



Information and Privacy
Commissioner of Ontario

Commissaire à l'information et à la
protection de la vie privée de l'Ontario

November 25, 2019

VIA ELECTRONIC AND REGULAR MAIL

Dr. Michael Sherar, President and CEO
Cancer Care Ontario
620 University Avenue
Toronto, Ontario
M5G 2L7

Susan Fitzpatrick, Interim CEO
Ontario Health
525 University Avenue, 5th floor
Toronto, Ontario
M5G 2L3

Dear Ms. Fitzpatrick and Dr. Sherar:

RE: Transfer from Cancer Care Ontario to Ontario Health

On October 31, 2017, I approved the practices and procedures of Cancer Care Ontario (“CCO”), as a prescribed entity and prescribed person for the purposes of subsection 45(1) and clause 39(1)(c) of the *Personal Health Information Protection Act, 2004* (the *Act*) for a further three-year term. This approval expires on October 31, 2020.

On November 13, 2019, the Minister of Health made a transfer order under section 40 of the *Connecting Care Act, 2019* (the order). Among other things, the order transfers the assets, liabilities, rights and obligations, and all records relating thereto, of Cancer Care Ontario to Ontario Health, taking effect on December 2, 2019. Section 41 of the *Connecting Care Act, 2019* provides that, further to the order:

- (a) the transfer recipient [Ontario Health] assumes the operations, activities and affairs of the transferor [CCO], as of the date of the transfer; and
- (b) the assets, liabilities, rights and obligations of the transferor [CCO] that are provided for in the order, including contractual rights, interests, approvals, registrations and entitlements, that exist immediately before the transfer date continue as the assets, liabilities, rights and obligations of the transfer recipient [Ontario Health] and are transferred to the transfer recipient [Ontario Health].

I further note that, on December 2, 2019, Ontario Health will be added as a prescribed person and prescribed entity under subsections 13(1) and 18(1) of O. Reg. 329/04 made under the *Act*.

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In light of the above, I confirm that, as of December 2, 2019, my approval of CCO's practices and procedures as a prescribed entity and prescribed person under the *Act* will transfer to Ontario Health as part of the current three-year term and continue until its expiry on October 31, 2020. This approval is subject to the condition that the practices and procedures are not changed substantially prior to the expiry of the approval on October 31, 2020.

The review of CCO's practices and procedures that is presently ongoing based on the report submitted by CCO on November 15, 2019 will continue as if this report was submitted by Ontario Health. Please advise of any amendments or updates to this report as may be necessary to ensure it is consistent with your practices and procedures following the transfer.

Please feel free to contact me if you require more information.

Original signed by:

Brian Beamish
Commissioner

cc:

Erica Zarkovich, General Counsel, Chief Privacy Officer and Corporate Secretary,
Cancer Care Ontario

Nadia Jandali Chao, Assistant General Counsel and Director Legal & Privacy, Cancer
Care Ontario