



## Patient Information:

### Restricting Consent to the Collection, Use or Disclosure of your Personal Health Information or Requesting a “Lockbox”

Ontario has privacy laws that protect your personal health information. The Thames Valley Family Health Team (TVFHT) partners with family physicians through Family Health Organizations/Networks (FHOs/N) and Hospitals to provide you with primary health care. TVFHT, as well as the associated FHOs/N or Hospitals are each considered Health Information Custodians (HICs) under Ontario law.

As HICs, we are each responsible for ensuring that privacy laws are complied with and that the information about you that we each hold in our custody or under our control is kept private, secure and confidential.

You have the right to make choices and control how your health information is collected, used, and disclosed, subject to a few exceptions that we will explain later in this document.

You have the right to ask that we **not** share some or all of your health information with one or more Thames Valley Family Health Team staff members or clinic staff members working at your primary care clinic. You may also ask us not to share your health information with one or more of your external health care providers (such as a specialist). This is known as “restricting your consent to collect, use or disclose personal health information” or asking for a “lockbox”.

### What is in your health record?

Your health record is generally thought of as your “chart” or your “file” at the clinic where you receive primary care by your family physician and other health care professionals working with your family physician. Your health record may exist in many forms such as paper or electronic files. It includes written information but may also include records such as photos, digital images or x-ray film. Today, most of your health information will be collected and stored in an Electronic Medical Record, or EMR.

Personal Health Information contained in your health record includes:

- Identifying information such as your name, date of birth, your health card number, secondary insurance information, your address and contact information,
- Information that you have shared with your health care team such as your own health history or health history of your family members, or significant events in your life,
- Information about your diagnoses, medications, results from lab tests such as blood and urine tests, x-rays and notes created by your physician and the health care providers within the Clinic, including staff members of the Thames Valley Family Health Team or notes and reports sent to your health care team from other health care providers.

Occasionally, your health record may also contain credit card information or your social insurance number if you have provided it to us at some time.

If you would like to view your health record or request a copy of your health record, please speak to any member of your health care team or complete a copy of the “Consent Form for Access to/Disclosure of Personal Health Information Request” and give it to your physician’s office.

In addition to your health record or “chart” held by the Family Health Organization/Network or Hospital that your family physician is an agent of, the Thames Valley Family Health Team (corporate) may also hold health information about you, e.g., if you have ever registered for or participated in a wellness program or workshop organized and provided through the Thames Valley Family Health Team. This would include your name, contact information, the name of your family physician and the name of any classes, programs or workshops you have participated in. This information is used to organize and manage the TVFHT’s health and wellness program, including the administration and analysis of participant satisfaction surveys.

### **Who sees your health record?**

Under Ontario law, it is the responsibility of your health care team members working at or on behalf of your primary care clinic to comply with privacy legislation as well as the clinic’s privacy policies and procedures to keep your health information private, secure and confidential. Only your physician, nurses, social workers, other health care professionals and support team members that are a part of (or support) your health care team at your primary care clinic, and student learners providing health care and services to you are authorized to hear about or look at your health information, and only when they need to be aware of 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 doctors, nurses, dietitians, social workers, psychiatry, mental health counselors, hospitals, home care and other people and organizations that are involved with your care — unless we are permitted or required by law. Thames Valley Family Health Team will not share your health information with anyone not involved in your health care — for example, your family or friends, 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 “Exceptions to Restricting Consent/Lockbox” below).

### **What is meant by “Restrictions to Consent” or a “Lockbox”?**

Restrictions to consent for the collection, use or disclosure of your personal health information (a lockbox) may vary depending on the details of your request. Generally speaking, restricting consent (a lockbox) means that all or part of your health information will be separated out from usual filing systems (paper records) or have additional barriers put into place to further restrict access (electronic records). While there are many technical, environmental and administrative strategies in place to keep all health information secure and maintain our patients’ privacy and confidentiality, placing further restrictions to your consent to collect, use or disclose your personal health information or setting up a lockbox will restrict the access to your health information from one or more people.

## **Are there risks to restricting consent/having a lockbox?**

There are some risks to restricting the use or disclosure of your personal health information, i.e., putting your health information in a lockbox that you should consider before making your decision, including:

- 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 the right information or enough information about you,
- You may have to undergo duplicate tests, procedures and health history questions if existing information is unavailable, or
- You may not benefit from the wide range of services we have at Thames Valley Family Health Team.

There may be other risks specific to you and your request, which we will discuss with you.

## **Exceptions to Your Right to Restrict Consent or Request a Lockbox related to Health Information**

Under Ontario law, there are times when members of your health care team can or must collect, use, or disclose information about you — without your consent — even if your information is otherwise “restricted or locked”.

If your information is already restricted or 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 information is permitted or required by law. We may use or disclose your health information without your permission in order to:

- 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,
- Comply with a court order,
- Defend ourselves in litigation,
- Engage in research (as long as we have research ethics board approval)

If you have questions about how we can use or disclose your health information, you can ask your primary care provider or one of our Privacy Officers.

## **How do you request Restrictions or a lockbox?**

You may discuss any concerns regarding the privacy and confidentiality of your health information and restrictions you wish to have placed on your health information or lockbox options with your primary care provider or the Privacy Officer at your primary care clinic. In

some cases you may find that you do not need or wish further restrictions or a lockbox in order to protect your information and we can discuss alternatives or options with you.

You may also submit your request for restrictions or lockbox in writing using a “**Patient Request to Restrict Use or Disclosure of Personal Health Information/Lockbox Request Form**”, which can be obtained from any member of your primary health care team or on our website at [www.thamesvalleyfht.ca](http://www.thamesvalleyfht.ca). The completed form may be given to your primary care provider or your clinic’s Privacy Officer. Should you wish to request restrictions to consent related to personal health information held by the Thames Valley Family Health Team, you may submit your completed request form to the Privacy Officer at TVFHT (see contact information below).

Lockbox requests are processed on a case-by-case basis. Privacy Officers, in consultation with your primary care provider, will review and respond to lockbox requests. We may not be able to accommodate every request, but we will explain any limits with you. Thames Valley Family Health Team will send you confirmation in writing once your request has been implemented. You may also request that your restrictions/lockbox be removed or discontinued at any time.

### **Thames Valley Family Health Team Privacy Officer**

Keri Selkirk  
Executive Director & Privacy Officer

Or

Dr. Laura Neumann  
Medical Director & Privacy Officer

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Tel.: 519-473-0530, ext. 460  
Email: [privacy@thamesvalleyfht.ca](mailto:privacy@thamesvalleyfht.ca)

### **Information and Privacy Commissioner/Ontario**

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

### **Other Resources:**

Lockbox Fact Sheet # 08: <http://www.ipc.on.ca/>