Guiding principles for physicians recommending mobile health applications to patients

https://policybase.cma.ca/link/policy11521

POLICY TYPE  Policy document
DATE  2015-05-30
TOPICS  Health information and e-health
Physician practice, compensation, forms

Documents

CMA POLICY

GUIDING PRINCIPLES FOR PHYSICIANS RECOMMENDING MOBILE HEALTH APPLICATIONS TO PATIENTS

The document is designed to guide healthcare professionals in health information and e-health

CMA Policybase - Canadian Medical Association
Principles for the protection of patient privacy

https://policybase.cma.ca/link/policy13833

POLICY TYPE
Policy document

DATE
2017-12-09

REPLACES
PD11-03 Principles for the Protection of Patients’ Personal Health Information

TOPICS
Health information and e-health

Ethics and medical professionalism

Documents

CMA POLICY

PRINCIPLES FOR THE PROTECTION OF PATIENT PRIVACY

See the Background to CMA Policy for the Protection of Patient Privacy.

RATIONALE

Medical photos play an increasing role in the management and care of patients. The value and utility of such images is not limited to their use as part of patient records; the images themselves may be of medical or legal significance and may be subject to public or media scrutiny. As a result, the protection of personal information and the need for appropriate standards of privacy and confidentiality have become increasingly important. In the digital environment, the virtual world is as real as the physical world. Privacy and confidentiality are of equal importance.

In Canada, personal health information is protected by law under the Personal Information Protection and Electronic Documents Act (PIPEDA) as well as the Personal Health Information Protection Act (PHIPA) in British Columbia and the Personal Information Protection Act in Alberta.

Confidentiality

Confidentiality is one of the most fundamental principles of medical practice. The physician-relationship is based on the premise of trust, confidence and dependence. Where disclosure occurs, whether voluntarily or pursuant to an order, it is essential that the confidentiality of patient information be maintained. This is especially important where the information relates to intimate or embarrassing medical conditions or circumstances.

PHIPA and PIPEDA require that individuals be informed of the personal information collected, used and disclosed. These statutes also require that the physician informs the patient of the purposes for which the information is collected, used and disclosed.

Privacy

The right to privacy is fundamental to the exercise of professional judgment. The right of the physician to determine the nature, content and use of information about his or her patients is a concomitant right. Where the patient is unable to make his or her own decisions, the physician’s role is not diminished. The physician’s professional judgment is based on the best interests of the patient and not the personal interests of the physician. The patient is presumed to be informed, competent and in a position to make a decision in the best interests of the patient. Where the patient is unable to make decisions, the next of kin or legal guardian is assumed to have the authority to make these decisions.

Hybrid Cases

Hybrid cases may be presented where the physician is the patient’s agent or representative. This could include situations in which the physician represents an individual’s best interests, such as in a case of substituted decision-making or where the patient is unable to give consent.

SUMMARY OF POLICY

CMA Policy is based on the premise that physicians have a professional obligation to protect the patient’s personal health information. This policy is intended to provide guidance on the collection, use and disclosure of personal health information in the context of the physician-patient relationship. It is intended to guide the physician in the exercise of professional judgment.

BACKGROUND TO CMA POLICY

PRINCIPLES FOR THE PROTECTION OF PATIENT PRIVACY

See the Background to CMA Policy for the Protection of Patient Privacy.

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Best practices for smartphone and smart-device clinical photo taking and sharing

https://policybase.cma.ca/link/policy13860

POLICY TYPE      Policy document

DATE             2018-03-03

TOPICS           Health information and e-health
                 Ethics and medical professionalism

Documents
## Principles concerning physician information

**https://policybase.cma.ca/link/policy208**

**POLICY TYPE**  
Policy document

**LAST REVIEWED**  
2019-03-03

**DATE**  
2002-06-02

**TOPICS**  
Health information and e-health  
Ethics and medical professionalism

### Documents

[CMA POLICY](#)  
**PRINCIPLES CONCERNING PHYSICIAN INFORMATION**

[Putting Patients First : Comments on Bill C 6 (Personal Information Protection and Electronic Documents Act) : Submission to the Senate Standing Committee on Social Affairs, Science and Technology](#)  
**https://policybase.cma.ca/link/policy1979**

**POLICY TYPE**  
Parliamentary submission

**LAST REVIEWED**  
2019-03-03

**DATE**  
1999-11-25

**TOPICS**  
Ethics and medical professionalism  
Health care and patient safety  
Health information and e-health

### Documents
“Putting Patients First”
Comments on Bill C-6
(Personal Information Protection and Electronic Documents Act)
Submission to the Senate Standing Committee on Social Affairs, Science and Technology

Nov. 27 1999
CMA, Ottawa

Executive Summary

The Canadian Medical Association, in making this submission, has attempted to reflect the views of its members and has drawn on the expertise of many in preparing this brief.

Bill C-6 is a defining moment for the right to information and the right to privacy in Canada. It is the first bill in which the right to information and the right to privacy are balanced against each other and, in some instances, are given equal consideration. The bill contains a number of provisions that are intended to balance the two rights, but others that may undermine the protection of both.

The bill is not balanced in the way that it purports to be. In many instances, the right to privacy is not adequately protected. The bill does not provide for the right to be informed of the existence of and access to personal information that is held by the federal government. It does not provide for the right to be informed of the source of the information and the right to challenge the accuracy of the information. It does not provide for the right to be informed of the right to seek correction of the information.

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Listening to our Patient’s Concerns: Comments on Bill C 54 (Personal Information Protection and Electronic Document Act): Submission to the House of Commons Standing Committee on Industry

https://policybase.cma.ca/link/policy1980

POLICY TYPE
Parliamentary submission

LAST REVIEWED
2019-03-03

DATE
1999-03-18

TOPICS
Health care and patient safety
Health information and e-health
Ethics and medical professionalism

Documents
Guiding Principles for Physician Electronic Medical Records (EMR) Adoption in Ambulatory Clinical Practice

https://policybase.cma.ca/link/policy9117

POLICY TYPE: Policy document
LAST REVIEWED: 2019-03-03
DATE: 2008-02-23
TOPICS: Health information and e-health

Documents
Vision for e-Prescribing: a joint statement by the Canadian Medical Association and the Canadian Pharmacists Association

https://policybase.cma.ca/link/policy10670

POLICY TYPE
Policy document

LAST REVIEWED
2019-03-03

DATE
2012-12-08

TOPICS
Health information and e-health
Pharmaceuticals, prescribing, cannabis, drugs

Documents
Guiding principles for the optimal use of data analytics by physicians at the point of care
https://policybase.cma.ca/link/policy11812

POLICY TYPE
Policy document

LAST REVIEWED
2020-02-29

DATE
2016-02-27

TOPICS
Health information and e-health

Guiding Principles for the Optimal Use of Data Analytics by Physicians at the Point of Care

Executive Summary

Electronic records are being used more widely in creating their own health. A majority of physicians in Canada have adopted electronic health records. Electronic health records provide physicians with improved patient care, and can be determined with meaningful clinical practice. However, electronic medical records can also improve the level of care to patients, improve the quality of clinical care, and facilitate the management of chronic conditions. In addition, electronic medical records can help to improve the care of patients who are at risk for chronic conditions.

Optics are best when care is focused on the health of the patient. In general, patients are willing to share their health information with their health-care provider. However, patients may be reluctant to share their health information with their health-care provider. Therefore, it is important to have a clear understanding of the patient's health information before sharing it with their health-care provider. However, this understanding must be achieved in a way that does not compromise the patient's privacy. Therefore, it is important to have a clear understanding of the patient's health information before sharing it with their health-care provider. However, this understanding must be achieved in a way that does not compromise the patient's privacy.

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Report of the Virtual Care Task Force
https://policybase.cma.ca/link/policy14440

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<td>Health information and e-health</td>
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Documents
Enhancing equitable access to virtual care in Canada: Principle-based recommendations for equity
https://policybase.cma.ca/link/policy14447

POLICY TYPE  Policy endorsement
DATE  2021-04-30
TOPICS  Population health, health equity, public health
Health information and e-health

Documents
Digital Health Care and Competition – a perspective from The Canadian Medical Association
https://policybase.cma.ca/link/policy14444

POLICY TYPE: Parliamentary submission
DATE: 2021-06-25
TOPICS: Health information and e-health

Documents
Virtual Care in Canada: progress and potential. Report of the Virtual Care Task Force
https://policybase.cma.ca/link/policy14470

POLICY TYPE: Policy endorsement
DATE: 2022-02-26
TOPICS: Health information and e-health

Documents
CMA Statement on the Governance of Health Information: A patient-partnered health information governance framework

https://policybase.cma.ca/link/policy14485

**POLICY TYPE**  
Policy document

**DATE**  
2022-06-29

**TOPICS**  
Health information and e-health

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**WHAT IT IS**

The purpose of this statement is to advance the development of a patient-partnered health information governance framework that aligns with the values of patients and healthcare providers. The framework is designed to ensure the ethical, legal, and privacy implications of the use of health information are met. It aims to balance the rights of patients, healthcare providers, and organizations. The framework is intended to be adaptable to the needs of diverse health settings.