



Information and Privacy
Commissioner/Ontario
Commissaire à l'information
et à la protection de la vie privée/Ontario

Personal Health Information Protection Act, 2004

REPORT

FILE NO. HI-050039-1

A Designated Rehabilitation Assessment Centre



Tribunal Services Department
2 Bloor Street East
Suite 1400
Toronto, Ontario
Canada M4W 1A8

Services de tribunal administratif
2, rue Bloor Est
Bureau 1400
Toronto (Ontario)
Canada M4W 1A8

Tel: 416-326-3333
1-800-387-0073
Fax/Télé: 416-325-9188
TTY: 416-325-7539
<http://www.ipc.on.ca>

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FILE NO. HI-050039-1

INVESTIGATOR: Nancy Ferguson

HEALTH INFORMATION CUSTODIAN: A Designated Rehabilitation Assessment Centre

SUMMARY OF INFORMATION GIVING RISE TO THIS REVIEW:

A laptop computer belonging to a physiotherapist employed by a Designated Assessment Centre (DAC) could not be located following a break-in at the physiotherapist's home. The DAC reported the matter to police and the Office of the Information and Privacy Commissioner/Ontario (the IPC). The DAC undertook a consideration of its obligations under the *Personal Health Information Protection Act, 2004* (the Act) including its obligation to provide notice to the affected patients.

RESULTS OF THE REVIEW:

The DAC reported that its investigation of the circumstances surrounding the loss indicated that the patient information stored on the laptop was not password protected. The DAC advised that the laptop contained physiotherapy reports describing medical/rehabilitation assessments that the physiotherapist had carried out for patients involved in automobile accidents; it also included general health information for some patients.

The DAC reported that there was no back-up of the information stored on the laptop. The DAC advised that the physiotherapist worked with DAC staff to review patient scheduling information to determine the list of patients she had assessed while using the laptop. This list identified the patients with reports on the missing laptop. Each patient's contact information was determined based on records at the DAC.

The DAC worked with the IPC to develop a document providing notification of the loss to patients. Patients were contacted by telephone. DAC staff used a written script to carry out verbal notification which described the theft and outlined the patient information that was on the

computer. Patients were informed that a hard copy of the assessment report carried out at the DAC is still available in the patient's file.

In response to this incident, the DAC advised that it would ensure that the physiotherapist had password protection in place to secure patient personal health information stored on her computer. Further, the DAC reported that the physiotherapist installed a lock on her home office where she keeps all medical files and information, which will remain locked at all times except when she is working in the office. The DAC also reported that the physiotherapist has begun backing-up medical files on computer disks which are kept in a locked environment when not in use.

The DAC reported that it is in the process of ensuring that all staff and consultants to the facility are educated and trained with respect to compliance with the privacy protection provisions of the *Act*.

On the basis of all of the above, it was determined that further review of this matter was not warranted and the file was closed.

Original Signed by: _____
Ann Cavoukian, Ph.D.
Commissioner

_____ April 19, 2006