

POLICY: Disclosure of Personal Health Information to
Affiliated Foundations

Program Area: Health Information Services

Section: Privacy and Access

Reference Number: ORG.1411.PL.508

Approved by: Regional Lead – Corporate Services & Chief Financial Officer

Date: Issued 2024/Dec/16
Revised yyyy/mmm/dd



PURPOSE:

To ensure that the confidentiality of an individual’s name and mailing address is protected during Disclosure to foundations affiliated with the Trustee, for the purpose of fundraising, as set out under *The Personal Health Information Act (PHIA)*.

To detail the conditions and restrictions on the ability of hospitals and personal care homes to Disclose personal health information to affiliated foundations.

BOARD POLICY REFERENCE:

Executive Limitation (EL-2) Treatment of Clients
Executive Limitation (EL-7) Corporate Risk

POLICY:

1. A hospital or personal care home may Disclose to a charitable fundraising foundation with which it is affiliated the name and mailing address of an Individual who has been a patient of the hospital or who is or has been a resident of the personal care home.
2. All Disclosures of names and mailing addresses to the affiliated foundation shall be coordinated with the Access and Privacy Specialist, Site Privacy Officer or delegate.
3. Southern Health-Santé Sud must not Disclose to the foundation the name and mailing address of an Individual in any of the following circumstances:
 - The Individual has objected to the Disclosure of their name and mailing address to the foundation;
 - The Individual has died while in the care of the Southern Health-Santé Sud hospital or personal care home; or
 - The Individual is under the age of 18 (for the purpose of this policy only).

4. Notice must be provided to Individuals, advising that their names and mailing addresses may be provided to the fundraising foundation affiliated with the facility. Notices will be determined in consultation with clinical leadership and the chair of the affiliated foundation.
5. Individuals must be given a reasonable opportunity to object to the Disclosure of their information.
6. If an Individual has requested that the Trustee limit Disclosure of their Personal Health Information, their name and mailing address shall not be disclosed to the foundation.
7. When an Individual objects to the Disclosure of their name and mailing address to the foundation, the person receiving the objection shall notify the Site Privacy Officer or clinical leadership.
8. Southern Health-Santé Sud hospitals and personal care homes shall enter into a written agreement with an affiliated foundation acknowledging that the foundation agrees to protect the information against such risks as unauthorized Access, Use, Disclosure or destruction.

DEFINITIONS:

ORG.1411.PL.502.SD.01 PHIA Definitions

PROCEDURE:

1. Direct all requests from an affiliated foundation to clinical leadership at the hospital or personal care home.
2. Clinical leadership will contact the Privacy and Access Specialist and verify that a written privacy and confidentiality agreement is in place with the affiliated foundation.
3. Clinical leadership will complete ORG.1410.PL. 550.FORM.01 Health Information Data Request form to request the disclosure of the names and mailing addresses of Individuals, excluding those Individuals that meet the criteria listed in 3, to the foundation on a quarterly basis (unless other time frame is agreed upon). Names and addresses of in-patients who have been discharged from a hospital, or residents who are currently receiving services from a personal care home, in the first quarter (e.g. April to June) shall be provided to the foundation at the end of the following quarter (e.g. September).
4. Clinical leadership at the hospital or personal care home will review the report in consultation with the site Privacy Officer to ensure those individuals that have objected to the disclosure of their information are removed from the list.
5. Clinical leadership or delegate will follow ORG.1411.PL.404 Security and Storage of Confidential Information including Transportation when disclosing information to the affiliated foundation.

REFERENCES:

The Personal Health Information Act

The Personal Health Information Act Regulation

ORG.1410.PL.550 Health Information Data Request Process