
Personal Health Information Protection Act, 2004

REPORT

FILE NO. HI-050022-1

A Community Care Access Centre

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INVESTIGATOR: Nancy Ferguson

HEALTH INFORMATION CUSTODIAN: A Community Care Access Centre

SUMMARY OF INFORMATION GIVING RISE TO THIS REVIEW:

A Case Manager employed by a Community Care Access Centre (CCAC) found the window of her car broken and her laptop computer, cell phone and purse missing. The Case Manager had stopped to run a short errand when the break-in occurred. The CCAC reported the matter to the police and the Office of the Information and Privacy Commissioner/Ontario (the IPC) and undertook a consideration of its obligations under the *Personal Health Information Protection Act, 2004* (the Act), including its obligation to provide notice of the loss to the affected clients.

RESULTS OF THE REVIEW:

The CCAC advised that when the Case Manager discovered the loss she contacted the on-call Manager who instructed her to contact the police immediately. The on-call Manager also notified the manager of Information and Technology to arrange for the disengagement of the cell phone.

The CCAC indicated that the laptop carrying case included a hard copy list of patients indicating each patient's name, address, admission date, internal tracking number and the services provided by the CCAC. The laptop itself contained two client profiles which included all the information on the list and also the client's diagnosis, Ontario Health Card number and physician's name and phone number.

Once the affected clients were identified, the Privacy Officer worked closely with the IPC to develop a notification plan. The CCAC advised that a letter was sent to provide notice to each client who had their personal health information on the list or in the computer. The letter explained how the loss occurred and set out for each client exactly what information was

contained on the list or stored on the computer. Contact information was provided for clients interested in obtaining further information.

The CCAC indicated that an investigation was undertaken which included interviewing the Case Manager and having her prepare a written report. In addition, the CCAC reported that the policy relating to the storage of laptop computers and client information, when in the community, was reviewed with the Case Manager.

The CCAC advised that it had reviewed its policy and procedures for storing laptops while in the community following the incident and had decided to develop a new policy outlining the actions to take when a laptop computer or cell phone is reported lost or stolen. In addition, the CCAC reported that its Privacy Officer will work with the Business Systems Manager and Client Services Director to revise the content of the hard copy client lists used by Case Managers. In particular, the goal will be to remove all CCAC identifiers and any client personal health information, as well as coding reference to services being provided.

The CCAC also reported that it had reviewed this privacy breach and the actions taken as a result of the incident with staff. Case Managers were reminded about the policy to lock laptops and client information in the trunk of their car and out of sight when in the community. The CCAC also reported that supervisors were asked to review the policy with staff during meetings in the month following the incident.

On the basis of all of the above, it was determined that further review of this matter was not warranted and the file was closed.

Original Signed by: _____
Ann Cavoukian, Ph.D.
Commissioner

_____ March 8, 2006