

Successful Families Inc.

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Assessments, Counselling, Mediation and Consultation

PRIVACY STATEMENT

We are committed to respecting and protecting your privacy. This statement outlines our policies and procedures with respect to collecting, using, and disclosing your personal health information. It also provides information about how you can access records of your personal health information and request correction of recorded information.

Definition of “Personal Health Information”

The practice of social work in Ontario is regulated under provincial legislation. As such, all identifiable information collected by a social worker about an individual, in the course of practicing as a social worker, is considered “personal health information” under the Personal Health Information Protection Act, 2004 (PHIPA). This includes your name and contact information, as well as any information collected/recorded in the course of providing services to you.

Collection of Your Personal Health Information

We collect your personal health information only directly from you, except: a) when you have provided consent to obtain such information from others (e.g., reports of previous assessments or of other services); and b) where the law requires or allows us to collect information without your consent (e.g., in an urgent situation, when information is needed to prevent potential harm).

We collect only information from you that we believe is needed: a) to provide you with the services you have requested and/or for which you have been referred; b) to maintain contact with you for service-related or future consent purposes; c) to prevent or offset harm (e.g., asking for an emergency contact). If we collect information from you for research, it will be done only with your informed consent (see separate consent for this purpose).

By law and in accordance with professional standards, we are required to keep a record of services provided to and contacts with you. Your record includes information you provide or authorize us to receive, results of any assessments, your service plan, consent forms, contact notes, progress summaries, billing information, and correspondence that we have sent or received related to your service. The physical records are the property of our practice. However, you have rights regarding access to your record and regarding disclosure of information from your record (see below), regardless of the form in which the information is recorded.

Use of Your Personal Health Information

In our office, the primary use of your personal health information is to provide services to you. This includes carrying out all of the functions reasonably necessary to provide those services (e.g., service planning and monitoring, maintaining your record, billing, etc.).

We may involve other individuals who may, in the course of their duties, have limited access to your personal information. These include interns, computer consultants, bookkeepers and accountants, and credit card companies/banks. All staff that comes in contact with your personal information are trained in the need for privacy and confidentiality, as well as in our practice's privacy policies and procedures, including prevention of record loss and unauthorized access. Staff members are allowed to access only that information they have a "need-to-know." For example, this means that staff members involved in billing are allowed to access only the information needed to carry out their billing function. They are not allowed to access other information. Personnel who know a client personally are required to declare this and to remove themselves from access to that client's record unless there is an emergency or unless the client has given express consent for access.

Paper information and electronic hardware are either under supervision or secured in restricted area at all times. In addition, passwords are used or computers are in secure places.

Disclosure of Your Personal Health Information

With only a few exceptions, your personal health information will not be disclosed to persons outside this office without your knowledge and express consent. The exceptions are circumstances in which disclosure is allowed by law:

- (a) When there is a clear and imminent risk of serious bodily harm to someone, including the possibility of self-harm.
- (b) When disclosure is needed to receive professional or legal consultation.
- (c) For mandatory reporting of a child who might be in need of protection.
- (d) For mandatory reporting of a regulated health professional who has sexually abused a client.
- (e) In compliance with a court order to release information from a record.
- (f) To comply with professional regulations established by the Ontario College of Social Workers and Social Service Workers, who may inspect records and interview staff as a part of their regulatory activities (e.g., quality assurance) in the public interest.
- (g) To comply with regulatory authorities under the terms of the Regulated Health Professions Act (RHPA) for the purposes of the Ontario College of Social Workers and Social Service Workers for fulfilling their respective mandates under the RHPA, as well as for a defence of a legal issue.
- (h) To insurance companies, employee assistance programs, credit card companies or other third-party payers as needed, who often have your consent or legislative authority to direct us to collect and disclose to them certain information in order to demonstrate your entitlement to this funding and to answer questions about our services you have received.

All persons involved in these activities are required by law to maintain the confidentiality of any accessed information. The above exceptions are called "limits of confidentiality." If there are other limits of confidentiality in your situation, we will identify and discuss them with you before proceeding with your service.

Please note that the law requires any disclosure of your personal health information to be limited to information that is reasonably necessary for the purpose of the disclosure, and not to include private information provided by a third party, unless you are involved in an open mediation or custody/access assessment. Professional ethical standards additionally require that any

information that might cause serious harm to someone not be disclosed, unless the law requires disclosure.

When consenting to the disclosure of your personal health information to another health professional, who is providing services to you, you may restrict us from sharing all or any part of your personal information. However, if in our opinion the information is reasonably necessary for another health service provider to provide appropriate service, we are required by law to inform the other provider that you have refused consent to provide some needed information.

Retention and Destruction of Personal Information

We are required by legislation and our regulatory body to retain personal information for approximately no less than 10 years, and in the case of any matters relating to custody or access, for 10 years after the youngest child is 18.

Your Right of Access to your Personal Health Information Record

With only a few exceptions, you have the right to access any record of your personal health information, and to request copies of the information. If the physical record contains personal health information about another individual, that individual's information must be able to be severed from the record before you may access the record. Because of the nature of certain services, severing information in some, not all places of the record can be difficult and at times impossible.

Other exceptions include access to copyrighted psychological test information (test items, protocols, manuals), information provided in confidence by a third party, and information that could result in serious harm to someone's treatment or recovery, or in serious bodily harm to someone.

If you are the custodial parent or guardian of a child receiving service, you may not access (without the child's consent) the personal health information of a child, who was deemed competent and who consented to the service on his/her own. In addition, there are restrictions on custodial parents/guardians access to individual therapy notes regarding their children.

If you request your personal file:

- We may need to confirm your identity, if you have not received service for some time, before providing you with this access.
- We reserve the right to charge a nominal fee for such requests, including the cost of retrieving your file from storage and separating out your information from those of other affected parties.
- If we cannot give you access, we will tell you within 14 days and explain why not.
- 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 we may have formed. We may ask you to provide documentation that our files are wrong.
- Where we agree there is an error, we will make the correction and notify anyone to whom we have sent the incorrect information. If we do not agree that we have made an error, you may provide a notice of disagreement that will be included in the file and we will forward that notice to anyone else who received the earlier information.

Concerns and Further Information

If you would like more detailed information at any time, would like to access or ask for a correction of your record, have a concern about our privacy policies and procedures, or have a concern about the way your privacy has been handled, please do not hesitate to speak or write to us.

This privacy policy has been developed in accordance with the Personal Health Information Protection Act, 2004 (PHIPA) and professional regulations and ethical standards. PHIPA is a complex Act and provides some additional exceptions to the information protection and privacy principles that are too detailed to set out here. There are some rare exceptions to the commitments set out above some of which are listed in our Consent to Provide Services Form.

Further details of the applicable laws, regulations, and standards may be found at the Websites of the Ontario Ministry of Health and Long Term Care (www.health.gov.on.ca), the Ontario College of Social Workers and Social Service Workers and the Personal Health Information Protection Act (www.ipc.on.ca).

For more general inquiries, the Information and Privacy Commissioner of Ontario oversees the administration of the privacy legislation in the private sector. The Commissioner can be reached at:

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