker’s (SDM) consent or without consent if the Physician User determines the circumstances to be an Emergency. Consent directive overrides performed in emergency circumstances require the nature of the emergency to be documented in the patient’s health record.

All instances where Patient Data is accessed through the ClinicalConnect Portal with an override of a consent directive are logged. Privacy Contact is required to monitor logged consent directive overrides.

Non-physician Users cannot perform consent directive overrides and the message “**This record has been sealed by the patient. Only a Physician User can override this seal**” will display in the ClinicalConnect Portal when a consent directive has been applied in a Contributor HIS.

Consent Directive applied in South West Ontario Local Health Integration Network (LHIN) Home and Community Care Services Information System

When a consent directive has been applied on Patient Data from South West Ontario LHIN Home and Community Care Services Information System, the confidential/sealed records are not available to be accessed through the ClinicalConnect Portal and do not display.

Consent Directive applied in Ontario Laboratory Information System (OLIS) Provincial Repository

Access to data from Provincial Repositories through the ClinicalConnect Portal is limited to Users of Participants who have signed the required eHealth Ontario agreements. Data is retrieved from provincial repositories based on patient Health Card Number (HCN) match. In cases where an HCN is not available or invalid, data from provincial repositories will not be accessible through the ClinicalConnect Portal.

OLIS data comes from Community Labs, Public Health Labs and acute care hospitals that contribute data into OLIS. The ClinicalConnect System honours consent directives applied in the OLIS provincial repository. Consent directives can be applied to block a specified test or the complete OLIS record from displaying in ClinicalConnect. If a specific test is blocked, that test result does not appear in the ClinicalConnect Portal. A message displays for the User stating “some or all information has been restricted due to a patient consent directive”. If all OLIS records have been blocked, no data displays in the ClinicalConnect Portal and a message displays indicating, “Some or all information is restricted due to a patient consent directive”. Reference:

http://www.ehealthontario.on.ca/images/uploads/initiatives/resources/olis_provider_guide.pdf

OLIS records blocked by consent directives cannot be accessed through the ClinicalConnect Portal.

Consent Directive Applied in Diagnostic Imaging Common Services (DI CS) Provincial Repository

The Diagnostic Imaging Common Services (**DI CS**) provincial repository includes diagnostic imaging performed at hospitals outside South West Ontario and certain community-based diagnostic imaging centres from across the province. Users at Participants who have signed the required eHealth Ontario agreements will have access to data from the DI CS through the ClinicalConnect Portal. The DI CS retrieves information through ClinicalConnect based on a patient's Health Card Number (HCN) match. Where a HCN is not available or invalid, data from DI CS will not be available through ClinicalConnect.

When a consent directive has been applied in the DI CS through the eHealth Ontario consent management process, the ClinicalConnect System honours the consent directive and displays the message "there is a consent directive in place for the selected patient". For access to a blocked record, User is required to contact eHealth Ontario Service Desk Support at 1-866-250-1554 or via email at servicedesk@ehealthontario.on.ca

Consent Directive Applied in Digital Health Drug Repository (DHDR)

The ClinicalConnect System is integrated with the Digital Health Drug Repository (**DHDR**) which contains information on Ontario public funded drugs and pharmacy services, as well as all monitored drugs (narcotics and controlled substances). Access to DHDR Data through the ClinicalConnect Portal is limited to Users at Participants who have signed the required eHealth Ontario agreement. The DHDR retrieves information through the ClinicalConnect Portal based on the patient's Health Card Number (HCN) match. In cases where a HCN is not available or invalid, data from DHDR is not available.

When a consent directive has been applied on data in the DHDR, the ClinicalConnect System honours the restriction and displays the message "There is a consent directive in place for some or all of this patient's drug information. Access is provided to the data currently shown; however, additional data may be available and with consent, can be temporarily reinstated by an authorized User". Authorized ClinicalConnect Users can temporarily reinstate consent for a DHDR record (i.e. unblock) by printing and completing the *Ministry of Health and Long-Term Care (MOHLTC) Temporary Unblocking Access to Your Drug and Pharmacy Services Information Form (5047-87)* from the links provided in the ClinicalConnect Portal and obtaining express consent from the patient or substitute decision-maker (SDM) by way of a wet signature. The MOHLTC does not permit a consent directive override without patient or SDM consent.

If a consent directive has been applied to the entire record in DHDR, the ClinicalConnect Portal displays the message "No Medications Found".

Privacy Contact will be required to provide verifications for consent directive overrides performed in DHDR to the eHealth Ontario Program Office.

Consent Directive Applied in Acute and Community Clinical Data Repository (acCDR)

ClinicalConnect authorized Users from Participant that has completed required eHealth Ontario agreements will have access to reports from eHealth Ontario's acCDR through the ClinicalConnect Portal. The acCDR includes reports from hospitals outside South West Ontario and from across the province.

The acCDR provincial repository retrieves information based on the patient's Health Card Number (HCN) match. If the HCN is not available or invalid, data from the acCDR provincial repository cannot be accessed through the ClinicalConnect Portal.

A patient can withdraw consent for the access and use of their full or partial records from the acCDR through the eHealth Ontario consent management process. The ClinicalConnect Portal honours partial and full consent directives that have been applied in the acCDR and displays the message “There is a consent directive in place for the selected patient”. Inquiries about consent directives in acCDR can be directed to the eHealth Ontario Services Desk Support at 1-866-250-1554 or by email at servicedesk@ealthontario.on.ca

Consent Directive Applied in Primary Care Clinical Data Repository (pcCDR)

The Primary Care Module in the ClinicalConnect Portal is available to authorized Users from Participant that has completed required eHealth Ontario agreements and provides access to a sub-set of data contributed from primary care organizations’ Electronic Medical Records (EMRs) that are participating in the Primary Care Data Share (PCDS) Proof of concept project. Data available in the Primary Care Module is integrated from eHealth Ontario’s Primary Care Data Repository (pcCDR). The data available in the Module is only for patients rostered to Contributor Family Health Teams (FHTs) participating in the project. Patients who are not rostered with Contributor FHTs displays “No Records Found”.

Provincial repositories such as the pcCDR retrieve information based on the patient’s Health Card Number (HCN) match. Where a HCN is not available or invalid, data from the provincial repository will not be accessible through the ClinicalConnect Portal.

A patient has the right to withdraw consent to access and use of their full or partial record from the pcCDR through the eHealth Ontario Consent Management process. The ClinicalConnect System honours consent directives applied and displays the message “Documents were not returned due to an applied consent directive”.

Inquiries consent directives in pcCDR can be directed to the eHealth Ontario Service Desk Support at 1-866-250-1554 or email at servicedesk@ehealthontario.on.ca

4 Inquiries and Complaints

4.1 Responding to Inquiries

Privacy-related inquiries relating to the ClinicalConnect Portal could be a question raised in respect of, for example:

- What is ClinicalConnect?
- What privacy policies are in place for ClinicalConnect?
- Who has access to my Patient Data through ClinicalConnect?
- When can my Patient Data be viewed in ClinicalConnect?
- What are my rights to block my Patient Data in ClinicalConnect? e.g. consent directives
- Can I find out who has viewed my Patient Data in ClinicalConnect? e.g. audits

When an individual contacts Participant with an inquiry (question) about ClinicalConnect, responses will vary depending on the type of request. Information to assist in responses or refer individuals to is available on the ClinicalConnect information site at <http://info.clinicalconnect.ca>

4.1.1 Inquiry about ClinicalConnect Participant or their Privacy Policies

If an inquiry relates to Participant or their Privacy Policies, Privacy Contact is required to ensure that a response is provided in accordance with Participant's Inquiries and Complaints policy.

4.1.2 Inquiry about another Participant or their Privacy Policies

If an inquiry relates to another Participant or their Privacy Policies, Privacy Contact is required to ensure that within **4 business days**, the individual is provided with the contact information for the Privacy Office of the other Participant.

A list of Participant Organizations is available on the ClinicalConnect information site at <http://info.clinicalconnect.ca>

If Participant cannot be confirmed, Privacy Contact is required to ensure that the ClinicalConnect Program Office is contacted for assistance or the individual is provided with the contact information for the **ClinicalConnect Program Office**. Telephone: (905) 577-8270 ext. 9, Email: privacy@clinicalconnect.ca

4.1.3 Inquiry about ClinicalConnect or ClinicalConnect Privacy Policies

If an inquiry relates to ClinicalConnect or the ClinicalConnect Privacy Policies, Privacy Contact can ensure that a response is provided in accordance with Participant's Inquiries and Complaints policy if the inquiry can be responded to. Where a response cannot be provided, Privacy Contact is required to ensure that **within 4 business days**, the ClinicalConnect Program Office is contacted for assistance or the individual is provided with the contact information for the **ClinicalConnect Program Office**, Telephone: 905-577-8270 ext. 9, Fax: 905-577-8260, Email: privacy@clinicalconnect.ca

4.1.4 Inquiry about ConnectingOntario Provincial Repositories or eHealth Ontario Electronic Health Record Policies

If an inquiry relates to ConnectingOntario Provincial Repositories (DI CS, acCDR, pcCDR) or the eHealth Ontario Electronic Health Record Policies, Privacy Contact is required to ensure that within **4 business days**, the individual is provided with the contact information for the **eHealth Ontario Program Office**, Telephone: 1-866-250-1554, Email: privacy@ehealthontario.ca

4.1.5 Inquiry about OLIS

If an inquiry relates to OLIS, Privacy Contact is required to ensure that **within 4 business days**, the individual is directed to the **Freedom of Information & Privacy Coordinator, Access and Privacy Office, Ministry of Health and Long-Term Care**, Telephone: 416-327-7040, Email: generalapo@ontario.ca

4.1.6 Inquiry about DHDR

If an inquiry relates to DHDR, Privacy Contact is required to ensure that **within 4 business days**, the individual is directed to the **Service Ontario INFOline** Telephone: Monday-Friday 8:30am-5:30pm 1-800-291-1405

4.1.7 Privacy Contact receives Request from the ClinicalConnect Program Office

Where Privacy Contact receives a request from ClinicalConnect Program Office because they are responding to an inquiry from another Participant or multiple Participants, Privacy Contact is required to ensure that **within 14 calendar days** after receiving the request, the ClinicalConnect Program Office is provided with the required information so a response can be drafted.

Privacy Contact is required to ensure that within **4 business days** after receiving the draft response from the ClinicalConnect Program Office, they are provided with the Participant's comments so that a response can be provided to the individual.

ClinicalConnect Program Office will provide the response to the individual. If Privacy Contact has not responded within the required timeframe, the ClinicalConnect Program Office will provide the response to the individual and advise them to contact the Participant directly for the information and that they can make a complaint to the Information and Privacy Commissioner of Ontario (IPC).

4.2 Responding to Complaints

A privacy-related complaint about ClinicalConnect may be a concern raised by individuals with respect to PHIPA compliance, applicable agreements and privacy policies.

Examples could include:

- I think my Patient Data has been viewed for an unauthorized purpose through ClinicalConnect (potential breach).
- I have been refused access to my Patient Data available through ClinicalConnect.

Where an individual contacts Participant to make a complaint, responses will vary depending on the scope of the complaint.

4.2.1 Complaint about Participant

Where complaint is received by Participant about Participant, their authorized ClinicalConnect Users or their Privacy Policies, Privacy Contact is required to ensure that a response is provide in accordance with Participant's Inquiries and Complaints policy.

4.2.2 Complaint about another Participant

Where complaint is received about another ClinicalConnect Participant, their authorized Users or Privacy Policies, Privacy Contact is required to ensure that **within 4 calendar days** after complaint is received, the individual is provided with the contact information for the **Privacy Office of the Participant**.

A list of Participant Organizations is available on the ClinicalConnect information website at <http://info.clinicalconnect.ca>

If Participant cannot be confirmed, Privacy Contact is required to ensure that the ClinicalConnect Program Office is contacted for assistance or the individual is provided with the contact information for the **ClinicalConnect Program Office**. Telephone: (905) 577-8270 ext. 9, Email: privacy@clinicalconnect.ca

Privacy Contact is required to ensure that receipt of the complaint is logged including documentation of where the individual was redirected.

4.2.3 Complaint about Multiple Participants

Where complaint is received about multiple Participants, Privacy Contact is required to ensure that **within 4 calendar days** after the complaint is received, the individual is provided with the contact information for the **ClinicalConnect Program Office**. Telephone: (905) 577-8270 ext. 9, Email: privacy@clinicalconnect.ca

Privacy Contact is required to ensure that receipt of the complaint is logged including documentation of where the individual was redirected.

4.2.4 Complaint about ClinicalConnect

Where complaint is received about **ClinicalConnect** or the ClinicalConnect Privacy Policies, Privacy Contact is required to ensure that **within 4 calendar days** after the complaint is received, the individual is provided with the contact information for the **ClinicalConnect Program Office**. Telephone 905-577-8270 ext. 9, Email: privacy@clinicalconnect.ca

Privacy Contact is required to ensure that receipt of the complaint is logged including documentation of where the individual was redirected.

4.2.5 Complaint about ConnectingOntario

Where complaint is received about **ConnectingOntario** (DI CS, acCCR, pcCCR) or the eHealth Ontario Electronic Health Record Privacy Policies, Privacy Contact is required to ensure that **within 4 calendar days** after the complaint is received, the individual is provided with the contact information for the **eHealth Ontario Program Office**. Telephone: 1-866-250-1544, Email: privacy@ehealthontario.on.ca

Privacy Contact is required to ensure that receipt of the complaint is logged including documentation of where the individual was redirected.

4.2.6 Complaint about OLIS

Where complaint is received about **OLIS**, Privacy Contact is required to ensure that **within 4 calendar days** after the complaint is received, the individual is directed to the **Freedom of Information & Privacy Coordinator, Access and Privacy Office of the Ministry of Health and Long-Term Care**, Telephone: 416-327-7040, Email: generalapo@ontario.ca.

Privacy Contact is required to ensure that receipt of the complaint is logged including documentation of where the individual was redirected.

4.2.7 Complaint about DHDR

Where a complaint is received about **DHDR**, Privacy Contact is required to ensure that **within 4 calendar days** after the complaint is received, the individual is directed to the **Service Ontario INFOLine**. Telephone: 1-800-291-1405 Monday-Friday 8:30am-5:30pm

Privacy Contact is required to ensure that receipt of the complaint is logged including documentation of where the individual was redirected.

4.2.8 Request from ClinicalConnect Program Office

Where Privacy Contact receives a request from the ClinicalConnect Program Office in response to a complaint from another Participant or multiple Participants, Privacy Contact is required to ensure that **within 4 calendar days** after receiving the request, the ClinicalConnect Program Office is provided with the information necessary for them to draft a response to the complaint.

If the ClinicalConnect Program Office determines that complaint will be investigated as a privacy breach, Privacy Contact is required to ensure that assistance is provided to the ClinicalConnect Program Office as required in accordance with the Privacy Breach Management Policy.

Privacy Contact is required to ensure that **within 4 business days** after receiving a draft response from the ClinicalConnect Program Office, Participant's comments on the draft are provided.

The ClinicalConnect Program Office will provide the response to the individual. If Privacy Contact has not responded within the required timeframe, the ClinicalConnect Program Office will provide the response to the individual and advise them to contact Participant directly for the information and that they can make a complaint to the Information and Privacy Commissioner of Ontario.

5 Logging and Auditing

Defines how Privacy Contact and the ClinicalConnect Program Office monitor and audit logged access to ClinicalConnect.

Policy requires that in accordance with requirements under PHIPA, IPC Orders and Decisions, and the ClinicalConnect Terms and Conditions, Privacy Contact must ensure logged access to ClinicalConnect by Participant's active authorized users is monitored and audited.

ClinicalConnect Program Office makes available an auditing tool to support monitoring and auditing.

Privacy Contact can authorize other individuals at Participant to assist with required monitoring and auditing however, Privacy Contact remains responsible for ensuring monitoring and auditing is performed and audit reports are validated.

Email alerts will be received by Privacy Contact for various trigger events e.g. same last name access, potential unauthorized secondary use, other use patterns that may identify potential unauthorized access of Patient Data through the ClinicalConnect Portal. Privacy Contact is required to ensure that alerts received are followed up. Privacy contact is responsible for validating alerts received.

Privacy Contact is required to ensure that proactive random user audits are performed for Participant's active authorized users, using a risk-based approach, such as size of organization, number of active users, previous breaches or incidents or frequency requested by ClinicalConnect Program Office.

Privacy Contact is responsible for validating random user audits and must ensure that suspected or confirmed unauthorized accesses and uses of Patient Data through the ClinicalConnect Portal is reported to the ClinicalConnect Program Office **as soon as possible, but no later than the end of the next business day** following detection in accordance with ClinicalConnect Breach Management Policy.

6 Privacy and Security Training

Defines how Privacy Contact must ensure privacy and security training is provided to authorized ClinicalConnect Users of Participant before first login to ClinicalConnect and annually, to inform them of obligations under ClinicalConnect Terms and Conditions, User Agreement and Privacy Policies.

Policy does not apply to privacy and security training Privacy Contact is required to ensure is provided to Participant's agents (as defined in section 2 of PHIPA) to inform them of obligations under PHIPA and Participant's privacy and security policies and procedures.

Privacy Contact is required to ensure that a record of privacy and security training is maintained.

Authorized users of ClinicalConnect are required to accept ClinicalConnect User Agreement at time of first login to ClinicalConnect and annually. The ClinicalConnect User Agreement sets out the terms and conditions for which a User agrees to for accessing and using Patient Data through the ClinicalConnect Portal. The ClinicalConnect User Agreement is available on the ClinicalConnect information website at <http://info.clinicalconnect.ca>

7 Privacy Breach Management

The Privacy Breach Management Policy applies to privacy breaches relating to Patient Data accessed and used through the ClinicalConnect Portal. Under the Policy, Privacy Contact is required to ensure that unauthorized or suspected unauthorized accesses and uses of Patient Data through the ClinicalConnect Portal are reported to the ClinicalConnect Program Office as soon as possible after the detection, **but no later than the end of the next business day**.

Privacy Contact is required to ensure that suspected or confirmed privacy breaches by Participant's Users are contained, investigated and remediated.

Privacy Contact may be required as directed by ClinicalConnect Program Office to notify the individual whose Patient Data was accessed and used for an unauthorized purpose including advising the individual that they are entitled to make a complaint to the Information and Privacy Commissioner of Ontario (IPC) under Part VI of PHIPA.

Privacy Contact is required to ensure that the IPC is notified if circumstances of unauthorized access and use of Patient Data through the ClinicalConnect Portal for Participant's User meets prescribed requirements for reporting.

Privacy Contact is required to ensure that if an agent (defined in section 2 of PHIPA) who is a member of a health profession regulated under the *Regulated Health Professions Act* or a member of the Ontario College of Social Workers and Social Service Workers is reported to their College if they are terminated, suspended or subject to disciplinary action as a result of unauthorized access and use of Patient Data through the ClinicalConnect Portal in accordance with the legislative requirements under section 17.1 of PHIPA.

8 Retention

The Retention Policy applies to retention of records related to ClinicalConnect and does not apply to retention requirements Participant has as a health information custodian under PHIPA or other legislative requirements for records of Participant.

The records specified in the retention schedule that Privacy Contact is required to ensure are retained are as follows:

Record	Retention Period
Information collected by an organization to respond to individuals related to their: <ul style="list-style-type: none"> • Access or Correction requests under PHIPA; • Requests to make, modify, or withdraw a Consent Directive under PHIPA; or • Inquiries or Complaints under PHIPA. 	2 years after the Access or Correction request and requests to make, modify, or withdraw a Consent Directive, or an Inquiry have been closed. In the case of Complaints, 2 years after the HIC, the ClinicalConnect Program Office or the IPC has closed the Complaint.
Information created about an individual as part of an investigation of a Privacy Breach and/or Security Incident.	2 years after the Privacy Breach has been closed by the HIC, the ClinicalConnect Program Office or the IPC.
End user credential information where HIC is an Identity Provider	Permanent
Information collected for provider identification or registration that contains PI	7 years after last use
System-level logs, tracking logs, reports and related documents for privacy and security tasks that do not contain PHI	For a minimum of 2 years
Assurance-related documents	10 years
Authentication Events where HIC is an Identity Provider	60 days online, 24 months total in archive