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Ontario Laboratories Information System

Privacy Impact Assessment Summary

Ontario
eHealth Ontario

Introduction

As required under Ontario Regulation (O.Reg.) 329/04 under the *Personal Health Information Protection Act, 2004* (PHIPA), and by eHealth Ontario's Personal Health Information Privacy Policy, eHealth Ontario completed a Privacy Impact Assessment (PIA) on eHealth Ontario's Ontario laboratories information dystem (OLIS) initiative in October 2011.

The OLIS physical PIA found that eHealth Ontario has the authority as an agent of the Ministry of Health and Long-Term Care (MOHLTC), under PHIPA, and under section 6.2 of O.Reg. 329/04 to operate and manage OLIS, as eHealth Ontario is receiving personal health information (PHI) from the MOHLTC for the purpose of creating or maintaining one or more electronic health records (EHRs).

The following is a summary of the PIA, including a brief background on the OLIS initiative, key findings, and eHealth Ontario's progress in implementing the recommendations identified in the PIA.

Background

One of eHealth Ontario's priorities is to lead the implementation of the OLIS initiative across the province. OLIS is a cornerstone information system that connects hospitals, community laboratories, public health laboratories and practitioners to facilitate the secure electronic exchange of laboratory test orders and results.

As a province-wide, integrated repository of tests and results, OLIS will contribute to fundamental improvements in patient care by providing practitioners with timely access to information that is needed at the time of clinical decision-making. The ability to electronically share laboratory test information through OLIS supports health care providers in making decisions on patient care and treatment.

OLIS includes the test results of individuals in Ontario who have had a laboratory test processed at one of the laboratories participating in OLIS. Individuals may withdraw consent to the use and disclosure of their PHI within OLIS. Withdrawal of consent may be applied to all of an individual's lab information in OLIS, or only to tests on a specific lab order. If an individual's consent has been withdrawn, only the health care provider(s) identified on the lab order(s) can access the applicable lab test information.

In December 2010, the MOHLTC, a health information custodian (HIC) under PHIPA assumed custody and control of patients' laboratory test results in OLIS. The MOHLTC published a notice to inform the public that the MOHLTC was assuming custody and control of OLIS. The notice included information on how individuals can withdraw or reinstate their consent for their PHI in OLIS.

Because OLIS contains PHI as defined by PHIPA, eHealth Ontario policies and O.Reg. 329/04 require that a PIA of the initiative be undertaken.

Summary of Privacy Impact Assessment

The OLIS Physical PIA considers the OLIS initiative as of August, 2011. Specifically, the scope of the OLIS PIA includes the flow of information to, within, and from OLIS to connected systems, the purposes and processes for using OLIS data and the legislative authority under which eHealth Ontario may operate and manage OLIS. The PIA also considers the technical, administrative and physical safeguards which have been put in place to ensure that all flows of PHI occur in a secure and privacy-protective manner, and are in compliance with legislative requirements, relevant agreements, best practices as represented in the Canadian Standards Association Privacy Code and eHealth Ontario's privacy policies.

The PIA concludes that eHealth Ontario has the overall PHIPA authorities for operating and managing OLIS, as an agent to the MOHLTC, and for the purpose of creating or maintaining one or more electronic health records under s.6.2 of O.Reg. 329/04. Additionally, eHealth Ontario has a robust infrastructure for the processing of sensitive PHI, with policies and practices to protect the privacy of Ontarians and the security of the information retained by eHealth Ontario.

The PIA recommends several measures to ensure that, for the OLIS initiative, eHealth Ontario is in compliance with PHIPA and O.Reg. 329/04, as well as eHealth Ontario policies, procedures and privacy best practices.

Summary of the Implementation Plan for the Privacy Impact Assessment Recommendations

The Physical PIA provides a number of recommendations associated with the OLIS initiative, as summarized below:

1. eHealth Ontario to work with MOHLTC to ensure that the ministry's OLIS public notice is posted at all points of service (i.e., participating laboratories) and on the eHealth Ontario and MOHLTC websites.
2. OLIS to be modified to improve notice to the Practitioners named on a lab order regarding consent directives. Additionally, communication materials to be provided to physician practices to advise Practitioners collecting information from OLIS to ensure that they are aware of their patient's consent directives.
3. Patients to be informed that withdrawing their consent to participate in OLIS may impact the availability of one or more of their lab results in the Chronic Disease Management System for Diabetes.
4. MOHLTC and eHealth Ontario should integrate OLIS with the enterprise master patient index, a repository of patient demographic information that will assist in reconciling multiple patient identifiers in OLIS.
5. eHealth Ontario to develop and implement a data retention policy for any data stored within eHealth Ontario repositories, including OLIS.
6. eHealth Ontario to develop and deliver role-based privacy training for eHealth Ontario staff that require access to PHI in OLIS.

eHealth Ontario is currently in the process of implementing each of the recommendations identified in the 2011 OLIS Physical PIA.

Glossary

EMR	electronic medical record
HIC	health information custodian
MOHLTC	Ministry of Health and Long-Term Care
OLIS	Ontario laboratories information system
O.Reg.	Ontario Regulation
PHIPA	*Personal Health Information Protection Act, 2004*
PHI	personal health information
PIA	Privacy Impact Assessment

Contact Information

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