

Are there risks in limiting access to your personal health information?

Yes, putting a lockbox on your personal health information could affect the ability of healthcare clinicians to provide safe and reliable treatment for you. The clinical risks of putting a lockbox on your personal health information include:

- Your care provider may not have the necessary information to provide you with the best possible care, or may not be able to continue to offer you care without access to the locked information;
- It may be more difficult for a clinician to retrieve required information in an urgent situation because of a delay in required information being immediately accessible at the point of care;
- Locked information at the point of care may create a potential for error in the delivery of your treatment or medications.

What can a patient do to minimize the potential risks of a lockbox?

When you request a lockbox, you will be have the opportunity to consult with a clinician regarding the potential clinical risks of a lockbox before Sunnybrook applies the lock to your personal health information. A clinician can also help you to identify the specific items of your chart that can be locked based on your concerns.

Understanding the risks of a lockbox is the responsibility of the patient. If you have questions or concerns about the risks, please contact Sunnybrook's Privacy Office for more information.

Need More Information?

If you would like more information on the lockbox you can contact our Privacy Office at (416) 480-6100 ext.1236. All enquiries will be kept strictly confidential.

If you would like to know more about Sunnybrook approach to privacy and our information handling practices, please see "**Privacy: Frequently Asked Questions**" in the Privacy and Confidentiality section of Sunnybrook's website at <http://www.sunnybrook.ca/patients/privacy>

Comments or Complaints?

If you would like to make a comment or complaint regarding your information privacy at Sunnybrook, you can email our Chief Privacy Officer at privacy@sunnybrook.ca or

Information privacy complaints can also be directed to Ontario's Information Privacy Commissioner at 2 Bloor Street East, Suite 1400, Toronto, Ontario M4W 1A8, or by calling 1-800-387-0073.



Requesting a Lockbox On Your Hospital Health Record



What is Personal Health Information?

Personal health information is anything that can identify you as an individual such as your name, your social insurance number, or other personally identifying information which can be related to your health status or care such as a test result with your name on it.

You have the right to know where and how this information is being used within the hospital. To protect your privacy rights, Sunnybrook has an obligation to ensure that your personal health information is kept confidential.

Sunnybrook cares about your personal health information privacy

As a patient of the hospital, you will be asked on a number of occasions to provide us with personal health information that will assist in the delivery of your care.

You should be aware that our information handling practices are a matter of public record and that Sunnybrook has appointed a Chief Privacy Officer to protect your information privacy.

You can therefore be assured that the confidentiality of your personal health information will be protected regardless of where or how this information is collected, used or disclosed by Sunnybrook.

What is an “Express Instruction”?

Ontario Privacy law permits you to provide Sunnybrook with an “express instruction” that will restrict access to the personal health information within your hospital file. This is commonly referred to as requesting a ‘lockbox’ on this information.

The express instruction may restrict access to your personal health information for clinical purposes by any person, including use by Sunnybrook medical staff or disclosure to other care providers when they request access to the information in your official hospital file.

What information can be locked?

A patient may restrict persons (other than those having legal authority) from accessing the following portions of an official Sunnybrook hospital file at the time of the lockbox request:

- Specified reports contained in the Sunnybrook hospital file;
- All contents of the Sunnybrook hospital file pertaining to visits within a specified (historical) date range;
- The entire Sunnybrook hospital file.

Sunnybrook will limit the use or disclosure of the locked paper and electronic portions of the file on a case-by-case, best efforts basis.



Are there legal limitations on access that can be prevented by a lockbox?

Yes. Ontario's *Personal Health Information Protection Act* (PHIPA) both requires and permits certain uses and disclosures of information without patient consent, for which a lockbox will not be effective. These uses and disclosures include:

Required disclosures, for example:

- Reporting to The Ontario Ministry of Health for payment or system planning purposes;
- Reporting to an authorized registry such as Cancer Care Ontario or the Cardiac Care Network;
- When Sunnybrook is served with a warrant or court order for the locked information;
- When reporting the name of a patient being treated for a gunshot wound to the police;
- When reporting certain diseases to Public Health;
- To report suspected child abuse.

Permitted Uses, for example:

- Hospital administrative uses such as quality assurance activities that improve our services;
- Research conducted by the hospital that does not require further patient contact.

PHIPA also provides for the override of an existing lock where permitted by law:

- **Permitted uses or disclosures:** To eliminate or reduce a significant risk of serious bodily harm. For example, in order to prevent someone from driving while impaired, or in an emergency situation.