

SECTION 1 – Privacy

1.06 Ensuring Accuracy of Personal Health Information (PHI)

Policy

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

Procedure

1. Taddle Creek Physicians must make requested correction (with a few significant exceptions) if a patient or substitute decision-maker can show to our satisfaction that the record is not correct or complete for our purposes and also gives the information needed to make the correction.
2. Patients (or their substitute decision-maker) may request a correction to their PHI orally or in writing.
3. In order to invoke the rights and procedural requirements of the Act, the request must be in writing (See Form 5 – Form Request for Correction to Personal Health Record).
4. Upon receiving a request to correct PHI, clerical personnel should document the request in the health record and then direct the requestor to Taddle Creek Physicians Privacy Contact Person(s) who will,
 - Verify the patient's identity or substitute decision-maker's authority
 - Ensure the request for correction relates to PHI created by Taddle Creek Physicians staff or staff of TC FHT
 - Determine who will validate the request and correct the PHI (e.g. original author unless the author is not available, there is a question of competence or negligence in the creation of the record or if the patient has specifically requested that another practitioner assess the record) or refuse to make the correction.
 - Confirm that this person has the knowledge, expertise and authority to validate and make the correction or refuse to make the correction.
5. When making a correction Taddle Creek Physicians must,
 - Record the correct information in the record, and
 - Cross out the incorrect information (without obliterating it) or, if that is not possible, label the information as incorrect, remove it and store it separately from the record, and keep a link in the record that lets you trace the incorrect information
 - Date and sign corrections.
6. Once the correction is done Taddle Creek Physicians must,
 - Advise the patient in writing how the correction was made, and
 - Notify anyone who is currently using the PHI of the correction

- If the patient asks you to do so and to the extent reasonably possible, tell others in writing to whom you have disclosed the incorrect information of the correction, unless the correction cannot reasonably be expected to affect the ongoing provision of health care or otherwise benefit the patient.
7. Significant exceptions apply where Taddle Creek Physicians do not have to correct a record. Taddle Creek Physicians do not have to correct a record:
- If the record was not created by Taddle Creek Physicians, their staff or TC FHT staff
 - Where Taddle Creek Physicians do not have sufficient knowledge, expertise and authority to correct the record (this would include when Taddle Creek Physician's cannot validate the new information being provided)
 - If a Taddle Creek Physician reasonably believes that the request for correction is frivolous, vexatious or made in bad faith (requests should only be refused for these reasons in the rarest of cases)
 - If the patient has failed to demonstrate that the record is not correct or complete, or
 - If the patient has not given Taddle Creek Physicians the information needed to make the correction.
- Note:** Taddle Creek Physicians do not have to correct a professional opinion or observation made in good faith about a patient.
8. If Taddle Creek Physicians refuse to make the correction, Taddle Creek Physicians will tell the patient in writing (See Sample Letter #1 - Refusal to Correct Personal Health Record) the reason for the refusal, inform them of our complaints procedure and that they can,
- Prepare a brief written description of the correction that Taddle Creek Physicians refuse to make,
 - Require Taddle Creek Physicians to attach this description to their personal health record, and
 - Require Taddle Creek Physicians disclose the description whenever Taddle Creek Physicians discloses information to which it relates,
 - Require Taddle Creek Physicians to make all reasonable efforts to disclose this description to anyone to whom the patient's personal health record had historically been disclosed, unless the correction cannot reasonably be expected to affect the ongoing provision of health care or otherwise benefit the patient.
9. Taddle Creek Physicians' 'Statement of Information Practices' will inform patients/substitute decision-makers whom they can contact if they want to correct their PHI.
10. All requests to correct PHI should be responded to within 30 days. If more than 30 days is required Taddle Creek Physicians will inform the requestor in writing that an extension is required, the reason the extension is required and when we will respond (See Sample Letter #2 - Extension to Comply With Access Request for PHI). If the requestor is not satisfied with Taddle Creek Physicians response we will advise the requestor of our complaints procedure.
11. Taddle Creek Physicians will inform and train our health care professionals and staff about how we ensure accuracy of PHI.
12. Taddle Creek Physicians will review our policy ensuring the accuracy of PHI regularly.

Approved By: Executive
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