

# Privacy Policy

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MCI Medical Clinics Inc., MCI Medical Clinics (Alberta) Inc. and MCI Cost Sharing Group (collectively referred to as “MCI”) is committed to patient and employee privacy and to protecting the confidentiality of any personal information or health information we hold.

## Protecting Personal Information

### 1) *Openness and Transparency*

- a. We value all patient, employee, associate, independent contractor, and third party (referred collectively as “All Parties” or “Parties”) privacy and act to ensure that it is protected. Employees and independent contractors will be referred to collectively as “Employee(s)”.
- b. This policy was written to capture our current practices and to respond to federal and provincial requirements for the protection of all personal information.
- c. This policy describes how this organization collects, protects and discloses the personal information of All Parties and their rights with respect to their personal information.
- d. We are available to answer any patient or Employee questions regarding our privacy practices.

### 2) *Accountability*

- a. The physician is ultimately accountable for the protection of the health records in his/her possession. Physicians are the health information custodians under the *Personal Health Information Protection Act* (“PHIPA”) and MCI is an agent of the custodian.
- b. Patient information is sensitive by nature. Employees and all others in MCI who assist with or provide care (including volunteers, students and locums) are required to adhere to the protections described in this policy for the appropriate use and/or disclosure of personal information.
- c. All persons in this organization who have access to any personal information must adhere to the following information management practices:
  - i. Office Information Management Practices
    1. Access is on a need to know basis; and
    2. Access is restricted to authorized users only
  - ii. Third Party Obligations
    1. Contractual privacy clauses/agreements with all third parties (including but not limited to cleaners, security personnel, landlords, data processors, contractors, etc.)
  - iii. All Parties adhere to strict privacy protections to ensure that:
    1. We protect the confidentiality of all personal information we access in the course of providing patient care;

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2. We collect, use and disclose personal information only for the purposes of providing care and treatment or the administration of that care, or for other purposes expressly consented to by the patient, in accordance to privacy laws of PHIPA and the *Personal Information Protection and Electronic Documents Act* (“PIPEDA”);
  3. We adhere to the privacy and security policies and procedures of MCI; and
  4. We educate and train staff on the importance of protecting personal information and promote a culture of privacy to ensure the protection of personal information.
- iv. We protect the personal information of our Employees as required by federal and provincial law to ensure that:
1. We collect, use, and disclose personal information for the strict purpose of conducting business.

## **Collection, Use and Disclosure of Personal Information**

All information collected by the organization will be kept confidential and only be used for the purpose for which it is collected. All information will be used for the limited purpose for which it was collected, limited in its disclosure, and retained as long as necessary according to the relevant laws and regulations.

### **3) Collection of Personal Patient Information**

- a. Personal information:
  - i. Name
  - ii. Date of Birth
  - iii. Other demographic information related to the patient’s personal health record
- b. Billing information:
  - i. Provincial/territorial health insurance plan (health card) number
  - ii. Private medical insurance details
  - iii. Banking information for uninsured services
- c. Health information:
  - i. Medical history
  - ii. Current symptoms
  - iii. Medical plan
  - iv. Test results and reports
  - v. All other information related to your personal health care
- d. Limits on Collection
  - i. MCI only collects information that is required to communicate, provide, and administer care for the patients. We will not collect any other information, or allow

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information to be used for other purposes, without the patient's express consent, unless otherwise authorized to do so by law. These limits on collection ensure that we do not collect unnecessary information.

## 4) *Use of Personal Patient Information*

- a. Personal information collected from patients is used by this organization for the following purpose:
  - i. Identification and contact
    - 1. Emergency contact
  - ii. Provision and continuity of care
    - 1. Historical record
    - 2. Health promotion and prevention
    - 3. Health care treatment
  - iii. Administering the care to provide
    - 1. Appointment scheduling
    - 2. Billing
  - iv. Professional requirements
    - 1. Risk or error management
    - 2. Quality assurance
  - v. Research studies and trials

## 5) *Disclosure of Personal Patient Information*

- a. Implied consent (disclosure to other providers)
  - i. Unless otherwise indicated, we assume that patients have consented to the (use) sharing of their information with other healthcare providers, for the purposes of providing them with care. By virtue of seeking care from us, the patient's consent is implied for the provision of that care.
  - ii. Relevant health information is shared with other healthcare providers involved in the patient's circle of care.
- b. Without consent (disclosures mandated or authorized by law)
  - i. There are limited situations where the physician is legally required to disclose personal information without the patient's consent. Examples of these situations include (but not limited to):
    - 1. Billing provincial health plans (ie. OHIP, AH&W)
    - 2. Reporting specific diseases
    - 3. Reporting abuse (child, elder, spouse, etc.)
    - 4. Reporting health status/ fitness (to drive, fly, etc.)

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5. By court order (when subpoenaed in a court case)
  6. For regulatory investigations
  7. For quality assessment
  8. For risk and error management
- c. Express consent (Disclosure to all other third parties)
- MCI prefers express consent to be in a writing, but if not possible or practical, oral consent will be considered.
- i. The patient's express written consent is required before we will disclose personal information to third parties for any purpose other than to provide care or unless otherwise authorized to do so by law
  - ii. Examples of situations that involve disclosures to third parties include (but are not limited to)
    1. Third party medical examinations
    2. Provision of charts or chart summaries to insurance companies
  - iii. Disclosure Log
    1. Before disclosure is made to a third party, a notation shall be made in the file that the patient has provided express consent, or a signed patient consent form will be appended to the file
- d. Withdrawal of Consent
- i. Patients have the option to withdraw consent to have their information shared with other healthcare providers at any time
  - ii. Patients also have the option to withdraw consent to have their information shared with third parties
  - iii. If a patient chooses to withdraw their consent, the physician or MCI will discuss any significant consequences that may result with respect to their care and treatment (e.g., possible negative impact on the care provided), and sign a waiver of acknowledgement.

## 6) *Collection of Employee Personal Information*

- a. We collect the following personal information as federally and/or provincially legislated for the purpose of hiring, payroll and group benefit processing:
  - i. Name
  - ii. Personal and emergency contact information
  - iii. Date of birth
  - iv. Social Insurance Number
  - v. Banking information (for payroll processing purposes only)

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- vi. Licensing and certification information
- vii. Medical limitations and/or accommodation
- viii. Dependant information for group benefit purposes only

**b. Limits on Collection**

- i. MCI only collects information that is required for hiring, health and safety protection, processing payroll, group benefit processing and communication. We will not collect any other information or allow information to be used for other purposes, without the Employee's written consent.

**7) Use of Employee Information**

- a. Personal information collected from Employees is used by this organization for the following purposes:
  - i. Identification, personal and emergency contact
  - ii. Processing of payroll
  - iii. Group benefit enrollment
  - iv. Company policy and/or procedure updates

**8) Disclosure of Employee Personal Information**

- a. Implied consent (Disclosure to Management)
  - i. Unless otherwise indicated, we assume that Employees have consented to the sharing of their information with clinic managers, for the purpose of providing them with additional hours of work or job opportunities within the organization.
  - ii. Relevant information is shared with other management in the organization including senior head office management, regional managers and clinic managers.
- b. Without consent (disclosures mandated or authorized by law)
  - i. There are limited situations where the organization is legally required to disclose personal information without the Employees consent. Examples of these situations include, but not limited to:
    - ii. By court order (when subpoenaed in a court case)
    - iii. Written request from federal or provincial agency
    - iv. In regulatory investigations
- c. Express consent (Disclosure to all other third parties)
  - i. MCI prefers all requests in writing, if not possible or practical oral requests will be considered.
  - ii. Before disclosure is made to a third party, a notation shall be made in the Employees file that the Employee had provided express consent orally or a signed Authorization to Release Personal Information consent form will be appended to the Employee file.

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## d. Withdrawal of Consent

- i. Employees have the option to withdraw consent to have their information shared with managers.
- ii. Employees also have the option to withdraw consent to have information shared with third parties.
- iii. If an Employee chooses to withdraw their consent, MCI will discuss any significant consequences that may result with respect to their employment opportunities within the organization.

## Office Safeguards

### 9) Security Measures

- a. Safeguards are in place to protect the security of All Parties information
- b. These safeguards include a combination of physical, technological (for offices where computers are in use) and administrative security measures
  - i. We use the following physical safeguards
    1. Limited access to office
      - a. Deadbolt entry lock (or key card/keypad entry system/alarm system)
    2. Limited access to records
      - a. Authorized personnel only
      - b. Locked file cabinets or in secure MCI assigned areas only
    3. Office layout/features
      - a. Front desk privacy
      - b. Soundproofing and/or white noise to ensure confidentiality
  - ii. We use the following technological safeguards
    1. Protected computer access for Patient and Employee information
      - a. Passwords
      - b. User authentication
      - c. Biometric encryption
    2. System Protections
      - a. Firewall software
      - b. Virus scanning software
    3. Protected external electronic communications – Internet
      - a. Virus scanning software
      - b. Ensure safe web browsing practices
    4. Secure electronic record disposal
      - a. Safely dispose of hard drives

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- b. Secure destruction of all other removable media (DVD, CD-R, Flash Drives, etc.)
  - 5. Wireless and mobile communication devices (e.g. laptops, PDAs, Tablets, etc.) are protected by passwords, key FOBs, and networked onto an encrypted wireless network
- iii. We use the following administrative safeguards
  - 1. Office information management practices
    - a. Access is on a need to know basis
    - b. Access is restricted to authorized users only
  - 2. Third party obligations
    - a. Contractual privacy clauses/agreements with third parties (including cleaners, security personnel, landlords, data processors, contractors, etc.)
- iv. Limits on third party access
  - 1. Any other persons having access to Patient and Employee information or to the premises (e.g., cleaners, security staff, landlords, contractors) shall, through contractual or other means, provide a comparable level of protection
- v. Confidentiality agreements/clauses
  - 1. All Parties must sign confidentiality agreements as part of (or appended to) their employment contract/agreement and such clauses will extend beyond the term if employment

## 10) *Communications Policy*

We are sensitive to the privacy of personal information. To ensure adherence to this policy, MCI uses the following procedures of communication:

- a. We protect all personal information regardless of the format
- b. We use specific procedures to communicate personal information by:
  - i. Telephone
    - 1. Patient/Employee preference with regards to phone message will be requested.
    - 2. Unless authorized to provide detailed information, we only leave our name and phone number on messages.
  - ii. Fax
    - 1. Fax machines are located in secure or supervised areas (restricted public access) and/or fax transmissions are on the computer network to which only MCI personnel have access

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## iii. Email

1. Any confidential information sent over public or external networks is encrypted.
  - a. We use best practices to ensure patient information is never sent via email
2. Firewall and virus scanning software is in place to mitigate unauthorized use or disclosure

## iv. Post/Courier

1. Sealed envelope and marked confidential

## 11) *Record Retention*

- a. We retain patient records as required by law and professional regulations regulating all medical professions in Ontario and Alberta
- b. We retain personnel and financial records as required by law and professional regulations
- c. We use secure offsite record storage with authorized personnel only having access

## 12) *Procedures for secure disposal/destruction of all Personal Information*

- a. When information is no longer required, it is destroyed according to set procedures that govern the storage and destruction of all personal information
  - i. We use the following methods to destroy/dispose of paper records in accordance with provincial laws and regulations:
    1. Shredding
  - ii. We use the following methods to destroy/dispose of electronic records
    1. At a minimum, we ensure that all information is wiped clean/deleted prior to disposal of electronic data storage devices (e.g. surplus computers, internal and external hard drives, diskettes, tapes, CD/DVD, etc.)
      - a. Secure disposal of computer hard drives and all other electronic media storage (diskettes, CD/DVD, internal/external hard drives, multi-function devices etc.)

## **Patient and Employees Rights**

### 13) *Access to Information*

- a. All Patients and Employees have the right to access their personal records
- b. If a patient requests a copy of their records, they will be provided at a reasonable cost. Costs are regulated and suggested by the respective professional regulating body.
- c. Patient access shall only be provided upon approval of the physicians.
- d. If a Patient wishes to view the original record, a physician must be present to maintain the integrity of the record. A reasonable fee may be charged for accessing patient records



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- e. Patients must submit access requests in writing
- f. Employees can submit access requests
  - i. in writing
  - ii. verbally, under special circumstances and if proof of identity is provided
- g. MCI follows specific procedures to respond to access requests
  - i. MCI acknowledges receipt of requests and will respond within 30 days

## 14) *Limitations on Access*

- a. In extremely limited circumstances, a Patient and/or Employee may be denied access to their records where providing access would create a risk to that Patient/Employee or to another person
- b. Where Laws or Regulations prohibit access

## 15) *Accuracy of Information*

- a. We make every effort to ensure that all records are accurate
- b. If an inaccuracy is noted, the Patient or Employee can request changes to their own record, and this request is documented by an annotation in the record
- c. No notation shall be made without the approval or authorization of the physician or an MCI representative

## 16) *Privacy Complaints*

- a. MCI'S privacy policies and practices address Patient and Employee concerns and MCI shall respond to their needs in a timely manner.
  - i. A Patient or Employee who believes that MCI has not responded to their access request or handled their personal information in a reasonable manner is encouraged to address their concerns with the clinic manager or head office representative
    - 1. Complaints can be made
      - a. In writing (preferred method)
      - b. Verbally, under special circumstances and if proof of identity is provided
    - 2. MCI follows specific procedures for responding to complaints
      - a. Our complaints process is readily accessible, transparent and simple to use
      - b. Patients or Employees are informed of relevant complaint mechanisms
    - 3. Patients or Employees who wish to pursue the matter further are advised to direct their complaints to
      - a. Their MCI head office representative (e.g. Regional Manager)

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- b. Ontario Privacy Commissioner (Ontario)
- c. The respective professional regulating body
- d. Office of Information & Privacy Commission (Alberta)
- e. Canada Revenue Agency

Contact information:

MCI Medical Clinics Inc. / MCI The Doctor's Office ("MCI")

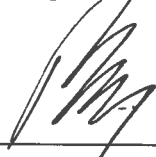
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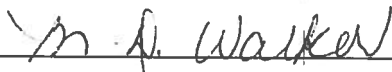


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**Fady Bishay**

**Privacy Officer, MCI Medical Clinics Inc.**

**Date: October 11, 2017**



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**Maddie Walker**

**President, MCI Medical Clinics Inc.**

**Date: October 11, 2017**