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

CMA POLICY

PRINCIPLES FOR THE PROTECTION OF PATIENT PRIVACY
See also Background to CMA Policy for the Protection of Patient Privacy

RATIONALE
Health information is a fundamental, personal, private and confidential aspect of the patient-physician relationship that is central to the delivery of health care. The rights to privacy, confidentiality, and security of personal information flow from the inherent worth of human beings and from the need for individuals to control access to information about them. The protection of privacy and the control over the use, disclosure and dissemination of personal health information is essential to the valid exercise of the right to health care, as well as to the development of a healthy society.

In Canada, the right to privacy and to control the use of personal health information are acknowledged in the Constitution Act, 1867, and in the Charter of Rights and Freedoms (the “Charter”). In privacy law, personal health information is typically referred to as “personal information” or “health information.”

The protection of personal health information, and its use and disclosure, is a matter of public concern. The embrace of e-health has led to increased use and disclosure of personal health information, both within the health care system and outside it.

The protection of personal health information is central to the development of a healthy society. Personal health information is often sensitive and personal, and its protection is essential to ensure that individuals are free to engage in activities of daily life, to purposefully control their health care, and to maintain the confidentiality of their personal health information. The protection of personal health information is central to the development of a healthy society. Personal health information is often sensitive and personal, and its protection is essential to ensure that individuals are free to engage in activities of daily life, to purposefully control their health care, and to maintain the confidentiality of their personal health information.

IMPLICATIONS

In the context of this document, personal health information includes information about a person’s health status, health care, health care providers, and health-related activities. The term “health information” is used interchangeably with “personal health information.”

The policy applies to personal health information in all forms, including electronic and paper-based records, and to all health care providers, including physicians, nurses, and other health care professionals.

The policy applies to personal health information in all settings, including inpatient and outpatient care, in the community, and in the workplace.

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SCOPE OF POLICY

This policy applies to all health care providers, including physicians, nurses, and other health care professionals, and to all personal health information in all settings, including inpatient and outpatient care, in the community, and in the workplace.

BACKGROUND TO CMA POLICY

PRINCIPLES FOR THE PROTECTION OF PATIENT PRIVACY
See also Background to CMA Policy for the Protection of Patient Privacy

RATIONALE
The policy recognizes the importance of personal health information in the delivery of health care, and the need for health care providers to respect the privacy and confidentiality of personal health information.

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