



## Bayshore Home Health's Privacy Practices

### Privacy Commitment

Bayshore Home Health ("Bayshore") is and always has been committed to ensuring the confidentiality and protection of personal information in its possession.

Bayshore's Privacy Management Program is governed by the information handling practices of the *Personal Information Protection and Electronic Documents Act (PIPEDA)* and applicable provincial and professional standards.

Bayshore collects, uses, discloses, retains and destroys personal information for the sole purpose of providing you high quality health care services.

Bayshore employees can expect the same confidentiality and privacy of their personal information as our clients and customers.

### We Are Accountable

At Bayshore, all employees are accountable and committed to ensuring that your personal information is held in the strictest confidence. The Quality and Risk Program Manager is Bayshore's Privacy Officer, and is responsible for the overall compliance to the requirements of all privacy legislation and Bayshore privacy practices. However, all Bayshore employees are accountable for maintaining the privacy and confidentiality of all information they have access to in their course of their work with us. To help ensure this, all Bayshore staff are trained in our Privacy Management Program and acceptable privacy practices.

As required, Bayshore will amend this document and its Privacy Management Program when changes to privacy legislation or best practices are known.

### What We Collect and Why

Bayshore staff will only ask you about information that we feel is necessary for the purpose of providing your care and service. We do not indiscriminately collect information, and constantly review our practices to ensure this remains true.

For example, when you request or require home support or personal support services, we collect information regarding your general health status and ability to perform activities of daily living, so that we are best able to evaluate how we can support you. For nursing services, we conduct a more thorough health assessment to the degree appropriate to your condition and level of care required, and in keeping with the standards of provincial professional licensing bodies.

For all services, we may ask you questions specifically to help us determine how you are managing at home with your current health status. This is to help us put a care plan or resources in place to allow you to remain independent in your home.

If at any time we require more or different information, or your information is required for a purpose other than the care and service discussed with you, you will be contacted and your consent will be obtained.

Our staff will endeavor to ensure that all personal information is accurate, complete and up-to-date, so that we can provide you with the appropriate care and services. We need your assistance in doing this; however, please let us know if any information relevant to your health

care needs to be changed. Your information is not kept up-to-date after you have been discharged from service.

Bayshore does NOT record telephone conversations.

## **Your Permission**

At the start of your care, we will ask you to sign a Client Consent, giving us your expressed written consent for all aspects of the service. This may include such things as conducting an assessment, providing your care and asking your permission regarding release of information. Please let us know if there is anyone with whom you do not want your information, in part or in whole to be released to, and we will make note of this. All of this will be discussed with you by our supervisor or nurse.

Your consent is considered valid through to the end of your service, provided the reasons for the consent haven't changed. You may withdraw your permission or consent in part or in whole, however, at any time during your care and service. Should this occur, Bayshore staff will inform you of the implications of that withdrawal.

For those individuals who are unable to provide consent, e.g., minors, those who are seriously ill or mentally handicapped persons, consent will be obtained by an authorized authority, e.g., legal guardian, power of attorney or the executor of your estate.

Bayshore will seek your consent to disclose personal information outside of the multidisciplinary team or "circle of care" when appropriate access requests are received. Bayshore documents personal information disclosures that are made to third parties which would not require your information for routine, day-to-day purposes.

Please contact your location Bayshore office at any time if you wish to withdraw or change the conditions of your consent.

## **How We Use Your Personal Information**

Your personal information is only used for the purpose of providing your health care services. Information is only shared with those individuals involved in your care, and excludes anyone you request. Our nurse will review this with you at the start of care and will document your wishes on our Client Consent form. Finally, your information may be reviewed during auditing and quality improvement activities. Where appropriate, these activities are done without reference to specific individuals. This is an important aspect of our Quality Management System and allows us to continually monitor our performance and improve your services. Client names are NEVER shared with any individual or organization for the purposes of commercial activity, such as selling, trading and/or renting your personal information.

During the course of your service, Bayshore will maintain your personal information as accurately as is reasonably necessary for the purpose of providing your service. We need your assistance in this, however. Please notify us of any relevant changes in your information as soon as possible.

## **Who We Share Your Personal Information With**

When you start service with Bayshore, and you sign the Client Consent, we discuss with you who we will likely share your information with – who are those individuals that we consider the members of your "multidisciplinary care team" or "circle of care." All employees of Bayshore do not have access to your personal information, even though they are employees of Bayshore and you are a client of Bayshore. Information is only shared with individuals involved in your care. At the start of care, or anytime during your service, you may inform us of anyone whom you do not want receiving your information (in part or in whole).

In rare cases, we may be required by law or other lawful authority to release personal information, such as when we receive a court order or subpoena. In such cases, Bayshore will verify the

lawful authority prior to release the information, and will endeavour to release only what is necessary for the stated purpose of the request.

## **How Long We Keep Your Personal Information**

Bayshore will continue to have access to your information even after your services have been discontinued. We retain all discontinued client records for a minimum of 10 years, or longer if required by provincial regulation. We retain children's records until the child reaches the age of majority plus 10 years. These records, whether at our offices or off-site, are stored in a manner that ensures ongoing security. Bayshore uses off-site storage facilities that cite privacy practices which are in compliance with relevant privacy legislation and only after a Confidentiality Agreement has been signed with the facility. Records are kept of the location of files retained, so that we may retrieve them as required. At the end of the 10 year period, all information that we have, regardless of format, is destroyed in a confidential manner.

In certain circumstances, records created by Bayshore are retained by other health care organizations ("health information custodian") such as a government care program, medical facility or clinical trial group. In these cases, these organizations will be applying their own retention schedule to these records and access requests will be redirected to them.

## **Safeguards**

Bayshore considers your health information extremely confidential, and has put many safeguards in place to ensure its security.

Information is found in many different formats at Bayshore, due to the nature of our work. Your information is stored electronically, in paper files and in the knowledge of our staff.

All employees are orientated and trained on privacy practices at the time of hire and sign a Confidentiality and Conflict of Interest Agreement and Conditions of Employment Agreement at that time. Training occurs routinely throughout our staff's employment with Bayshore and information is available about our privacy practices to everyone through our staff website.

The knowledge and information our staff have is considered private and confidential, and is only used for the purpose of doing their work with Bayshore and is not shared with anyone. At any time, if a caregiver receives a request to share information or is asked about any client of Bayshore, he/she will not provide any information and will forward the request to their supervisor.

Electronic information is protected by computer firewalls, user names and passwords according to assigned authorization levels.

Hard copy files are protected by being stored in appropriate locations in the branch office, where access is permitted only to staff with the necessary authority. After hours, these files are kept in a locked, secured area.

Faxes are sent via pre-programmed fax numbers to reduce the possibility of sending information to the wrong place and a cover letter is sent with a Confidentiality Statement that tells a receiver what to do if they receive something in error.

In addition, email signatures include a confidentiality statement explaining what to do if an email is received in error. In the case of either a misdirected fax or email, the direction is to contact Bayshore's Privacy Officer.

Bayshore is not responsible for the privacy practices of organizations with links on our website

## **Your Right To See Your Personal Information**

If you would like to see your personal information at any time, you may do so by putting your request in writing and forwarding it to your local Bayshore office. As your file may contain words that are particular to the medical and nursing community, we will invite you to meet with one of

our nurse managers when you review your file, so that they may be available to answer any of your questions. Similarly, you may request a copy of your file, in part or in whole, if required, by submitting a request in writing to your local Bayshore branch. We will assist any individual who needs assistance in preparing a written request for access to their personal information.

If you have a sensory disability, please let us know so that we can endeavour to provide you access to information in an alternate format. In addition, translators will be made available, as required

Please note that we may need to collect additional personal information to validate the identity and authority of the individual making the access request. This is to ensure that only individuals authorized to access your information can do so. This additional information will only be used for the purpose of validating the information request.

A reasonable fee may be charged for retrieval and copying of records, based on the nature of the request. Please contact us if you have a concern regarding the reasonableness of the fee.

Bayshore endeavors to respond to all requests for access to personal information within 30 days. Some requests for access to information may be subject to limitations or refusal. Reasons for refusal may include: the proprietary nature of the material; the information may infringe on the privacy of another individual; the law prohibits its release; and/or if we exercise our discretion to withhold or limit the information because we believe harm may result from the disclosure.

When requests for access to information are refused, you will be notified of the reason(s) for refusal, including recourses available to you.

### **Your Right To Correct Your Personal Information**

You may contact Bayshore to request a correction of an error or omission to your personal information. This request must be in writing. As appropriate, Bayshore will make the correction as soon as is reasonably possible. If a correction cannot be made, Bayshore will notify you in writing as to why the correction can not be made. Both the request for correction and our response will be retained in the record.

### **If You Need More Information, or Have a Question or Concern About Bayshore and its Privacy Practices**

Anyone may contact Bayshore with any complaint, question, concern or compliment relating to Bayshore's information handling practices. All inquiries will be investigated thoroughly, and if found to be justified, appropriate corrective measures will be taken, up to and including making revisions to current policy and practices. Any such corrective actions will be included in our response to the individual making the inquiry.

All Bayshore employees are responsible for ensuring the privacy and confidentiality of your personal information. If you have any questions or concerns about your personal information, or if you would like more information about Bayshore's policies and practices for managing and handling personal information, you are invited to contact your local Bayshore office. If your privacy concerns cannot be addressed to your satisfaction, or you wish further information, your inquiry will be forwarded to Bayshore's Privacy Officer. You may contact Bayshore's Privacy Officer directly by email at [privacyofficer@bayshore.ca](mailto:privacyofficer@bayshore.ca), by phoning 1-800-886-9490, Ext. 298, or in writing to 2155 Dunwin Drive Unit 10, Mississauga, Ontario L5L 4M1.

You are also entitled to contact your provincial Privacy Commissioner's Office if you feel this is necessary. While we would appreciate the opportunity to do what we can to address your concerns, we would also assist you in contacting your Privacy Commissioner's Office if you believe this is warranted.