

## SECTION 1 – Privacy

### 1.03 Consent to Collect, Use and Disclose of Personal Health Information (PHI)

#### Policy

Taddle Creek Physicians will comply with the Personal Health Information Privacy Act, 2004 (PHIPA).

#### Procedure

1. For health care purposes, we rely on *implied*<sup>1</sup> consent for collection, use and disclosure (unless we are aware that a patient has expressly withheld consent) of PHI.
2. We rely on implied consent for the disclosure of PHI within the circle of care while providing health care so long as the disclosure is reasonably necessary for the provision of health care and the individual has not stated otherwise.
3. In the case of the Taddle Creek Physicians, the circle of care includes all members of Taddle Creek Family Health Team and external healthcare providers providing care for the patient.
4. In order to rely on implied consent Taddle Creek Physicians give patients the information they need to understand why we are collecting their PHI and how it will be used and disclosed (via posted Statement of Information Practices).
5. If purpose is for something other than health care, we must often obtain express consent. Express consent can be given in writing, orally, by telephone or electronically (See Consent to the Collection, Use & Disclosure of PHI Form 1).
6. There are specific circumstances where consent is not required (See Policy & Procedure 1.05).
7. Patients may withdraw their consent for Taddle Creek Physicians to collect, use and disclose PHI. If the withdrawal of consent compromises patient care, it is important to discuss the effect of the withdrawal with the patient and carefully document the withdrawal and these discussions in the patient's health record (See Withdrawal of Consent Form 2).
8. Taddle Creek Physicians will inform our health care professionals and staff about consent requirements to collect, use and disclose PHI.
9. Taddle Creek Physicians will review our consent practices regularly to ensure compliance with PHIPA.

Note: See Policy & Procedure 1.05 Limiting Use, Disclosure and Retention PHI for specific circumstances where express consent is required and where consent is not required.

Approved By:           Executive  
Approved On:           June 2009  
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<sup>1</sup> Implied consent permits you to conclude from surrounding circumstances that a patient would reasonably agree to the collection, use or disclosure of patient's PHI.