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WHAT DO I DO IF I HAVE A COMPLAINT?

If you have a concern regarding the privacy of your personal health information or our information practices, please contact our staff member(s) in charge of privacy using the information provided below.

If we do not address your complaint to your satisfaction, you may contact Yukon's Information and Privacy Commissioner.

Contact information:

Yukon Information and Privacy Commissioner

211 Hawkins Street, Suite 201
Whitehorse, Yukon
Y1A 1X3

867-667-8468

info@ombudsman.yk.ca

CUSTODIANS: PLEASE NOTE

Disclaimer: This document is not an official legal interpretation of the legislation and is not binding on the Government of Yukon. It is not a substitute for legal advice, which would consider, among other things, facts specific to your situation, specific legal issues relevant to your situation, your goals, limits and constraints, and the context you are operating within.

HIPMA

Health Information Privacy and Management Act.

The *Health Information Privacy and Management Act* is legislation that allows for people to have greater control over their health information, improves the way that privacy is protected, and will facilitate the creation of electronic health records for more effective and efficient healthcare services.

Yukon has a new territorial health privacy law. The *Health Information Privacy and Management Act* governs how healthcare providers may collect, use, and disclose your personal health information.

This law is designed to protect the privacy of your health information, while allowing for the effective delivery of the healthcare services you need.



HIPMA

Health Information Privacy and Management Act

WHAT IS HIPMA?

The *Health Information Privacy and Management Act* (or, *HIPMA*, for short) is a new law designed to improve the way that your privacy is protected when you seek healthcare services in Yukon.

WHO HAS TO FOLLOW *HIPMA*?

HIPMA applies to most healthcare providers. Examples include: Yukon's Department of Health and Social Services, physicians, naturopaths, chiropractors, dentists, your local hospital, community health centres, or emergency medical services (ambulance). They are called "Custodians".

WHAT INFORMATION DOES *HIPMA* PROTECT?

HIPMA improves how health information custodians handle and protect your health information. Health information is any information relating to:

- Your health or healthcare;
- How you pay for healthcare;
- Any tests or examinations that you have undergone, and
- Your decisions around organ or bodily substance donation.

FOR EXAMPLE

When you go to the community health centre, the information that is collected by the nurse or doctor is protected under *HIPMA* and the health centre must follow all the rules and guidelines set out in the *Act*.

HOW DO WE PROTECT YOUR HEALTH INFORMATION?

HIPMA creates a set of information practices (rules) for custodians. The rules address how information can be used or collected, who is allowed to see the information, who can be told the information and under what circumstances, and what security measures must be used.

As a custodian, we have in place written policies regarding these rules and we provide training to our staff to ensure they are aware of their responsibilities. We have in place security measures, such as locked cabinets and passwords for computer systems, to protect your information.

FOR EXAMPLE

Your dentist is not permitted to use the information that they have about you (*Name, age, contact information*) to send you mail to ask for donations for their 5K Fun Run for Tooth Decay.

Hospital staff are not permitted to access your records to look up information about you because they are bored or curious about you.

WHAT WILL "CUSTODIANS" DO WITH MY INFORMATION?

HIPMA states that custodians must limit the information that they collect from you, use, or disclose to other healthcare providers to the minimum amount of health information needed. Your health information will be used and disclosed on a 'need to know' basis.

FOR EXAMPLE

If you come to the hospital with a broken arm the intake nurse will not ask if you have ever been treated for a sexually transmitted infection (STI), because that information is not necessary to treat a broken arm.

WHAT ARE MY RIGHTS UNDER *HIPMA*?

Under *HIPMA*, you have certain rights when it comes to the access, protection, disclosure and use of your health information.

- You have the right to be notified if there has been a breach of your health information that could cause you significant harm.
- You have the right to request access to your health information.
- You have the right to request that changes be made to health information that you believe to be inaccurate or incorrect.
- You have the right to request a record of who has looked at your records.
- You have the right to limit or withdraw consent to the collection, use, or disclosure of your health information.
- You have the right to make a complaint to a custodian about their health information practices if you believe they do not follow *HIPMA*.

HOW DO I GET A COPY OF MY PERSONAL HEALTH INFORMATION? ASK FOR A CORRECTION?

Please contact our staff member in charge of privacy (see contact info in this brochure). *HIPMA* sets out the rules for what we can charge you for accessing your records and how long we have to respond to your requests.