

Department of Health and Wellness

Privacy Statement

Introduction

The Department of Health and Wellness is responsible for the Nova Scotia provincial health care system. We provide health care services to the public. We plan and manage the health care system. We are committed to safeguarding the privacy and confidentiality of your personal health information and will only collect, use and disclose the minimum amount necessary to fulfil our mandate.

This privacy statement describes:

- how the Department collects, uses and discloses your personal health information;
- how the Department safeguards your personal health information;
- how to contact the Department if you have a question about our information handling practices;
- your rights to request access and request correction of records containing your personal health information; and
- how to contact the Review Officer if you are not satisfied with the way the Department handles your privacy complaint.

The Personal Health Information Act (PHIA)

The *Nova Scotia Personal Health Information Act (PHIA)* came into force June 1, 2013 and is the law that protects your personal health information. *PHIA* applies a consistent set of rules for the health sector to manage both your paper and electronic personal health information. *PHIA* balances your right to have your information protected, with the need to use your information to provide, support and manage the health care system.

As a “custodian” of personal health information under *PHIA*, the Department is required to keep your personal health information safe and secure.

Personal Health Information

Personal health information is identifying information about you, and may include demographic information (name, address, date of birth), your health card number, information related to your physical and mental health care, and financial information related to your application and eligibility for health care services. Personal health information can be recorded and unrecorded, and continues to be protected after you are deceased.

Collection of Your Personal Health Information

The Department collects your personal health information for purposes related to planning and management of the health care system in Nova Scotia. We do not collect more information than is reasonably necessary to meet the purpose. The Department will not collect identifiable personal health information if other information will serve the purpose.

The Department may collect your personal health information for one or more of the following purposes on paper or through one of the many electronic information systems that exist across the province:

- We collect personal health information from you directly in order to provide you with a health care benefit. For example, the Department may collect information from you in order to provide you with a benefit through the Seniors' Pharmacare program.
- We collect information indirectly from you through our provincial programs (e.g., Diabetes Care program, and Cancer Care Nova Scotia) that set and monitor standards of care, offer education programs and participate in health research.
- We collect your information from our health partners such as the District Health Authorities and the IWK for billing and/or payment of medical or hospital services you have received.
- The Department may also collect your personal health information in order to manage and evaluate the province's health care system. For example, the Department gathers information and provides estimated wait times for the provision of certain health care services.
- The Department is also authorized under *PHIA* to collect information indirectly from other health-care custodians to create and maintain an Electronic Health Record. For example,
 - SHARe (Electronic Secure Health Access Record) is Nova Scotia's electronic health record which brings your health information together in one place to allow healthcare professionals to access patient health information where and when they need it, no matter where in the province that care was provided. This will contribute to providing better care, faster treatment, and improved access to information and service
 - The Drug Information System (a component of SHARe) is designed to combine patient information from all community pharmacies to provide better patient care and facilitate improved planning and management of the health care system.

Use and Disclosure of Your Personal Health Information

Once the Department has collected your information, we may use or disclose personal health information for one or more of the following purposes:

- To plan for and determine the best allocation of financial and human resources necessary to operate the health-care system. For example, the Department ensures the availability of appropriate and quality hospital services by planning, funding and monitoring the ongoing operation needs of DHAs/IWK.
- To process and verify claims for payment for publicly funded health care services (e.g. MSI)

- To plan for and determine or verify a person's eligibility to participate in a publicly-funded health care program or to receive a benefit or health care service.
- To plan, administer and evaluate programs and services funded by the Department such as the 811 Tele-Health Line, the Smokers' Help Line, etc.
- To monitor and manage public health risks through the Public Health branch of the Department.
- We may be required to disclose your information to any persons to prevent a serious threat to your health and safety or the health and safety of the public or other persons.
- We may use or disclosure your information where permitted or required by law, such as under the *Prescription Monitoring Act*.
- In addition to the use and disclosure of personal health information for the purposes of planning and management of the health care system and delivering programs and services, the Department may also disclose information for research purposes under certain conditions.

Consent for the Collection, Use and Disclosure

The Department (among other custodians) is required to collect, use and disclose your personal health information in accordance with the rules set out in *PHIA*. We do so in our role of providing health care services to the public, and for planning and management of the health care system. As the Department responsible for the Nova Scotia provincial health care system, we are granted unique authority under *PHIA* to collect and use your personal information without consent to ensure we have the most complete information to analyze and make decisions about health care services. While we are authorized under *PHIA* to collect your personal health information from various custodians, we do so only when absolutely necessary, and in a limited and in the most de-identified form possible to achieve our purposes.

Safeguarding Your Personal Health Information

The Department uses physical, administrative and technical safeguards to protect your information against lost, theft and unauthorized access, disclosure copying, use, or modification. Means of protecting your information adopted by the Department include:

- secure access to premises;
- limiting access to only those people who have a need to know this information to perform their job duties;
- practices to ensure appropriate access to your personal health information;
- requiring the use of passwords when accessing electronic applications and databases;
- using firewalls and industry standard encryption methods;
- developing guidelines and implementing procedures with respect to the retention of your information, including minimum and maximum retention periods;
- conducting mandatory assessments on the potential privacy impacts to individuals prior to introducing new systems or programs that collect, use or disclose your information; and

- ensuring all policies and procedures are disseminated throughout the Department, and all staff are trained appropriately.

You have the right:

- to request access to any records containing your personal health information;
- to request a correction of your information where you believe a record is inaccurate or incomplete. There are limited exceptions to what you cannot access, including information that was collected during an investigation or information that includes the personal information of another person;
- to request we do not disclose your personal health information to other health care providers and we must take reasonable steps to comply with your request;
- to be told if your personal health information is lost, stolen or subject to unauthorized access. If we believe this may cause you harm or embarrassment, we are required to notify you of the breach. If we determine on a reasonable basis that there is no risk, then we are required to notify the Review Officer; and
- to request a review of our decision in relation to your request for access to or a correction of your personal health information; and
- to make a complaint if you believe we have not followed the privacy rules of *PHIA*.

Who can I contact?

If you have any questions or wish to request access to or correction of your personal health information, to submit a complaint, or to request that we do not share your information with other providers please contact the Department's Privacy and Access Office below:

Privacy and Access Office

NS Department of Health & Wellness
1894 Barrington Street
P.O. Box 488
Halifax, NS B3J 2R8
Toll Free: 1-855-640-4765
(902)-424-5419
phia@gov.ns.ca

The Nova Scotia Review Officer is responsible for making sure that *PHIA* is followed. For more information about your rights under *PHIA*, or if you are not satisfied with how the Department has handled your complaint, contact:

Review Officer

Personal Health Information Act
PO Box 181



Halifax, NS B3J 2M4
Toll-free: 1-866-243-1564
(902) 424-4684

Fax: 902-424-8303
TDD/TTY: 1-800-855-0511
www.foipop.ns.ca