

Privacy Overview for Providers

This document has been created to provide care providers participating in the CDM-QIP with a quick summary of your legislated obligations. These obligations have been in place since the Health Information Protection Act (HIPA) was proclaimed in force on September 1, 2003.

1. What are my obligations as a health care provider under *The Health Information Protection Act* (HIPA) when participating in CDM-QIP?

As with all cases where you are collecting, using, or disclosing personal health information, there are several general duties that you must comply with. These include:

- informing patients of the anticipated uses and disclosures of their personal health information;
- having written privacy policies and procedures regarding the collection, use, and disclosure of personal health information;
- having physical, technical, and administrative safeguards in place to protect personal health information;
- collecting, using, and disclosing the minimum amount of personal health information necessary;
- collecting, using, and disclosing personal health information only on a need-to-know basis.

2. How do I inform my patients of the anticipated uses and disclosures of their personal health information for CDM-QIP?

It is not necessary to verbally communicate with each patient as long as information about the CDM-QIP and the electronic collection of personal health information is visibly available in some fashion within your clinic. This information must indicate to patients where they can go for more details. The posters and brochures provided to you by the CDM-QIP Program will serve this purpose.

3. How do I meet the other general duties required by HIPA?

There are a number of simple steps you can take to meet your other obligations under HIPA. The Saskatchewan Medical Association (SMA) has developed a Step-by-Step Privacy Guide for physicians. The guide can be found on the SMA's website: www.sma.sk.ca. Additional information can also be found at the Office of the Information and Privacy Commissioner's website at www.oipc.sk.ca and the Ministry of Health's website at <http://www.saskatchewan.ca/residents/health/accessing-health-care-services/your-personal-health-information-and-privacy>.

4. How will the personal health information be collected though CDM-QIP be used?

The personal health information collected through the CDM-QIP program is limited to the CDM indicators. This data may be used by physicians and nurse practitioners to track which of their patients are due and overdue for follow-up and provide information on patient chronic disease demographics. The information will also be used to calculate program payment to participating physicians.

Common questions your patients may ask about their personal health information:

1. How safe and confidential is my personal health information in the eHR Viewer?

eHealth Saskatchewan is accountable under HIPA for ensuring appropriate safeguards are in place to protect personal health information in the eHR Viewer. eHealth Saskatchewan works closely with the sources of the information to ensure these safeguards are in place when information is transferred between systems.

2. Who can view my personal health information in the eHR Viewer?

The eHR Viewer is a web-based computer program that allows health care providers to access a variety of clinical information such as lab results, prescription information, chronic disease indicators, or immunization history. Health care providers who need to know your personal health information may view the information in the eHR Viewer; this should only be for the purposes of your care and treatment. Providers include physicians, pharmacists, nurse practitioners, and their designated staff members.

3. Who has access to the data? Can multiple care providers see my data?

Only providers who are authorized may view the information in the CDM-QIP section of the eHR Viewer. Health care providers seeking access to the eHR Viewer complete an eHealth Saskatchewan approval/authorization process and understand the importance of ensuring privacy of personal health information.

4. If I don't want my personal health information to be viewed or shared by health care providers, what can I do?

You may choose to mask your personal health information in the eHR Viewer. Masking means that your information is protected and can only be viewed in certain circumstances. You may also choose to opt out of participating in CDM-QIP.

5. What is the difference between masking and opting out?

Masking – eHR Viewer: Patients may request, through eHealth Saskatchewan, that their personal health information be “masked” in the eHR Viewer; once masked, the patients’ health information cannot be viewed by health care providers unless:

- the patient provides consent to a specific health care provider;
- there is an emergency situation in which the patient is unable to provide consent;
- the dangerous use of prescription drugs is suspected;
- it is required by law or subpoenaed;
- a provider needs to change or correct information.

Related questions can be directed to the eHealth Privacy Service at 1-855-eHS-LINK (347-5465), or by emailing privacyandaccess@eHealthsask.ca.

Masking – EMR: Patients may request that their personal health information be “masked” in their physician’s EMR. Once masked, the patients’ health information would be restricted within the clinic to only those individuals that the patient permits to have access to their personal health information. Please note that masking data in an EMR does not equate to masking data in the eHR Viewer.

Opting Out: If a patient does not want to have their CDM indicators submitted, they can choose to opt out of the program. Opting out means that none of their chronic disease indicators will be submitted to the eHealth Saskatchewan CDM-QIP repository.

6. Can I find out who has viewed my information in the eHR Viewer?

Yes. You may request a report of who has looked at your eHR Viewer record. All views of personal health information are tracked including the name of the health care provider who viewed the information, the time and date the information was viewed, and the information that was viewed.

To request a report: Patients can contact the eHealth Privacy Service at 1-855-EHS-LINK (347-5465) or by email at privacyandaccess@ehealthsask.ca. Once the request has been received and processed, a report will be sent by mail.

7. Can I see my own information in the eHR Viewer? When will I be able to access the eHR Viewer?

No, you cannot see your own information in the eHR Viewer at this time, although this is a possibility in the future.

For any additional privacy questions or concerns, physicians and patients can contact the eHealth Privacy Service at 1-855-EHS-LINK (347-5465), option 2 or by email at privacyandaccess@ehealthsask.ca.