



SUTHERLAND-CHAN<sup>®</sup> CLINIC  
*creating healthier lifestyles*

## Privacy Policy

### Our Mission

***"To provide effective, therapeutic massage adhering to the highest, professional standards in a safe, caring environment. To create an opportunity for positive change, a healthier lifestyle and improved self-awareness".***

### Privacy of Personal Information

Privacy of personal information is an important principle to Sutherland-Chan Clinic Inc. We are committed to collecting, using and disclosing personal information responsibly and only to the extent necessary for the goods and services we provide. We try to be open and transparent about how we handle personal information. This document describes our privacy policies.

### What is Personal Health Information?

Personal health information is information about an identifiable individual. Personal health information includes information that relates to:

- the physical or mental health of the individual (including family health history);
- the provision of health care to the individual (including identifying the individual's health care provider);
- payments or eligibility for health care or coverage for health care;
- the individual's health number; or
- the identification of the individual's substitute decision-maker.

### Who We Are

Sutherland-Chan Clinics Inc. includes at the time of writing about 75 massage therapists, receptionists, executive, and other staff. We use a number of consultants and agencies that may, in the course of their duties, have limited access to personal health information we hold. These include file clerks, data entry personnel, couriers, computer consultants, office security and maintenance, bookkeepers and accountants, lawyers, credit card companies, website managers and cleaners. We restrict their access to any personal information we hold as much as is reasonably possible. We also have their assurance that they follow appropriate privacy principles.

### Why We Collect Personal Health Information

We collect, use and disclose personal information in order to serve our clients. For our clients, the primary purpose for collecting personal health information is to provide massage therapy. For example, we collect information about a client's health history, including their family history, physical condition and function and social situation in order

to help us assess what their health needs are, to advise them of their options and then to provide the health care they choose to have. A second primary purpose is to obtain a baseline of health and social information so that in providing ongoing health services we can identify changes that are occurring over time. It would be rare for us to collect such information without the client's express consent, but this might occur in an emergency (e.g. the client is unconscious) or where we believe the client would consent if asked and it is impractical to obtain consent (e.g. a family member passing a message on from our client and we have no reason to believe that the message is not genuine).

We also collect, use and disclose personal health information for purposes related to or secondary to our primary purposes. The most common examples of our related and secondary purposes are as follows:

**Related Purpose #1:** To obtain payment for services or goods provided. Payment may be obtained from the individual, WSIB, private insurers or others.

**Related Purpose #2:** To conduct quality improvement and risk management activities. We review client files to ensure that we provide high quality services, including assessing the performance of our staff. External consultants (e.g. auditors, lawyers, practice consultants, voluntary accreditation programs) may conduct audits and quality improvement reviews on our behalf.

**Related Purpose #3:** To promote our clinic, new services, special events and opportunities (e.g. a seminar or conference) that we have available. We will always obtain express consent from the client prior to collecting or handling personal health information for this purpose.

**Related Purpose #4:** To comply with external regulators. Our professionals are regulated by the College of Massage Therapists of Ontario (CMTO) who may inspect our records and interview our staff as a part of its regulatory activities in the public interest. The CMTO has its own strict confidentiality and privacy obligations. In addition, as professionals, we will report serious misconduct, incompetence or incapacity of other practitioners, whether they belong to other organizations or our own. Also, our organization believes that it should report information suggesting illegal behaviour to the authorities. In addition, we may be required by law to disclose personal health information to various government agencies (e.g. Ministry of Health, children's aid societies, Canada Customs and Revenue Agency, Information and Privacy Commissioner, etc.).

**Related Purpose #5:** To educate our contractors and staff. We value the education and development of our professionals. We will review client records in order to educate our contractors and staff about the provision of health care.

**Related Purpose #6:** To facilitate the sale of our organization. If the organization or its assets were to be sold, the potential purchaser would want to conduct a "due diligence" review of the organization's records to ensure that it is a viable

business that has been honestly portrayed. The potential purchaser must first enter into an agreement with the organization to keep the information confidential and secure and not to retain any of the information longer than necessary to conduct the due diligence. Once a sale has been finalized, the organization may transfer records to the purchaser, but it will make reasonable efforts to provide notice to the individual before doing so.

You can choose not to be part of some of these related or secondary purposes (e.g. by declining to receive notice of special events or opportunities, by paying for your services at date of service). We do not, however, have much choice about some of these related or secondary purposes (e.g. external regulations).

### **Protecting Personal Information**

We understand the importance of protecting personal information. For that reason, we have taken the following steps:

- Paper information is either under supervision or secured in a locked or restricted area.
- Electronic hardware is either under supervision or secured in a locked or restricted area at all times. In addition, strong passwords are used on all computers and mobile devices.
- Personal health information is only stored on mobile devices if necessary. All personal health information stored on mobile devices is protected by strong encryption.
- We try to avoid taking personal health information home to work on there. However, when we do so, we transport, use and store the personal health information securely.
- Paper information is transferred through sealed, addressed envelopes or boxes by reputable companies with strong privacy policies.
- Electronic information is either anonymized or encrypted before being transmitted.
- Our staff members are trained to collect, use and disclose personal information only as necessary to fulfill their duties and in accordance with our privacy policy.
- We do not post any personal information about our clients on social media sites and our staff members are trained on the appropriate use of social media sites.
- External consultants and agencies with access to personal information must enter into privacy agreements with us.

### **Disclosure of Personal Information**

We are requested at times to supply a photocopy of a client's file to lawyers or insurance companies. This request is only granted when a formal request is accompanied by the client's signature in person agreeing to the release of their information to that particular lawyer/insurance company. The following are the rare exception to the above:

- To the organization's lawyer;
- For debt collection purposes;
- To comply with a subpoena, warrant or court order;

- At the request of a government institution for national security, law enforcement or administration;
- At the initiative of the organization, to provide information to a government institution or a specified investigative body relation to law enforcement or national security;
- At the initiative of a specified investigative body relating to law enforcement;
- Where disclosure is required by law.

### **Retention and Destruction of Personal Information**

We need to retain personal information for some time to ensure that we can answer any questions you might have about the services provided and for our own accountability to external regulatory bodies. However, in order to protect your privacy, we do not want to keep personal information for too long.

We keep our client files for at least ten years from the date of the last client interaction or from the date the client turns 18.

We destroy paper files containing personal health information by cross-cut shredding. We destroy electronic information by deleting it in a manner that it cannot be restored. When hardware is discarded, we ensure that the hardware is physically destroyed or the data is erased or overwritten in a manner that the information cannot be recovered.

### **You Can Look at Your Records**

With only a few exceptions, you have the right to see what personal information we hold about you, by contacting our Information Officer, Karen Porter, RMT. We can help you identify what records we might have about you. We will also try to help you understand any information you do not understand (e.g., short forms, technical language, etc.). We will need to confirm your identity, if we do not know you, before providing you with this access. We reserve the right to charge a fee, as of this writing \$5.00, for photocopying.

We may ask you to put your request in writing. We will respond to your request as soon as possible and generally within 30 days, if at all possible. If we cannot give you access, we will tell you the reason, as best we can, as to why.

If you believe there is a mistake in the information, you have the right to ask for it to be corrected. This applies to factual information and not to any professional opinions we may have formed. We may ask you to provide documentation that our files are wrong. Where we agree that we made a mistake we will make the correction. At your request and where it is reasonably possible, we will notify anyone to whom we sent this information (but we may deny your request if it would not reasonably have an effect on the ongoing provision of health care). If we do not agree that we have made a mistake, we will still agree to include in our file a brief statement from you on the point.

### **If There is a Privacy Breach**

While we will take precautions to avoid any breach of your privacy, if there is a loss, theft or unauthorized access of your personal health information we will notify you.

Upon learning of a possible or known breach, we will take the following steps:

- We will contain the breach to the best of our ability, including by taking the following steps
  - Retrieving hard copies of personal health information that have been disclosed
  - Ensuring no copies have been made
  - Taking steps to prevent unauthorized access to electronic information (e.g., change passwords, restrict access, temporarily shut down system)
- We will notify affected individuals
  - We will provide our contact information in case the individual has further questions
  - We will provide the Commissioner's contact information
- We will investigate and remediate the problem, by:
  - Conducting an internal investigation
  - Determining what steps should be taken to prevent future breaches (e.g. changes to policies, additional safeguards)
  - Ensuring staff is appropriately trained and conduct further training if required

Depending on the circumstances of the breach, we may notify and work with the Information and Privacy Commissioner of Ontario. In addition, we may report the breach to the relevant regulatory College if we believe that it was the result of professional misconduct, incompetence or incapacity.

### **Do You Have Questions or Concerns?**

Our Information Officer, Karen Porter, RMT, can be reached at:

Sutherland-Chan Clinic Inc. – Head Office  
200-738 Spadina Avenue, Toronto, ON M5S 2J8  
Tel. (416) 960-2351, Fax. (416) 960-1215

She will attempt to answer any questions or concerns you might have.

If you wish to make a formal complaint about our privacy practices, you may make it in writing to our Information Officer. She will acknowledge receipt of your complaint, and ensure that it is investigated promptly and that you are provided with a formal decision and reasons in writing.

If you have a concern about the professionalism or competence of our services or the mental or physical capacity of any of our professional staff we would ask you to discuss those concerns with us. However, if we cannot satisfy your concerns, you are entitled to complain to our regulatory body:

College of Massage Therapists of Ontario  
1867 Yonge Street, Suite 810, Toronto, ON M4S 1Y5

Tel. (416) 489-2626, Toll Free 1 (800) 465-1933, Fax (416) 489-2625  
cmto@cmto.com, www.cmto.com

You also have the right to complain to the Information and Privacy Commissioner of Ontario if you have concerns about our privacy practices or how your personal health information has been handled, by contacting:

Information and Privacy Commissioner/Ontario  
2 Bloor Street East, Suite 1400  
Toronto, Ontario M4W 1A8  
Tel. Toronto Area (416/local 905): (416) 326-3333  
Toll Free 1 (800) 387-0073 (within Ontario)  
TDD/TTY (416) 325-7539  
Fax (416) 325-9195  
www.ipc.on.ca

This policy is made under the Personal Health Information Protection Act, 2004, S.O. 2004, c. 3. It is a complex statute and provides some additional exceptions to the privacy principles that are too detailed to set out here.