

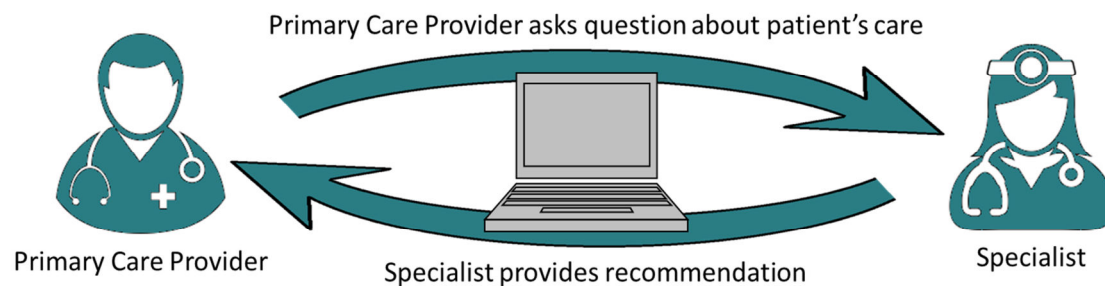
## eConsult adheres to existing privacy legislation

### **Position Statement**

The purpose of this document is to clarify the definition of privacy as it pertains to eConsult services and highlight key steps for providers and service implementers to ensure patient information remains secure.

### **What is eConsult?**

An eConsult service is an online application that supports prompt, secure communication between primary care providers (PCP) and specialists. PCPs log on and submit a question concerning a patient's care. Specialists respond with advice, recommendations for referral, or requests for additional info.



### **Ensuring patient privacy – key steps for providers**

Patients have a right to ensure that their personal health information remains private and confidential. As such, providers must be able to confirm that any eConsult service they use in providing patient care has sufficient protocols in place to protect patients' privacy. Providers who wish to confirm an eConsult service's security may take the following steps:

- Ask the service provider to verify the presence of appropriate safeguards. Providers may wish to confirm that these safeguards are matched by their own administrations.
- Review the privacy legislation enacted in their jurisdiction (see Table).
- Consult a provincial/territorial privacy commissioner if there are any concerns.

### **Elements of a secure eConsult service – key steps for service implementers**

In order for an eConsult service to function, patients must be able to rely on it to protect their personal health information. In developing an eConsult service, innovators must ensure that:

- All data is transmitted through a secure network and stored on a secure Canadian server.
- The service meets the minimum standards for privacy.
- Everyone who uses or has access to patient data has sufficient training and certification to ensure the information is handled in a safe and professional manner. Only providers or their delegates should be able to access the account.
- The innovation adheres to all pieces of privacy legislation in effect in its jurisdiction. A privacy impact assessment can ensure that all aspects of such legislation are met.
- The role of the health information custodian is clearly defined.

**Table: Personal Health Information Protection Acts for all provinces/territories**

<b>Region</b>	<b>Act</b>	<b>Latest Version</b>
BC	<a href="#"><u>Personal Information Protection Act</u></a>	2003
AB	<a href="#"><u>Personal Information Protection Act</u></a>	2014
SK	<a href="#"><u>The Freedom of Information and Protection of Privacy Act</u></a>	2014
MB	<a href="#"><u>Personal Information Protection Act</u></a>	2014
ON	<a href="#"><u>Personal Health Information Protection Act</u></a>	2017
QC	<a href="#"><u>An Act Respecting the Protection of Personal Information in the Private Sector</u></a>	2017
NB	<a href="#"><u>Personal Health Information Privacy and Access Act</u></a>	2009
NS	<a href="#"><u>Personal Health Information Act</u></a>	2010
PEI	<a href="#"><u>Freedom of Information and Protection of Privacy Act</u></a>	2016
NL	<a href="#"><u>Personal Health Information Act</u></a>	2017
YK	<a href="#"><u>Access to Information and Protection of Privacy Act</u></a>	2009
NT	<a href="#"><u>Access to Information and Protection of Privacy Act</u></a>	2014
NU	<a href="#"><u>Access to Information and Protection of Privacy Act</u></a>	2013