**PRINCIPLES FOR THE PROTECTION OF PATIENT PRIVACY**

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

**BRIEFING**

There are a number of ethical, professional, and legal reasons that support the need for patient privacy in the context of health care. The right to privacy is one of the principal ethical rights recognized in the health care system. In addition to the ethical right to privacy, the Health Information Protection Act (HIPA) of the United States, the Health Insurance Portability and Accountability Act (HIPAA) of the United States, and similar legislation in Europe and elsewhere provide a legal framework for protecting patient privacy. The protection of privacy is also a fundamental right of individuals. In the United States, the Constitution provides for the protection of personal information, including health information, through the Freedom of Information Act (FOIA) and the Privacy Act of 1974. In addition, the U.S. Supreme Court has held that personal information, including health information, is protected by the Fourth Amendment against unreasonable searches and seizures.

**SCOPE OF POLICY**

This policy is intended to provide guidance on the ethical and legal principles that should be applied in the context of patient privacy.

**BACKGROUND TO CMA POLICY**

The protection of personal health information is a fundamental right of individuals. The right to privacy is one of the principal ethical rights recognized in the health care system. In addition to the ethical right to privacy, the Health Information Protection Act (HIPA) of the United States, the Health Insurance Portability and Accountability Act (HIPAA) of the United States, and similar legislation in Europe and elsewhere provide a legal framework for protecting patient privacy.

**Privacy and Confidentiality**

The protection of personal health information is a fundamental right of individuals. The right to privacy is one of the principal ethical rights recognized in the health care system. In addition to the ethical right to privacy, the Health Information Protection Act (HIPA) of the United States, the Health Insurance Portability and Accountability Act (HIPAA) of the United States, and similar legislation in Europe and elsewhere provide a legal framework for protecting patient privacy. The protection of privacy is also a fundamental right of individuals. In the United States, the Constitution provides for the protection of personal information, including health information, through the Freedom of Information Act (FOIA) and the Privacy Act of 1974. In addition, the U.S. Supreme Court has held that personal information, including health information, is protected by the Fourth Amendment against unreasonable searches and seizures.