

## DOCUdavit Solutions Inc. Privacy Policy

### Quebec

**Last Updated: June 21.2010**

This Privacy Policy (the "Policy") sets out how DOCUdavit Solutions Inc. (DSI) complies with its responsibilities related to patient personal health information (PHI) on behalf of physicians or other health care providers in the province of Quebec who have closed their practice and have contracted with DSI to store their patient medical records. DSI is committed to preserving and safeguarding an individual patient's privacy and the confidentiality and security of their PHI.

As part of this commitment, we want you to be fully aware of what happens to the PHI in our possession. DSI complies with the privacy legislation of the last province in which the physician practiced (the "Originating Province"), as well as the *Personal Information Protection and Electronic Documents Act* (PIPEDA). In Quebec, the Originating Province legislation is *An Act Respecting the Protection of Personal Information in the Private Sector* (the Quebec Act). This Policy, consistent with the Quebec Act, uses the term "Professional Healthcare Enterprise" (PHE) to refer to Quebec health care providers as defined under the Quebec Act. PHEs maintain control over the PHI in possession of DSI providing services as an agent under the Quebec Act

### **Patient Access to Their Own Personal Health Information**

Upon receipt of a written request confirming the patient's identity, the fact that they were a patient of a PH for whom DSI provides services, or evidence that the requestor is a person having parental authority, the personal heir or successor of the patient, the liquidator of the succession, a beneficiary of life insurance or of a death benefit (an Authorized Representative), DSI will notify the identified PHE. The PHE will then review the requested PHI and advise DSI if it is authorized to provide the patient or Authorized Representative with access to all of the information requested, or, based on the restrictions on access provided by the Quebec Act, access in part or the denial of access. DSI will then respond to the access request in accordance with the authorization provided by the PHE. If the PHE directs DSI to disclose the PHI in full or in part, DSI will provide the information to the patient, the Authorized Representative or, as directed, to another individual such as the patient's new physician.

- DSI will respond to access requests within 30 days after having received an authorized request from the patient or the Authorized Representative.,.
- DSI will charge a fee for access, in accordance with the recommendations of the Quebec Medical Association, plus the cost of shipping and applicable taxes. The access fee will also include charges for the time spent by the PHE to review the record.
- If an individual disagrees with the DSI decision, the individual can contact the PHE to address the denial of access to their file. DSI must abide by the directions of the PHE.
- If an individual disagrees with the PHE's decision, the individual can appeal to the Commission d'accès à l'information at:

Bureau 1.10  
575, rue Saint-Amable  
Québec (Québec) G1R 2G4

### **Disclosure of Personal Health information**

- Unless required by law, DSI will disclose an individual's PHI only with the express written consent of the patient (or persons who are authorized to exercise rights on behalf of an individual patient), or as directed by the PHE in accordance with the provisions of the Quebec Act that authorize a PHE to disclose PHI without the consent of the individual.
- DSI will maintain a record of any requests made for a patient's PHI.

### **Security of Personal Health Information**

DSI has implemented administrative, technical and physical safeguards to protect the integrity, accuracy and confidentiality of patient's PHI. DSI will maintain the PHI in secure data storage to protect it against any reasonably anticipated threat or hazard to the security or integrity of the information, loss of the information or unauthorized access to or use, disclosure or modification of the information. All DSI staff have signed employment agreements which include confidentiality and non-disclosure provisions. These agreements provide that employees may be subject to disciplinary sanctions, up to and including termination, in the event that they do not comply with these provisions.

The PHI is stored in and only accessed from Canada.

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

Due to the large number of regulations in Canada and within each Province, which apply to the storage and maintenance of Patients' Health information, DSI's policy is to maintain Patients' Health information for a minimum of 10 years. In addition DSI will maintain Patient' Health Information for minors for an additional period of time as directed by the regulations in Quebec in effect from time to time.

Paper records are destroyed after they have been scanned and a copy has been provided to the PHE. DSI stores a copy of the scanned records. DSI destroys the scanned records when they are no longer required in accordance with the DSI retention schedule, and upon the direction of the PHE , The PHI contained in paper and electronic records is destroyed in a secure manner that ensures that the information cannot be reconstructed in any way.

### **Privacy Breaches**

Upon becoming aware of a privacy breach, DSI will immediately notify the PHE whose patient records are the subject of the breach.

## **Changes to the Privacy Policy**

This Policy will be updated periodically to reflect any changes to the way in which we manage PHI or in accordance with legislative requirements. For your ease of reference, the date on which this Policy was last updated is set out at the beginning of the document. We will protect your privacy and the confidentiality and security of your PHI in accordance with the current Policy applicable to PHI within the province of Quebec and the provisions of the Quebec Act.

## **Contact Information**

We welcome your comments regarding this Policy. If you have questions about this Policy or have any questions about how we manage PHI in our possession, please contact us by email by following this link: <mailto:privacy@docudavit.com>.

Or in writing to:

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Toronto, ON  
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