Alberta
Netcare
ELECTRONIC HEALTH RECORD

RE: Professional responsibility to protect privacy, security and confidentiality of patient health information

Netcare is a valuable tool in managing patient information. It provides convenient access to important patient data and results, at the click of a button.

As with any patient records, with access to information comes great responsibility.

As a follow up on breaches of patient privacy related to Alberta Netcare Portal, we, as members of the provincial committees who provide advice to electronic health record initiatives, feel it is important to remind Netcare users of the accountability we all have to protect patient privacy.   Only through diligent use of confidential information will we maintain the trust of our patients and Albertans in general.   Only through trust will this valued clinical information tool, now used by some 34,000 clinical and other authorized staff province-wide, continue to contribute to the highest quality patient care.

Building this kind of trust is taken very seriously. The inappropriate use of Netcare is a breach of our most important professional responsibility - the responsibility we have to our patients.   It can result in sanctions, fines of up to $100,000, and potential litigation. The Office of the Information and Privacy Commissioner (OIPC) has levied such fines and professional organizations have imposed other sanctions.

There are measures in place to protect our patients. Every user access in Netcare is tracked and routine audits are conducted monthly.   Additional audits and OIPC investigations can be triggered by a patient requesting a log of who has accessed his/her record and/or raising a concern about a probable breach. As well, any Netcare user can flag a potential breach.

Page 2 shows **Helpful Principles to Guide Your Use of Netcare**.   **Page 3** has a list of **Links and Other Resources** that contain more information on Netcare privacy and security and on the recent breaches.
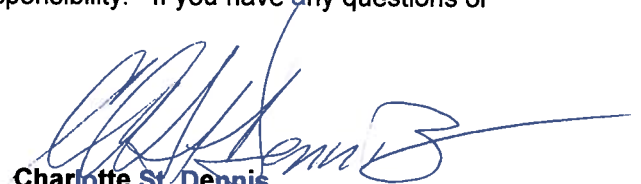
Thank you for your attention to this important professional responsibility.   If you have any questions or comments, please contact HIAhelpdesk@gov.ab.ca .

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Data Stewardship Committee

on behalf of the Integrated Clinical Working Group (ICWG):
Physician Representatives (alphabetical):
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  Dr. Fraser Armstrong, Family Medicine, Edmonton
  Dr. Heidi Fell, Family Medicine, Calgary
  Dr. Rob Hayward, Internal Medicine, Edmonton
  Dr. Peter Jamieson, Family Medicine, Calgary
  Dr. Tim Kolotyluk, Family Medicine, Edmonton
  Dr. Andrew Pattullo, Senior Medical Director,
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  Dr. David Yamabe, Family Medicine, Taber
Nursing Representatives (alphabetical):

on behalf of the Provincial Electronic Health Record Data Stewardship Committee:
  Charlotte St. Dennis, General Public
  Glenn Griener, Ethicist
  Dr. Andrew Pattullo, AHS
  Mike Tolfree, AHS
  Kathleen Addison, AHS
  Dr. Robert Sheldon, AHS
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    (ACP)/Alberta Pharmacists' Association (RxA)
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Allied Health Representatives: replacement underway

Dr. Bruce Ritchie, CPSA/AMA
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  Workers
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Dr. Robert Hayward, University of Alberta
Dr. Gil Kaplan, University of Calgary

The Integrated Clinical Working Group (ICWG) is a multidisciplinary working group with the mandate to provide clinical advice to Alberta Health and Wellness/Alberta Health Services for the ongoing definition, development, implementation, integration and operation of Alberta's Electronic Health Record (EHR) initiatives, including Alberta Netcare Portal

The Provincial Data Stewardship Committee is a multidisciplinary committee appointed by the Minister to oversee stewardship of the Alberta Electronic Health Record (EHR). The Committee manages, maintains and interprets rules for acceptable uses and disclosures of health information in the EHR.

Helpful Principles to Guide Your Use of Netcare

Netcare is a valuable tool and its proper use for patient care is encouraged. Inappropriate use is prohibited. Examples of inappropriate Netcare use include:
  ❖ accessing the record of any individual with whom you do **not** have a care relationship, which can extend to:
   • your family and your relatives
   • famous, VIP or other patients
   • friends, acquaintances, colleagues, and colleagues' friends and acquaintances
  ❖ accessing your own health information
  ❖ accessing Netcare on behalf of a friend, acquaintance, colleague or a colleague's friend or acquaintance
  ❖ accessing masked information without the patient's consent or a strong clinical need

Netcare should be accessed with your own user name, password, and/or fob (credentials). Examples of inappropriate access could include:
  ❖ sharing these credentials with others or allowing others to access Netcare with your credentials
  ❖ using others' credentials
  ❖ leaving Netcare open on the screen so that others can view patient records

Netcare should be used to access the least amount of information required to make a care decision.
  ❖ accessing more information than you require to perform your particular duty is inappropriate.

Approval processes need to be followed to access Netcare for non-care purposes such as research, quality assurance, etc. (for information, contact: HIAhelpdesk@gov.ab.ca).

Links and Other Resources
Further information on Netcare privacy and security can be found at: http://www.albertanetcare.ca/11.htm
You can also access information about the recent breaches at: – http://www.oipc.ab.ca/downloads/documentloader.ashx?id=2912 – http://www.oipc.ab.ca/downloads/documentloader.ashx?id=2256 – http://www.oipc.ab.ca/downloads/documentloader.ashx?id=2514 – http://www.oipc.ab.ca/downloads/documentloader.ashx?id=2373 – http://www.oipc.ab.ca/Content_Files/Files/News/NR_Prosecution.pdf – http://www.oipc.ab.ca/Content_Files/Files/News/NR_HIAchargeCourt_Apr_16_07.pdf
The uses of Netcare are governed by legislation and standards of care. Some useful resources are: – Health Information Act (HIA) – Office of the Information Privacy Commissioner of Alberta (OIPC) – www.oipc.ab.ca – Documents such as your Privacy Impact Assessment (PIA), Information Manager Agreement and the Netcare Information Exchange Protocols (IEP) – Rules and guidelines of professional colleges, such as the College of Physicians and Surgeons of Alberta, lay out responsibilities and norms pertaining to the protection of privacy, security and confidentiality of health information. (see the CPSA Patient Records Standard of Practice 21 at:http://www.cpsa.ab.ca/Libraries/Res_Standards_of_Practice/CPSA_Standards_of_Practice_Consolidated_Version.pdf)