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Terms of Use Agreement for Acceptable Management Of Confidential Information accessed from the Online Heart Information System

Purpose

Cardiac Services BC (CSBC) is committed to providing timely access to Information key to the delivery of cardiac services across BC while protecting confidential personal Information (hereafter referred to as "Information") as required by legislation. The ability to provide access to CSBC's Online Information System, Heart Information System (Heart IS), is paramount to ensuring healthcare Information is available where and when it is needed to make informed clinical cardiac decisions.

The purpose of this document is to ensure those given authorization to collect, use or disclose CSBC sensitive and confidential Information understand and adhere to the required protocols and protective measures to safeguard this Information.

Acknowledgement

I acknowledge that in the course of providing healthcare services on behalf of Providence Health Care (PHC) and CSBC, I will acquire Information, which is personal, sensitive and confidential, including Information that identifies a person, place (e.g., health authority, health service delivery area, hospital, etc), or provider (e.g., physician, nurse, midwife). I may be permitted to access or use these certain personal health Information which is confidential.

My initials next to each item below indicate that I have read, understood and agree to abide by the following:

A. Legislative and Policy Compliance

- I have read and understand the Heart IS policies and procedures (attached in Appendix A) concerning the privacy and management of confidential Information obtained during the course of my employment, affiliation or assignment, and agree that I will be governed by and bound by such policies as may be amended or supplemented from time to time, in accessing the Heart IS application and in any collection, use or disclosure of Information in which I participate
- I will only access Heart IS confidential, sensitive or personal identifiable Information which relates directly to my role and associated functions for legitimate "need-to-know" purposes and will use and disclose such Information only for and to the extent required by the health care purposes I am authorized to perform.
- I understand and acknowledge that the Information and my use of the Heart IS application is subject to obligations of privacy under the [Freedom of Information and Protection of Privacy Act](#) of British Columbia (FIPPA), and that, as an employee of or in affiliation with PHC and CSBC, I am also required to respect and uphold the privacy of patients and providers about whom the Information pertains in accordance with FIPPA.

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- I acknowledge such access, use and disclosure of Information may occur in my capacity as a Provider affiliated with PHC and CSBC and therefore is subject to FIPPA, or as a private sector Provider separate from PHC and CSBC, where such access, use and disclosure of Information is therefore subject to stewardship requirements set out in the [Personal Information Protection Act](#) of British Columbia (PIPA).
- I understand and acknowledge that when acting in my capacity as a private healthcare Provider and where Information is made available to me through use of the Heart IS application; it will be considered disclosed to me under FIPPA and other applicable legislation. Information so disclosed, whether viewed only or transferred into any paper or electronic form, will be collected by me under PIPA or other applicable legislation. I acknowledge and understand such collection, use and disclosure of Information is then deemed to be in the Custody and Control of me and subject to the stewardship and protection obligations set out in PIPA.
- I understand and acknowledge that all Information to which I may have access or learn about through my employment or affiliation is strictly confidential and not to be communicated to or in any way disclosed by me to any person in any manner except as permitted under this Agreement.
- I understand that, in order to ensure that the privacy and confidentiality of the Information is maintained, PHSA and CSBC staff may conduct periodic security audits, including monitoring my access to and use of the Heart IS application and Information, and I agree that, at the request of PHSA and CSBC I will cooperate with any such audit process by providing relevant information or documents.

B. Data Access and Release

- I will ensure that Information received from the Heart IS application is accessed, used and disclosed only for purposes related to providing health care services to individuals or as consented to by individuals, and in compliance with PIPA and FIPPA.
- I agree to only release and disclose confidential Information to external groups is in accordance with the relevant sections of the FIPPA (specifically sections 32-35) as well as any Partnership Accord/Memorandum of Agreement/Information Sharing Agreements which detail the permissions necessary for sharing data.
- I will ensure that Information requiring Health Authority Data Steward's authorization will be reviewed prior to release and/or publication.
- If I am an employee or contractor (excludes physicians and midwives) for PHC, I will get my reporting director's approval in order to access and use any PHC confidential, sensitive or personal identifiable Information outside PHC.
- I will label draft documents (that have not yet received Health Authority Data Steward/Ministry of Health's authorization for release) with data/Information that identifies a person, place or provider with 'Confidential' and "Internal Use Only".
- I understand and accept the risks that printing or extracting confidential and personal identifiable Information from Heart IS will cause the Information to become static (i.e., a point in time picture of the data). Updates or corrections made in the Heart IS application may be made at a later time and therefore Information printed/extracted may now be inaccurate (e.g., transcribed document by consulting physician).

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- I will not access my personal health record or the health record of any member of my family or friends; I understand that I can access my personal health record through established PHC procedures set out under FIPPA.
- I will not, by any method, remove any Heart IS Information from the premises of PHC without ensuring that such removal is in accordance with this Agreement, Heart IS Policies & Procedures, FIPPA and/or PIPA.
- I will not copy, alter, print, interfere with, disclose, destroy or remove Heart IS Information, except in accordance with this Agreement, Heart IS policies, FIPPA and/or PIPA.

C. Physical Security

- I will treat all Heart IS confidential and personal identifiable printed Information as strictly confidential, and ensure such Information is kept in a secure location (e.g., physically protected to avoid theft, loss, damage or other unauthorized activity) and not subject to access by unauthorized persons (e.g., Information is not left in plain view or unattended in an insecure place such as an unlocked office or meeting room).
- I understand that when I am away from the office and I need to fax or photocopy Heart IS personal and confidential Information that I will do it myself from a secure location and using protective processes (e.g. cover sheet with recipient and sender information), in accordance with PHC requirements or if someone else must fax the Information, I will be present during such transmission.
- I will only view personal or confidential Information in public, including while traveling on airplanes, trains, buses and public transit if it is absolutely necessary for my role and will take precautions to ensure no one else can view the Information (e.g., set screensaver to run after one minute of idleness or use a privacy screen to hinder viewing).
- I will advise my direct supervisor who will contact both the PHC and PHSA Information Access & Privacy Office immediately upon learning of any incidents of known or suspected breaches of this Agreement, including breaches of Heart IS Policies, FIPPA and/or PIPA when such circumstances, incidents or events may jeopardize or may in the future jeopardize the privacy of the individuals to whom the Information relates, when such Information is in the Control of PHC and CSBC; or the security of any computer system in my custody that is used to access the Heart IS application and the Information therein.

D. Technical Security

- I understand that after completing work at a computer that has access to the Heart IS application, I will logoff from the computer. If I have to leave a computer unattended, I will logoff or use a password protected screen saver to prevent unauthorized access to the system.
- I understand and agree that I am responsible for maintaining the confidentiality of my Heart IS user ID and password, and that any misuse of my user ID and password, intentional or unintentional, violates PHC and Heart IS Policy and this Agreement and could subject me to disciplinary, legal and/or other actions, including suspension or revocation of my access to the Heart IS application by CSBC.
- I will be accountable for any access to Information performed using my Heart IS user ID and password. I will not share these with anyone else under any conditions. I will inform the Heart IS Administrator at

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my hospital immediately upon loss of my password or suspected disclosure of my password to another person.

- I will treat all electronically stored Heart IS personal and confidential Information as strictly confidential and will ensure that they are kept in a secure location and not subject to access by unauthorized persons. I will not store Heart IS confidential and personal identifiable Information on the hard drive of a home computer or other personal computing device.
- I understand that personal identifiable Information from the Heart IS application should only be stored on secure PHSA servers. If there is an essential business need to store personal identifiable Information on a mobile device the Information will be stored for the absolute minimum time required, the device will be password protected and the sensitive Information will be encrypted following PHC standards.
- I will not knowingly open or send confidential or personal identifiable Information via email over a public network unless it is encrypted with encryption software that adheres to PHC policies.
- I understand that I must not leave my device, device screen or any Heart IS personal and confidential Information in any place where unauthorized viewers can access it.
- I understand that I must use proper data removal software/technology and practice to remove any identifiable personal health data/Information from mobile devices after it is no longer required for data transmission.

By signing this Agreement, I acknowledge that I have read and understood the terms set out above. I further acknowledge that this Agreement is binding upon me, and that any breach of this Agreement, the Heart IS Policies, FIPPA and/or PIPA may give rise to legal action against me by Providence Health Care and Cardiac Services BC, including, without limitation, termination of my rights of access to the network/Heart IS application, disciplinary sanctions and civil court action.

Print name

Signature

Witnessed this _____(date)

By:

Print Name

Signature

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Appendix A –Applicable Policies for Reference

The following represents PHSA Privacy and Security Policies for the Heart IS application (for reference only). Specific Health Authority policies may vary but will address the content listed below and is part of privacy and security training required for all users upon start of their employment within the respective Health Authority.

Privacy

- *Freedom of Information (IA 010)*
- *Privacy and Confidentiality (IA 020)*
- *Managing privacy breaches (IA 100)*

Guidelines Securing Confidential data

- *Network Acceptable Use (IMIT 110)*
- *Telephone, Voice mail and Facsimile Use (IMIT 120)*
- *Internet and electronic mail messaging (IMIT 140)*
- *Computer and equipment loss, theft (IMIT 170)*
- *Clear Desk and Screen (IMIT 210),*

Conduct

- *Code of Ethics (AB600)*
- *Whistleblower (AB620)*
- *Standard of Business Conduct (AB610)*
- *Theft, Fraud, Non-compliant Activity (AB630)*

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Appendix B - Terminology

Confidential Information

Information related to an identifiable individual (e.g., patient) under the custody and control of PHSA including but not limited to

- Information (staff statements, legal advice, investigators' reports, incident reports) prepared as part of a pending or ongoing litigation, law enforcement investigation, quality assurance review or Coroner, Ombudsman or Human Rights investigation.
- Information related to credentialing, discipline, privilege, quality assurance reviews and external reviews of quality of care.

Information

Any operational data or Information gathered, processed transmitted or presented using a computer is defined as Information. This includes confidential personal Information.

Information Systems

Any electronic device or equipment used to support the electronic storage, transfer, or access of Information.

Mobile Device

Laptop, Tablet, Personal Digital Assistant (PDA), Blackberry TM, iPad, Smart Phone, external hard drive, USB storage device and any other device that provides mobile data processing and data storage capabilities.

Personal Information

Information that can identify an individual (e.g., patient) including but not limited to

- The individual's name, address or telephone number,
- The individual's race, national or ethnic origin, colour, or religious or political beliefs or associations,
- The individual's age, sex, sexual orientation, marital status or family status,
- An identifying number, symbol or other particular assigned to the individual,
- The individual's fingerprints, blood type or inheritable characteristics,
- Information about the individual's health care history, including a physical or mental disability,
- Information about the individual's education, financial, criminal or employment history,
- Anyone else's opinions about the individual, and
- The individual's personal views or opinions, except if they are about someone else.