

Security of your information

Security safeguards designed to protect your information against loss or theft and unauthorized access, disclosure, copying, use or modification protect your information in our custody.

Some of the steps we take to protect your information include:

- Premises security, including locked filing rooms and cabinets
- Restricted access to electronic information
- Using technological safeguards like security software and firewalls to prevent hacking or unauthorized computer access
- Internal password and security policies

Our staff members are aware of the importance of keeping your information confidential. As a condition of employment and professional regulation (where applicable) all staff members and agents are required to sign a confidentiality agreement, which is reviewed annually.

We will notify you at the first reasonable opportunity if your information is lost, stolen, or subject to authorized access, disclosure, copying, use or modification.

How to access your information

You can request access to any records in CMHA Kenora's programs custody or control that contain your information by calling or writing our privacy officer. The guidelines for processing these requests are available on request. You will receive a preliminary response within 30 days and a full response in 60 days.

Your right to access your information is not absolute. We may deny access when:

- Denial or access is required or authorized by law
- The request is frivolous or vexatious or in bad faith.

If the privacy officer refuses you access to your records, there will be a reason given and you will also be notified of your right to complain to the Information and Privacy Commissioner of Ontario.

You are also entitled to challenge the accuracy or completeness of any of your information in our custody or control. You will receive at least a preliminary response from the Privacy Officer in 30 days and a full response in 60 days. We may charge you a reasonable fee based upon cost recovery for copies of your information and we will advise you of the fee before we make any copies.

Challenging us

You are entitled to challenge our compliance with the principles set out in this policy. Please direct any challenge in writing to our Privacy Officer. Anyone who submits a written complaint, challenge or inquiry will be given a written copy of our procedures governing such complaints, challenges and inquiries. We will investigate all complaints. If a complaint is found to have merit, we will take appropriate measures to address the complaint, including, if necessary, taking disciplinary action against staff members and/or amending our policies and practices relating to the management of your information.

If you are not satisfied with the resolution of your complaint, you may bring the matter to the attention of CMHA Kenora Board of Directors and the Information and Privacy Commissioner of Ontario.

Compliance with this policy

All our agents (employees, volunteers, students, and professional staff members) are required to know, and comply with this policy. Any breach of this policy may result in significant action, including:

- Suspension, demotion or termination for employees, students and volunteers; and
- Restriction or revocation of registration, suspension, demotion or termination for professional staff members.

CMHA Kenora Privacy Officer: Sara Dias

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Kenora, Ontario P9N 1G1
Phone: 807-468-1838 x8113 Fax: 807-468-6396
Email: sdias@cmhak.on.ca

Information and Privacy Commissioner of Ontario: Patricia Kosseim

2 Bloor Street East, Suite 1400 Toronto, ON M4W 1A8
Toronto Area: 416-326-3333
Long distance: 1-800-387-0073
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Canadian Mental
Health Association
Kenora
Mental health for all



Privacy Policy

Canadian Mental Health Association (CMHA), Kenora Branch programs and services recognize the sensitivity of your personal health information. This privacy policy outlines how we manage your information and safeguard your privacy.

Personal Health Information Protection Act (PHIPA) is the law. As of November 1, 2004, any health care institution or practitioner in Ontario who collects, uses or discloses personal health information must comply with this law.

We have prepared this brochure in order to provide you with a brief understanding of our privacy policies. Our privacy officer would be pleased to help you with your questions or concerns.

Definitions:

PHIPA refers to health professionals and institutions that hold personal health information as health information custodians. CMHA Kenora and its sponsored programs and services are health information custodians. We are responsible for the personal health information we collect, use, maintain, and disclose as set out in this policy.

Express Consent means information that we have specifically obtained from you.

Implied Consent means that we have concluded from surrounding circumstances that you would agree to the collection, use or disclosure of your personal health information.

What information do we collect from you?

We will ask you to give us whatever information about your health and your family's health that we need to care for you in our programs.

- We will collect information from you for main activities: caring for you, providing counselling, treatment, rehabilitation and support services, the administration of the program and the health care system, teaching, limited research, statistics and complying with legal requirements.
- One purpose of this brochure is to tell you why we are collecting your information.
- We will only collect information from you indirectly if necessary to provide you with care when you cannot provide the information yourself or cannot consent to providing the information yourself.

How do we use your information?

- Your information is given to your therapist, case manager, or other worker to assist in providing care for you.
- Our staff members are trained to understand that your information is private and can only be used or accessed to care for you or to carry out our main activities.
- Outside contractors may have access to your information. We take steps through contracts to ensure that this information is kept private.
- Unless we have your express consent to use your information for research purposes, your information will only be used for research if both the program and the researcher follow the strict process in PHIPA.
- If we use your information for any purpose other than our main activities we will ask your permission.
- PHIPA sets out clear rules for your information (name and address only) for fundraising.
- Sometimes the law requires us to disclose your information, such as to OHIP for funding purposes. We will only disclose your information if the law requires or permits us to do so.

When will we disclose your information?

Unless you tell us **not** to, we will:

- Disclose your information to other health care providers in the circle of care who need to know this information to provide you with care, counselling, therapy, treatment, rehabilitation or support services. The circle of care includes health care professionals, pharmacies, laboratories, ambulance services, nursing homes, Local Health Integration Networks (LHINs) Home and Community Care, home health service providers, and others who provide health care services.
- Tell other health care providers, family members who call to determine if you are receiving services that you are receiving such services.

Getting your consent

Your consent to our collection, use or disclosure of your information may be implied, or express.

1. We will always ask your express consent when:

- **We are disclosing your information to someone who is not a health information custodian** (insurer, employer, Workplace Safety and Insurance Board, lawyer, probation officer etc.); or
- **We are disclosing your information to a health information custodian but for purposes other than providing you with health care** (for example, a doctor who is working for an insurance company, or a psychologist working for Probation and Parole).

2. We are entitled to rely on implied consent in other circumstances because we have provided you with the information in this brochure and given you an opportunity to withhold or withdraw your consent.

3. **You may withdraw or limit your consent at any time, unless doing so prevents us from recording the information we require from you by law or under professional standards. You can give an express (written) instruction that specific information not be used or disclosed. The privacy officer or any of our health professionals, who are dealing with you, will assist you with this process.**
4. **We may sometimes collect, use or disclose your personal information without your consent in limited instances that are expressly permitted by PHIPA.** For example, some laws require disclosure of your information, such as the Coroners Act and Vital Statistics Act.

If you are found to be incapable of making decisions about your personal health information, we will consult your substitute decision-maker as determined by law.

Retaining your information and disposing of your information

We retain your information in premises controlled by us in a secure manner and keep it for as long as necessary to fulfill the purposes for which it was collected, or as required by law.

CMHA Kenora has a policy in place to address the retention and destruction of records in the organization. This policy sets out minimum and maximum retention periods and complies with applicable laws governing retention of information.

Where you have requested access to a record with your information, we will retain that record until your access request is exhausted.

Accuracy of your information

We take reasonable steps to ensure your information is as accurate, complete, and up to date as necessary on collection. We will not routinely update information in our control unless updates are necessary to fulfill the purposes for which the information is collected. Information that may be disclosed to others under this policy, which we believe is not up to date, accurate, or complete will be indicated at the time of disclosure.

