



## **PHIPA - Notice of Information Practices for Personal Health Information**

We (Mental Health Services) collect personal health information about you directly from you or from the person acting on your behalf. The personal health information that we collect may include, for example, your name, date of birth, address, health history, record of your visit to Linck, and the support you received during those visits.

Occasionally, we collect personal health information about you from other sources if we have obtained your consent to do so or if the law permits us to do so. We make sure that only those people who need to see your personal records are allowed to look at them. We protect your information through our administrative policies and by adopting appropriate safeguards and security measures.

### **Use and disclosure of personal health Information**

We may use or disclose your personal health information to:

- Communicate with your health care providers including your family physician and/or other health care institutions for continuity of care, in order to treat/support and care for you (unless you tell us otherwise);
- Plan, administer and manage our internal operations and conduct risk-management activities;
- Conduct quality improvement activities (such as sending client satisfaction surveys);
- Teach, conduct research (only under strict rules) and compile with statistics;
- Fulfill other purposes permitted or required by law

We can assure you that only staff who need your personal health information for direct care or administrative purposes are authorized to access your record of personal health information.

A client's instruction cannot prevent us from recording information that is required by law, professional standards, or our practice.

## Client Record: Mental Health Services

A client record includes information relevant to the service recipient's health, and may include date of birth, contact information, health number, health history, family health history, details of the service recipient's physical and mental health, record of client visits, the care and support you received during those visits, any listed substitute decision-maker, and information from other health care providers.

## Our Information Practice for Mental Health

The main purposes for which we collect, use, and disclose your personal health information, are to:

- Deliver our programs and services
- Develop a clinical service plan for the client
- Educate our staff and students
- Seek consent (or consent of a substitute decision maker) where appropriate
- Respond to legal proceedings
- Plan, allow for the analysis, administration, and management, of our internal operations and programs
- Conduct research (subject to certain rules) and compile statistics
- Comply with legal, regulatory, and accreditation requirements
- Support (on a de-identified basis) funding submissions, and donor reports
- Conduct risk management, training, and quality improvement activities
- Fulfill other purposes permitted or required by law

Our collection, use, and disclosure (sharing) of your personal health information is done in accordance with Ontario law.

With limited exceptions, a client has the right to access their record. A reasonable fee may be charged to access your PHI. In certain situations, you may be denied access to some or all your record (with any such denial being in accordance with applicable law and explained to you in writing).

We will make every effort to ensure that all your information is recorded accurately. Please let us know if there is something that is incorrect. You have a right to ask for a correction to your record if you disagree with what is recorded. In many cases, we will be able to make the requested correction, however, in other cases, we will ask you to prepare a concise statement of disagreement to be attached to your record.

## Services Providers

Service Providers are persons or organizations who assist us to deliver services to children and families. We share only the information that is necessary for service providers to deliver and administer these services unless we obtain consent to disclose additional information.

## Other Third Parties

Sometimes we receive requests for information from third parties such as the police, government agencies, and people involved in court cases with our clients. We only provide Client Information to third parties if:

- We have the individual's consent; or
- There is a court order, search warrant, or urgent demand for records requiring disclosure; or
- We are legally permitted or required to provide the information.

If you have questions about this, please ask us by contacting our Privacy Designate.

## Your Choice

In most situations, you have the right to make your own information privacy decisions. When we ask for your consent, you may choose to say no. If you say yes, you may change your mind at any time. Once you say no, we will no longer share your information unless you say so. Your choice to say no may be subject to some restrictions under applicable law and reasonable notice. Also, your choice to say no will not have a retroactive effect; this means that we would not be able to un-share information that had previously been shared.

When you engage in a Linck service, we will seek consent to share information with other Linck services, on a need-to-know basis, to provide coordinated and effective service. We will not disclose your information to other providers or collect your information from other providers without your consent (unless the law permits us to do so). We will not disclose your information to family, friends, or other persons, unless you specifically request and consent to such disclosure.

When there is a right to consent, you may make your own decisions if you are “capable”. You may be capable of making some information privacy decisions and not others. If you are not capable – you will have a substitute decision-maker who will make your information decisions for you. Who can act as a substitute decision-maker and what they have to do is also set out in law.

For children, there is no legal age when you become able to make your own decisions about your personal information. If you are capable, you can make your own decisions. However, if you are under the age of 16, there are some additional rules to know:

- If you are not capable, your parent(s) or other official guardian will make decisions for you as your substitute decision-maker.
- If you are capable, you will make your own decisions.
- If you are capable, your parent(s) or guardian will also be allowed to make some decisions about your personal information service records. But they will not be able to make decisions about any records about treatment or counseling to which you alone consented.
- If you are capable, your information decisions will override your parent(s) or guardian(s) decisions about your personal/health information.

## **Safeguard To Maintain Confidentiality**

Linck uses reasonable physical, technical, and administrative safeguards to protect your privacy and to maintain the confidentiality of your information. These safeguards include training for staff and students on privacy, policies and procedures; confidentiality agreements with Linck employees, volunteers, students and representatives; controlled access to the premises; firewalls and virus protection; locked filing cabinets, and other security measures. Your personal information must be kept private and secure. This applies equally to what we enter into electronic information systems, as well as paper or electronic copies of records, reports, financial records, administrative notes, voice messages, text messages, and emails (including on laptops and cell phones) and any other ways personal/health information can be recorded. Everyone here is bound by confidentiality. We must protect your information from loss or theft and make sure no one looks at it or does something with your information if they are not involved in providing services to you or allowed as part of their position. If there is a privacy breach, we will tell you (and we are required by law to tell you).

## **Access and Correction**

With limited exceptions, you have the right to access personal health information we hold about you that relates to a service provided to you. If you need a copy of your service records, please contact us. In rare situations, you may be denied access to some or all your personal information about service (with any such denial being in accordance with the law).

To Request access to Personal/Health Information please contact the Mental Health Screeners at Linck at (519) 352-0440.

## For More Information or Complaints

We encourage you to contact your case worker with any questions or concerns you might have about our information practices. You can also reach our Privacy Designate by email, phone or in writing:

Elizabeth Ward, Privacy Designate at Linck - [Elizabeth.ward@linck.com](mailto:Elizabeth.ward@linck.com); 519-352-0440; 495 Grand Ave West, Chatham Ontario N7L 1C5

If at any time you feel that your concerns have not been addressed to your satisfaction, you have the right to complain to the Information and Privacy Commissioner of Ontario. The Information and Privacy Commissioner of Ontario is responsible for making sure that privacy laws are followed in Ontario.

### The Commissioner can be reached at:

Information and Privacy Commissioner of Ontario  
2 Bloor Street East, Suite 1400 Toronto, Ontario M4W 1A8  
Phone: 416-326-3333 or 1-800-387-0073  
TDD/TTY: 416-325-7539  
Fax: 1-416-325-9195  
E-mail: [info@ipc.on.ca](mailto:info@ipc.on.ca)  
Website: [www.ipc.on.ca](http://www.ipc.on.ca)