

Letourneau Psychological Services Privacy Policy

Letourneau Psychological Services is the trade name for the sole proprietorship owned and operated by Dr. Jeffrey Letourneau. My policies for protecting personal information are governed by the College of Psychologists of Ontario, the Regulated Health Professions' Act (RHPA, 1991), the Personal Health Information Protection Act (PHIPA, 2004), and parts of the Personal Information and Protection of Electronic Documents Act (PIPEDA, 2000).

What is Personal Information?

Personal information is information about an identifiable individual. Personal information includes information about your *personal characteristics* (e.g., gender, age, income, home address or phone number, ethnic background, family status); *health information* (e.g., health history, health conditions, health services received, health number); and *activities and views* (e.g., religion, politics, opinions expressed by an individual).

As a psychologist, I am considered a *health information custodian* under PHIPA. This means that I have custody and control of some of your personal health information if you are my client. As a health information custodian, I am bound by certain rules set out in the PHIPA legislation. For example, I must take reasonable steps to ensure that your information is protected against theft, loss, unauthorized use, disclosure, copying, editing, or disposal. As well, I cannot release your personal health information to a third party (e.g., an insurance company) without written consent, however, PHIPA does allow the sharing of information with other health professionals who are involved in your care without explicit written consent. You do have the right to deny your personal health information from being shared with other health professionals by specifying exactly what should not be shared. The health care professional would then be told that part of your health record has been withheld.

Personal Information: Primary Purposes

Like all psychologists, I collect, use, and disclose personal information in order to serve my clients. The main reason for collecting and using personal health information is for accurate identification and to provide quality assessment and treatment services. For example, I collect certain information about your history, including medical, psychological, family, employment, and social history, and your current symptoms and status in order to best assess your needs, and to provide treatment that you agree to have. Another primary purpose is to have an initial baseline of health and social information and to monitor change over time.

As a psychologist, I am required to disclose personal information without consent in the event of certain emergencies or other urgent circumstances in order to eliminate or reduce a significant risk of serious bodily harm. I am obligated to disclose information, with or without consent when I suspect or am informed that:

- A client poses an imminent danger to themselves or someone else
- A child under the age of 18 years has suffered or is at risk of suffering physical or

emotional harm, or sexual abuse

- When I have reasonable grounds to believe that a client has been sexually assaulted by a registered health professional

Personal Information: Secondary Purposes

Like most organizations, I also collect, use and disclose information for secondary purposes. The most common examples of secondary purposes are as follows:

- Basic information (e.g., name, address, contact information) may be used and/or disclosed to invoice clients for services, to process credit card payments, to collect unpaid accounts, or to send receipts.
- At times I may consult with accounting or legal professionals to assist with the operation of my practice. Some of your personal information (e.g., your name, dates of visits, amounts paid for services) may be disclosed to these professionals. These professionals are mandated by their regulatory organizations to maintain the confidence and privacy of any personal information they access through the course of their job duties.
- The cost of some services I provide to some clients is paid for by third parties (e.g., WSIB, private insurance). These third-party payers have either the client's consent or the legislative authority to direct me to collect and disclose to them certain information in order to demonstrate entitlement to this funding.
- As a Psychologist I am regulated by the College of Psychologists of Ontario. For quality assurance reasons, the College may inspect my records and/or interview me as part of their regulatory activities acting in the public interest. In addition, as a psychologist I must report serious misconduct, incompetence or incapacity of other practitioners if they belong to certain other organizations or my own.
- Also, like all organizations, various government agencies (e.g., Canada Customs and Revenue Agency, the office of the Information and Privacy Commissioner of Ontario, etc.) have the authority to review my files and interview me as a part of their mandates. In these circumstances, I may consult with professionals (e.g., lawyers, accountants) to ensure that these requests are legitimate and required by law.

Protecting Your Personal Information

To protect your personal information, I adhere to the following office procedures:

- Paper information is either under supervision or secured within my locked office at all times. My office building has an alarm system that is armed when the building is not in use.
- My electronic hardware (e.g., computer equipment) is either under supervision or

secured in my locked office or locked home at all times. My electronic hardware is secured with passwords, when possible. Individual electronic documents stored on hardware are also secured with passwords. Information stored on my electronic hardware is protected with encryption.

- Paper information is delivered through sealed and addressed envelopes and delivered by reputable organizations (e.g., Canada Post). When it is time to destroy paper files containing personal information, I do so by cross-cut shredding.
- Electronic information is transmitted either directly through a secure site or has identifiers removed or is encrypted or is password protected. When it is time to destroy electronic information, I do so using secure deletion.
- I strive to collect, use and disclose personal information only as necessary to provide services that my clients agree to and in accordance with relevant privacy legislation, the College of Psychologists of Ontario, and my privacy policy.

In the unlikely event that there is a breach of your personal information, I will notify you directly, as required by law.

Retention of Personal Information

The College of Psychologists of Ontario requires that all Psychologists must retain client information in a secure location for a period of at least 10 years following the last contact with the client. Following 10 years after the last contact, paper files are destroyed by cross-cut shredding and electronic files are destroyed by secure deletion. When electronic hardware is discarded, I ensure that the hard drive is physically destroyed.

Access to Information

You have the right to access the personal information contained in your file. This might mean looking at what is in your file or getting a copy of your file or parts of your file. Please note that PHIPA allows me to charge a reasonable fee for providing a copy of all or part of your file. This fee is calculated based on a reasonable cost recovery basis.

If you would like to access the information contained within your file, please ask me. I may need to ask that you put your request to view or receive a copy of your file in writing. I always try to respond to requests for access of personal health information as soon as possible but I do reserve the right to take up to 30 days (or longer in rare circumstances) to provide you with access to your file following a written request. This is to allow me enough time to review the file carefully and consult with other professionals to ensure that I am meeting the requirements of PHIPA.

Please be aware that there are certain circumstances described in PHIPA that allow me to refuse requests for access to personal health information. If I must refuse your request for access (i.e., if there are parts of your file that I cannot share with you) I will indicate this to you in writing and I will provide a reason in those situations in which PHIPA allows me to do so. In all cases, I will still allow access to the part(s) of your file that I

am able to share. Where possible, I will assist in helping you to understand any information in your file that you do not understand (e.g., any term, code, or abbreviation). If you are not happy with the outcome of your request for access to your file, you are free to talk to the office of the Information and Privacy Commissioner of Ontario (contact information provided below).

Corrections to Your Information

If you believe that there is a mistake in your personal health information recorded in your file, please ask me to correct it. I may need to ask that you put your request to correct your file in writing. I always try to respond to requests to make corrections as soon as possible but I do reserve the right to take up to 30 days (or longer in rare circumstances) to respond to your written request. This is to allow me sufficient time to review the request and the file carefully and consult with other professionals to ensure that I am meeting the requirements of PHIPA. I may ask you to provide documentation that our files are wrong and I will place this documentation in your file.

Please be aware that there are certain circumstances described in PHIPA that allow me to refuse requests for correction to files. For instance, correction requests apply to errors of factual information (e.g., date of birth) and not to my professional opinions or my observations that were formed in good faith. As well, I cannot make corrections to reports or records that I did not author. If I agree that a correction is needed, I will make the correction and I will notify anyone to whom the incorrect information was sent. If I do not agree that a correction is needed, I will explain why. In such a case, I will also ask you to write a brief statement of disagreement. I will include this statement of disagreement in your file and will attach the statement of disagreement any time I disclose related file information. If you are unhappy with the outcome of your request for a correction, you should discuss your concern with the Information and Privacy Commissioner of Ontario (contact information provided below).

Questions

Please contact me directly about any questions or concerns that you have with regard to the collection, use, and disclosure of your personal information.

My privacy policy was created under the rules and guidelines set out by the Regulated Health Professions' Act (RHPA), the Personal Health Information Protection Act (PHIPA), the Professional Information Protection and Electronic Documents Act (PIPEDA) and within the standards of practice and guidelines set out by the College of Psychologists of Ontario. There are additional exceptions to the privacy principles that are too detailed to set out here as well as some rare exceptions to the commitments set out above.

If you have concerns about the professionalism or competence of my services or my mental or physical capacity I would ask you to discuss those concerns with me. However, if I cannot satisfy your concerns, you are entitled to complain to my regulatory body:

COLLEGE OF PSYCHOLOGISTS OF ONTARIO

Suite 500 - 110 Eglinton Avenue West

Toronto, ON M4R-1A3

Phone: (416) 961-8817

Toll Free: (800) 489-8388

Fax: (416) 961-2635

Email: cpo@cpo.on.ca

Web: www.cpo.on.ca

For health information-related concerns, and to lodge a complaint related to my collection, use, or disclosure of your personal health information, talk to the provincial Privacy Commissioner:

Information and Privacy Commissioner of Ontario

80 Bloor Street West, Suite 1700 Toronto, Ontario

Phone: (416) 326-3333

Web: www.ipc.on.ca

E-mail: commissioner@ipc.on.ca

As well, the federal Information and Privacy Commissioner oversees the administration of privacy legislation that applies in the private sector and in some circumstances when working with a psychologist in Ontario. The federal Commissioner can also act as an ombudsman for certain type of privacy disputes and may be able to provide assistance in the event of a concern regarding the collection, use, and disclosure of your personal information.

Information and Privacy Commissioner of Canada

112 Kent Street, Ottawa, Ontario

Phone: (613) 995-8210

Toll Free: 1-800-282-1376

Fax: (613) 947-6850

TTY: (613) 992-9190

www.privcom.gc.ca