



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

October 31, 2011

VIA ELECTRONIC AND REGULAR MAIL

Michael Sherar, Ph.D., President and CEO
Cancer Care Ontario
620 University Avenue
Toronto, Ontario
M5G 2L7

Dear Dr. Sherar:

RE: Review of the Report on the Practices and Procedures of Cancer Care Ontario

Pursuant to subsection 45(4) of the *Personal Health Information Protection Act, 2004* ("the *Act*"), my office is responsible for reviewing the practices and procedures implemented by each prescribed entity to protect the privacy of individuals whose personal health information it receives, and to protect the confidentiality of that information, every three years.

Given the practices and procedures of Cancer Care Ontario (CCO), a prescribed entity within the meaning of the *Act*, were last approved on October 31, 2008, my office was again required to review these practices and procedures and advise whether they continue to meet the requirements of the *Act* on or before October 30, 2011.

In accordance with the new process as set out in the *Manual for the Review and Approval of Prescribed Persons and Prescribed Entities* ("the *Manual*"), CCO, as a prescribed entity which was seeking the continued approval of its practices and procedures, submitted a detailed written report and a sworn affidavit to my office. These documents were to conform to the requirements set out in the *Manual*.

My office has now completed its review of your report and affidavit. Based on this review, I am satisfied that CCO continues to have in place practices and procedures that sufficiently protect the privacy of individuals whose personal health information it receives, that sufficiently maintain the confidentiality of that information and that continue to meet the requirements of the *Act*.

Accordingly, effective October 31, 2011, I am pleased to advise that the practices and procedures of CCO continue to be approved for a further three-year period.

Attached is an Appendix containing recommendations to further enhance the practices and procedures of CCO, which must be implemented prior to the next legislated review.

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I would like to extend my gratitude to you and your staff for the cooperation provided during the course of the review, including the diligence and timeliness in submitting the requested documentation, in responding to requests by my office for further information and in making the amendments requested.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Ann Cavoukian', written in a cursive style.

Ann Cavoukian, Ph.D.
Commissioner

Attach.

cc: Pamela Spencer, VP Corporate Services, General Counsel and Chief Privacy Officer
Swapna Petrelli, Director, Privacy and Access

Appendix

1. Review the *Privacy Breach Management Procedure* and any related policies and procedures to clarify and ensure that those having an employment, contractual or other relationship with CCO are fully aware of their responsibility to immediately report any privacy breaches, suspected privacy breaches and/or privacy risks to appropriate individuals at CCO with responsibility for privacy issues and provide the Information and Privacy Commissioner of Ontario with proof of compliance by January 13, 2012.
2. Conduct additional training with those having an employment, contractual or other relationship with CCO to ensure that they are fully aware of their duties and responsibilities under the *Privacy Breach Management Procedure* and provide the Information and Privacy Commissioner of Ontario with proof of compliance by January 13, 2012.
3. Develop and implement a policy and procedures for the secure transfer of records of personal health information in a manner consistent with the *Manual* and Order HO-011, by April 1, 2012 and report to the Information and Privacy Commissioner of Ontario on the practices and procedures it is contemplating implementing, on or before February 1, 2012 and, in any event, prior to implementation.
4. Develop and implement a policy and procedures for the secure retention of records of personal health information on mobile devices in accordance with the requirements of the *Manual*.
5. Develop and implement a comprehensive and integrated corporate risk management framework in accordance with the requirements of the *Manual*.