

## Frequently Asked Questions

### 1. What is privacy?

- It is your right as a patient to determine when, how, and to what extent you share your personal health information about yourself with others.

### 2. What is confidentiality?

- Protecting your information after it is collected. This means that the staff members, physicians and volunteers must not talk about or disclose your personal health information to anyone other than you, your substitute decision maker where applicable, or other staff or health care members that have a need to know.

### 3. What is Security?

- Physically and technologically protecting your information after it is collected. This means that staff members, physicians and volunteers will physically protect your information. For instance we lock file cabinets, store records in secure areas, log off computers, etc. At Cambridge Memorial Hospital we only provide computer access to agents necessary to perform their job.

### 4. Who is Circle of Care?

#### **In a physician's office, the circle of care would include:**

- the physician
- the nurse
- a specialist or other health care provider referred by the physician
- any other health care professional selected by the patient, such as a registered dietitian, pharmacist or physiotherapist

#### **In a hospital, the circle of care would include:**

- the attending physician
- the health care team (residents, nurses, registered dietitians, technicians, clinical clerks and employees assigned to the patient) who have direct responsibilities of providing care to the individual.

#### **The circle of care does not include:**

- A physician who is not part of the direct or follow-up treatment of an individual;
- A medical officer of health or a board of health;
- An evaluator under the Health Care Consent Act, 1996;
- An assessor under the Substitute Decisions Act, 1992;
- The Minister, together with the Ministry of Health and Long-Term Care; and
- Canadian Blood Services

#### **In some cases we are regulated to disclose personal health information without consent.**

### 5. Does the hospital share any of my information with other organizations for reasons other than to provide me with care?

- Not without your consent, or unless we are regulated to do so.

**6. Who is a Substitute Decision-Maker.**

- Is an individual who makes decisions on your behalf for treatment, sharing and accessing your Personal Health Information. This person may be your power of attorney, parent, spouse capable child (at least 16 yrs old), or a person that you have chosen to make decisions for you.

**7. What should I include in my request to access my Personal Health Information?**

- The written request for access must include your name, date of birth, mailing address as well as a description of the information you are requesting. The request must be dated, signed by you and witnessed by another person.

**9. How long is my personal health information kept?**

- The Public Hospitals Act states we must keep your personal health information for a **minimum** of 10 years after you turn 18 years of age.
- The Public Hospitals Act also states that we are required to keep your radiology film for a **minimum** of 5 years after you turn 18 years of age.

**10. Can my family see my Personal Health Information?**

- Not without your consent, or consent of your substitute decision maker where applicable. In the event of your death, we would still require consent from the highest authority such as the Estate Trustee to provide access to family members.

**10. Can you provide me with examples of when I may be required to provide consent, and tell me what happens if I am unable to provide consent?**

- Consent is required for; Insurance Companies, Lawyers, Police, Researchers, Employers, etc.
- Cambridge Memorial Hospital will not provide access to your Personal Health Information to any individual or organization outside your health care plan, unless we are regulated to do so.
- If you are unable to provide consent directly to the hospital, your substitute decision maker such as your power of attorney, parent, spouse, or capable child must sign the consent. The person is bound by law to act on your behalf and to make decisions based on their belief of what you would wish to be done if you were able to decide yourself.

**12. Can all hospital staff access my Personal Health Information?**

- No, access is only provided to staff who have a “need to know” to carry out their duties
- Healthcare professionals directly involved in your care may access your personal health information
- Staff members in other areas of the Hospital that are not involved in your healthcare may have access to your Personal Health Information for purposes of managing the health care system. For instance, the finance department has access to information to facilitate payment of your bill
- Privacy audits are performed to ensure that staff who access your records have a need to know

**13. Will the hospital share information about my hospital visit with my family physician?**

- CMH provides electronic access to personal health information to Physicians (not all physicians have electronic access)
- We also share your personal health information to a treating physician upon request e.g. fax your test results, physician reports etc. for provision of care.

**14. If I am a youth, do I need parental consent if I wish to access my personal health information?**

- Access is determined by the capacity of the individual. If a Health Care Practitioner determines that you do not have capacity, then we would require consent from your custodial parent or legal guardian. If you are considered to be capable, then you may access your Personal Health Information without parental consent.

**15. What happens if I am inquiring about records for a deceased patient?**

- To obtain records for individuals who are deceased, proof of executorship or legal signing authority must be submitted with the request.

[Health Care Consent Act](#)

[A Guide to the Personal Health Information Protection Act](#)

[A Guide to the Personal Health Information Protection Act- Frequently Asked Questions](#)