

Bayside Wellness Privacy Policy - Updated June 14, 2024

The privacy of personal information is a critically important principle of Bayside Wellness. We are committed to collecting, using, disclosing (sharing), retaining (storing), and discarding personal information responsibly and only to the extent necessary for the services we provide. We are open and transparent about how personal information is handled. This document describes the privacy policies.

What is Personal Health Information?

Personal health information is information about an identifiable individual. Personal health information relates to the individual's:

- physical or mental health (including family health history);
- health care (including maintenance, preventative or palliative measures),
- health care provider,
- payment for the health service including health card number,
- substituted decision maker, or
- non-health care information (home contact information) mixed in with other personal health information.

Who We Are

Bayside Wellness is Multidisciplinary Clinic consisting of over 25 regulated healthcare professionals, and few unregulated providers. Dr. Jennifer Fawcett, DC and Clinic owner is the Health Information Custodian and Privacy Officer.

Why We Collect Personal Health Information

We collect, use, and disclose personal information in order to serve our clients. For our clients, the primary purpose for collecting personal health information is to provide physiotherapy services. For example, we collect information about a client's health history, including their family history, physical condition and function, and social situation in order to help us assess what their health needs are, to advise them of their options, and then to provide the health care they choose to have. A second primary purpose is to obtain a baseline of health and social information so that in providing ongoing health services we can identify changes that are occurring over time.

We also collect use, and disclose personal health information for purposes related to these primary purposes:

Related Purpose #1: To conduct quality improvement and risk management activities. I review client files to ensure that we provide high quality services. External consultants (auditors, lawyers, practice consultants, voluntary accreditation programs) may conduct audits and quality improvement reviews on my behalf. Each would have their own strict confidentiality and privacy obligations.

Related Purpose #2: To comply with external regulators. We are regulated by:

- College of Chiropractors of Ontario
- College of Massage Therapists of Ontario

- College of Physiotherapists of Ontario
- College of Kinesiologists of Ontario
- College of Traditional Chinese Medicine Practitioners and Acupuncturists of Ontario
- College of Registered Psychotherapists of Ontario
- College of Naturopaths of Ontario

who may inspect records and interview us as a part of its regulatory activities in the public interest. The college has its own strict confidentiality and privacy obligations. In addition, as professionals, we will report serious misconduct, incompetence, or incapacity of other practitioners, whether they belong to other organizations or our own. In addition, we may be required by law to disclose personal health information to various government agencies (eg. Ministry of Health, Children's Aid Societies, Information and Privacy Commissioner, etc.)

Protecting Personal Information

We understand the importance of protecting personal information. For that reason, we have taken the following steps:

- Paper information is either under supervision or secured in a locked or restricted area and cross-shredded once digitalized.
- Electronic hardware is either under supervision or secured in a locked or restricted area at all times. In addition, strong passwords are used on all computer and mobile devices.
- Personal health information is not stored on mobile devices and is only found on mobile devices due to texts or email patients send. As such, patients are asked to keep such texts and email about transactional details only.
- Paper information is transferred through sealed, addressed envelopes or boxes by reputable companies with strong privacy policies.
- Electronic information is either anonymized or encrypted before being transmitted.
- We are trained to collect, use and disclose personal information only as necessary to fulfill my physiotherapy duties and in accordance with our privacy policy
- We do not post any personal information about our clients on social media sites unless we have their specific express consent that is also documented in their respective chart.
- External consultants and agencies with access to personal information must enter into privacy agreements with Bayside Wellness.

Retention and Destruction of Personal Information

We need to retain personal information for some time to ensure that we can answer any questions you might have about the services provided and for our own accountability to external regulatory bodies. We keep client files for at least 10 years from the date of the last client interaction unless the client is younger than 18 years old. In these cases, I keep the young client files for 10 years from the date the client turns 18 years old (or would have been 18 years old). All files are electronic and stored encrypted through Cliniko online software.

When this retention period is complete, we destroy any paper files containing personal health information shredding. We destroy electronic information by deleting it in a manner that it cannot be

restored. When hardware is discarded, we ensure the hardware is physically destroyed or the data is erased or overwritten in a manner that the information cannot be recovered.

You can Look at Your Records

With only a few exceptions, you have the right to see what personal information we hold about you, by contacting us (contact information at the end of this document). We can help you identify what records we might have about you. We will also try to help you understand any information you do not understand. (e.g. short forms, technical language, etc). If we do not know you, we will need to confirm your identity, before providing you with this access. We reserve the right to charge \$20.00 for the first twenty pages of records, and 25 cents for each additional page.

We will ask you to put your request in writing. We will respond to your request within 30 days if at all possible. If we cannot give you access, we will tell you the reason, as best we can, and why. If you believe there is a mistake in the information, you have the right to ask for it to be corrected. This applies to factual information and not to any professional opinions I may have formed. We may ask you to provide documentation that something in the files is wrong. Where we agree that we made a mistake, we will make the correction. At your request and where it is reasonably possible, we will notify anyone to whom we sent this information (but we may deny your request if it would not reasonably have an effect on the ongoing provision of health care). If we do not agree that we have made a mistake, we will still agree to include in our file a brief statement from you on the point.

If there is a Privacy Breach

While we take precautions to avoid any breach of your privacy, if there is ever a loss, theft or unauthorized access of your personal health information we will notify you. Upon learning of a breach, we will take the following steps as applicable:

- Dr. Jennifer Fawcett, DC will contain the breach to the best of her ability
 - Retrieving hard copies of personal health information that has been disclosed
 - Ensuring no copies have been made
 - Taking steps to prevent unauthorized access to electronic information (e.g. change passwords, restrict access, temporarily shut down system)
- Dr. Jennifer Fawcett, DC will notify affected individuals
 - She will provide her contact information in case the affected individual has further questions
 - She will provide the Commissioner's contact information and advise the affected individual their right to complain to the Commissioner
- Dr. Jennifer Fawcett, DC will notify the Privacy Commissioner and the College of Physiotherapists of Ontario in the following instances:
 - Use or disclosure of personal health information without authority
 - Stolen personal health information
 - Further use or disclosure without authority after a breach
 - Pattern of similar (even accidental) breaches
 - Disciplinary action against a college member
 - Disciplinary action against a non-college member

- Significant breach
- Dr. Jennifer Fawcett, DC will track and provide an annual report to the Commissioner regarding our privacy breach statistics
- Dr. Jennifer Fawcett, DC will investigate and remediate the problem by:
 - Conducting an internal investigation
 - Determining what steps should be taken to prevent future breaches (e.g. changes to policies, additional safeguards)
 - Ensuring she is appropriately trained and seek further training if required

Do You Have Questions or Concerns?

The Information Officer, Dr. Jennifer Fawcett, DC can be reached at:

Phone: 705-302-0112

Email: info@baysidewellness.ca

Address: 101 Pretty River Parkway Collingwood, ON L9Y 4M8

We attempt to answer any questions or concerns you might have.

If you wish to make a formal complaint about our privacy practices, you may make it in writing to the Information Officer. We will acknowledge receipt of your complaint, and ensure that is investigated promptly and that you are provided with a formal decision and reasons in writing.

You also have the right to complain to the Information and Privacy Commissioner of Ontario if you have concerns about our privacy practices or how your personal health information has been handled, by contacting:

Information and Privacy Commissioner/Ontario

2 Bloor Street East, Suite 1400

Toronto, ON M4W 1A8

Telephone: Toronto Area (416) 326-3333

Long Distance: 1 (800) 387-0073 (within Ontario)

TDD/TTY: (416) 325-7539

Fax: 416-325-9195

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