

TAWA PHYSICAL THERAPY PRIVACY POLICIES AND PROCEDURES

Tawa Physical Therapy has implemented this expansion of our policies and procedures manual in response to the recently legislated Alberta Personal Information Protection Act (PIPA) as well as the federally legislated Personal Information Protection and Electronic Documents Act (PIPEDA) which came into effect January 1, 2004.

The policies and procedures below follow a guideline and checklist that was supplied by Miller Thomson LLP, Barristers and Solicitors.

Attachments:

- CPTA Position Statement on Release of Physical Therapy Records
- CPTA Position Statement on Patients' Rights
- Oaths of Privacy from staff at Tawa Physical Therapy

Privacy Committee

- The clinic privacy committee consists of the three owners, who meet as needed to discuss privacy issues. Every year the committee appoints a privacy officer that is ultimately responsible for privacy matters. Currently our privacy officer is Grant Irwin.

List of approved purposes for the collection, use or distribution of personal information

- Personal information may be collected by the clinic for identification of patients as well as specific private aspects about their case or diagnosis.
- Personal information on our patients may be distributed to other health care professionals as needed, or to case managers/adjustors, provided that consent for release of this information is obtained.
- Personal information on our staff or prospective staff is obtained for identification and remuneration purposes.
- If necessary, personal information may be used in law enforcement.

Type of consent required in specific areas

- We have a consent for treatment form that must be signed and witnessed before treatment can begin. We also have consent for release of information forms that must be signed and witnessed before information pertaining to a patient's case can be released.
- Verbal consent for treatment is also obtained from the patient after explaining the treatment methods, goals, and fees.

Privacy Statement

Tawa Physical Therapy recognizes the importance of protecting the privacy of our patients and our employees. Any personal information obtained by Tawa Physical Therapy is collected under the authority of the recently legislated Alberta Personal Information Protection Act (PIPA) as well as the federally legislated Personal Information Protection and Electronic Documents Act (PIPEDA).

We retain as little information as possible. We retain personal information only for the length of time necessary to fulfill the purpose for which it was collected and as required by our professional regulatory body. We use that information only for the purpose for which it was provided. We do not collect information that we are not allowed to collect by law.

We do not accept responsibility for the privacy policies of other affiliated organizations.

We reserve the right to change and update our privacy policy without notice.

If individuals have questions about our privacy policies or practices, please contact the owners of the clinic.

Mandatory disclosure obligations (ie. statutory, banking, etc.)

- We may need to supply personal information regarding employees for CCRA if requested (ie. for EI benefits questions.)
- Our accountants may have access to specific patient accounts through our accounting software that is submitted annually. This information is limited to names and phone numbers of patients with outstanding accounts.

Purposes for and limitations concerning the collection, use or disclosure of personal information

- Personal information may be collected by the clinic for identification of patients as well as specific private aspects about their case or diagnosis.
- Personal information on our patients may be distributed to other health care professionals as needed, or to case managers/adjustors, provided that consent for release of this information is obtained.
- Personal information on our staff or prospective staff is obtained for identification and remuneration purposes.
- If necessary, personal information may be used in law enforcement.
- Only relevant information is collected.
- Information is used only for the purpose for which it was collected, or a use consistent with that purpose.
- Information used in decision-making is accurate.
- Irrelevant information is removed from files.
- We ensure the security of personal information.
- The privacy impact of new initiatives or projects is assessed.
- Information is disclosed only when authorized.

Currency, completeness, and accuracy of personal information

- The front office staff gathers all the patient information. This information is reviewed for accuracy at the end of every day by our office manager.
- Reliability is assured by:
 - the same staff always taking the intake admission information.
 - staff receiving in-servicing at least three times per year on procedures relevant to taking intake information.
 - the information always being taken on the clients first appointment.
 - the information being taken in the same order with each client.
 - minimum data set is the same for each client.
 - ensuring CPTA guidelines are followed.
 - professional staff use standardized measuring tools during assessments.
- Validity is assured by:
 - CPTA guidelines.
 - the office manager reviews each chart for corrections when completing billing.
 - measurement tools used (goniometer, dynamometer, biofeedback, inclinometer) are standardized and recognized by NIOSH as valid measurements.
- Clients returning after an absence of three months or more are asked to review and update their personal information.

Policies and procedures on retention of personal information, including minimum and maximum retention periods

- Our regulatory body, the College of Physical Therapists of Alberta (CPTA), stipulates that all patient information must be kept for at least 10 years. There is no maximum time limit set, however, due to the space limitations of our clinic, we attempt to destroy all files older than 10 years. (see attachments)

Policy regarding the destruction of personal information

- Files and other personal information to be destroyed are taken to a shredding company. We use a small shredder in the office for smaller quantities and documents that require immediate destruction.

Collection of information on our web site or by email

- Individuals can visit our web site without revealing any personal information about themselves. General access to our web site (www.tawaphysio.com) does not involve cookies.
- If one chooses to contact us and provide personal information via email, we will only use the information provided to respond to the message or to help us perform the service that was initiated.

Reception and response to complaints and inquires about privacy policies or issues

- The patient is asked to report grievances to their treating therapist first. If this is too uncomfortable for them they can go to the office manager or one of the owner therapists with their problem or concern.

Grievance Procedure for Patients

1. If a complaint is made, the person to whom the complaint was first communicated to is interviewed by management. Depending on the magnitude of the complaint, if the complaint can be settled to the complainant's satisfaction by the reception staff this is done.
2. If the complaint is of a more serious nature, the management staff interview the complainant. Complainants are asked to be made in writing. Special attention is made to hearing the complaint in its entirety during a face-to-face meeting with the complainant.
3. The complainant is asked how they would best like to have the problem solved. The feasibility of the complainant preferred solution is assessed and if possible this is how the complaint is resolved. A written response to the complaint is made within 30 days of the complaint.
4. The complainant is informed of his or her right to report the concerns to the College of Physical Therapists of Alberta and is provided with contact information for the CPTA.
5. If the complainant's request is not a feasible solution, a mutually agreed upon compromise is attempted.
6. If this fails, other alternatives for complaint resolution are given to the client. For example, phone numbers of appropriate personnel for WCB patients are given to the client. The case manager is informed of the problem. For CRP clients, contact information for the CHA is provided. The professional college can be consulted for advice as well.
7. In the case of WCB clients, once the WCB case manager is notified, management of the complaint is then taken over by the case manager. This, of course, is done if the clinic has been unable to resolve the complaint to the worker's satisfaction.
8. A follow-up phone call is made by the clinic to any case manager, CHA, or CPTA, as appropriate, to ensure the clinic is aware of any further information or tasks that may be required in order to resolve the complaint. If applicable, our privacy officer will have follow-up communication with the Privacy Commissioner or appropriate individuals.

Methods to be used to obtain consent

- We have consent for treatment form that must be signed and witnessed before treatment can begin. We also have consent for release of information forms that must be signed and witnessed before information pertaining to a patient's case can be released.
- Verbal consent for treatment is also obtained from the patient after explaining the treatment methods, goals, and fees.
- Requests for patient information from law firms or insurance companies (medical reports, chart copies or lists of attendance dates) must be accompanied by a duly authorized consent to release information form.

Individual access to personal information

- Patients may ask the front office staff to obtain a copy of their chart for a flat fee of \$40.

Policy of information used for recruitment and employment purposes

- Any information gathered for purposes of recruitment or employment is either kept in a locked filing cabinet, or if not needed, it is shredded.

The correction of personal information

- Patients may ask the office staff at any time to correct or update personal information as needed.
- Patients are prompted to review and update personal information if they have been absent for more than three months.

Fees for access to personal information

- Patients may ask the front office staff to obtain a copy of their chart for a flat fee of \$40.

Responses to commissioner's requests

- We will make our best efforts to comply with any privacy commissioner requests in a complete and timely manner, whether this be providing information, following recommendations, or changing our organization's policies and procedures.

Safeguarding of personal information

- The filing and front desk areas have signs posted indicating that only staff are allowed access to these areas.
- Non-staff are supervised at all times when in areas that have access to personal information.
- Privacy and confidentiality oaths are obtained from both staff and non-staff who have access to information.
- We ensure that personal information is adequately safeguarded at home or in transit. We also have a specific sign-out form that is to be filled out by any therapist who needs to take a patient chart home, although as a general rule we don't take charts home. The owners each have securely stored some old patient files and financial information at their homes.
- Personal information stored in electronic form is protected by passwords, a firewall, and anti-virus software. Our fax machine is located in the front office area, which is restricted to staff only. This ensures that incoming faxes cannot be improperly accessed.
- When sending outgoing faxes, the fax cover sheet identifies the sender and intended recipient, and indicates that the recipient has approved the fax number and ensured the privacy of their incoming fax machine. The fax cover sheets also include a confidentiality clause. Senders ensure faxes reach the intended parties. Confidential information is not sent by fax unless absolutely necessary.
- We ensure that correspondence containing personal information is marked private and confidential.
- We avoid regular e-mail when transferring sensitive personal information (unless the person about whom the personal information relates to consents or the file is password protected and the information is encrypted using 'zip' files.)
- Front office areas, which may be viewed by non-staff, are kept clean of personal information.
- Messages that are amended and sent by fax or e-mail have the identifying personal information removed so the person's identity is made anonymous, or alternatively encryption is used.
- Appropriate security measures are in place when organizations collect personal information over the internet. Specifically with the CRIS system (billing software for CRP government funded patients), only the office manager or owners can access this online system, and the software allows the user to access the system only from one specific computer using a password.
- Any documents that need to be disposed of containing personal information are shredded. We have a small shredder on site for this, and for larger jobs we use Recall Shredders.
- We have a web page outlining our privacy policies.
- We have consent for release of information forms that must be signed and witnessed before information pertaining to a patient's case can be released.
- Patients are informed of their rights during the admission by the reception staff. They are again given instruction on their rights by the treating therapists just before the assessment. The information is presented firstly as an information sheet. The verbal description of funding options is also given
- Confidentiality is an important concern. We follow all CPTA guidelines concerning the need for confidentiality. All staff have been in-serviced on its importance.

- Intake information taken by administrative or professional staff only.
- The office manager has a clear understanding of the information that must be gathered by the reception staff. The reception staff have received instruction through in-services and are continually being coached on the importance of collecting all information with clear questions and clear directions to the clients. The information is collected quietly, accurately and under indirect supervision by the office manager.
- The charts are always placed in the metal filing cabinet after the assessments and treatment notes are written into the charts. No access is given to the charts other than to the treating therapist or the administrative staff.
- Electronic information is password and firewall protected.