

Upper Grand Family Health Team

Patient Lockbox Information Brochure: How to Restrict Access to your Health Record

You have a right to make choices and control how your health information held by your physician is collected, used, and disclosed, subject to a few exceptions.

You have the right to ask that we not share some or all of your health record with one or more of the Family Health Team's staff members involved in your care, or ask us not to share your health record with your external health care providers (such as a specialist). This is known as asking for a "lockbox".

What is in your health record?

Your health record includes information such as your health history, your medications and results from lab tests and notes from your health care providers within the Family Health Team or your other health care providers. If you would like a copy of your health record, please contact your physician's office.

Who sees your health record?

Our privacy policy protects all of your health information. Only your physician and the Family Health Team's staff members who provide health care and services to you are authorized to look at your health information, and only when they need to see that information to do their job.

We use your health information to make sure we can give you the best care. Your health information is shared only within your "circle of care"— meaning the physicians, nurses, dieticians, social workers, pharmacist, occupational therapist, outreach worker, physician assistant, hospitals, community services providers, long-term care home, community care access centres, home care organizations and other people and organizations that help with your care — unless we are permitted or required by law. Your physician will not share your health information with anyone not involved in your health care — for example, your family or friends, spouse/partner, employer, or insurance company — unless we get your permission (known as "express consent") to do so or unless permitted or required by law (see "Lockbox Exceptions" below).

What is a "lockbox"?

It's not exactly a "box" – and it doesn't have a lock. And a lockbox can mean different solutions depending on your request. Generally speaking, a lockbox means that all or part of your health information will be separated out from our usual filing systems. If it is an electronic record, it will have additional restrictions of access. If it is a paper record, it will go into a sealed envelope. While all our health records are stored to maximize patient confidentiality, a lockbox will restrict the access to your health information from certain people or institutions.

Are there risks to having a lockbox?

There are some risks to putting your health information in a lockbox that you should consider before making your decision:

- Your health care providers may not have the information they need to give you the best possible care in a timely manner.

- Your health care providers may not have enough information to safely provide you with services and so may not be able to offer you care.
- It may be harder for your health care providers to share your information in an emergency.
- There may be errors in assessments, treatment or medications if the people providing care do not have enough information or do not have the right information about you.
- You may have to undergo duplicate tests, procedures and health history questions if existing information is unavailable.
- You may not benefit from the wide range of services we have at the Family Health Team.
- There may be other risks specific to you and your request, which we will discuss with you.

Lockbox Exceptions

Because your family physician is the health information custodian for purposes of PHIPA, a lockbox cannot be used to prevent your family physician from accessing your Family Health Team record.

Also, under the law, there are times when your physician is allowed to or must collect, use, or disclose personal information about you — without your consent — even if your information is otherwise “locked”.

If your personal information is already in a lockbox, the “lock” may be broken and your information may be used or disclosed as permitted or required by law. We have provided some examples, but there may be other circumstances where the use or disclosure of your personal information is permitted or required by law. We may use or disclose your health information without your permission in order to, for example:

- Report a child in need of protection to the Children’s Aid Society
- Make reports to the Ministry of Transportation or Public Health or other mandatory reports
- Protect you or someone else if we believe there is a significant risk of serious harm
- Obtain or process payments
- Plan our services
- Engage in quality improvement exercises
- Dispose of information
- Comply with a court order
- Defend ourselves in litigation
- Engage in research (as long as we have research ethics board approval)
- Teach our staff to provide health care

If you have questions about how we can use or disclose your health information, you can ask your physician or the Privacy Officer (contact information provided below).

How do you request a lockbox?

You can discuss any concerns regarding the privacy and confidentiality of your health information and your lockbox options with your physician or our Privacy Officer, the UGFHT Executive Director (contact information provided below). In some cases you may not need a lockbox in order to protect your information and we can discuss alternatives or options with you. For instance, you do not need a lockbox to prevent health care professionals at the Family Health Team who are not involved in your care from viewing your personal information as these professionals are not within your “circle of care” and are therefore already not permitted to access your information on the basis of the Family Health Team’s policies and the applicable privacy laws.

You can submit your lockbox request in writing using our “Patient Lockbox Request” form, which is available on the Upper Grand Family Health Team website and from your physician or our Privacy Officer. The completed form should be given to your physician or our Privacy Officer.

Lockbox requests are processed on a case-by-case basis. Your physician and/or the Family Health Team’s Privacy Officer will review and respond to lockbox requests in consultation with the patient’s physician (if applicable). We may not be able to accommodate every request – but we will explain any limits with you. Your physician will send you confirmation in writing in the event that your lockbox has been implemented. You can also request that your lockbox be removed at any time by contacting your physician or the UGFHT Privacy Officer at: (519) 843-3947 x 101.

Information and Privacy Commissioner/Ontario:¹

2 Bloor Street East, Suite 1400
Toronto, Ontario M4W 1A8 Canada

Telephone Toronto Area: 416-326-3333 Long Distance: 1-800-387-0073 (within Ontario)

Fax 416-325-9195

Resources:

- Lockbox Fact Sheet: <http://www.ipc.on.ca/images/Resources/fact-08-e.pdf>
- Your Health Information and Your Privacy in Our Facility:
<http://www.ipc.on.ca/images/Resources/up-1BrochFacility.pdf>
- Information Regarding the “Circle of Care”: <https://www.ipc.on.ca/images/Resources/circle-of-care.pdf>

¹ The Office responsible for reviewing the privacy-related decisions and practices of health care institutions, such as the Family Health Team, investigating privacy complaints made under the access, privacy and personal health information laws, and educating the public about such laws and access and privacy issues.