

### Mandatory Privacy Breach Reporting – Physician FAQs

#### **Is sending patient information with names, including an on-call handover list, permitted on any other server than AHS email?**

Email transmission of personal identifiable health information may only be communicated without encryption between AHS emails and/or AHS and University of Calgary. Please note that personal identifying information must not be included in the subject line of emails and that only the minimum necessary information should be included in the email.

Emails containing personal health information sent outside of AHS or UofC (i.e. other institutions, Gmail, Yahoo, or community clinics) require encryption. Failure to do this results in a breach because information is leaving control of AHS (the custodian) in an unauthorized manner.

#### **Is sending personal health information to a University of Calgary email address considered a breach?**

No. There is a virtual tunnel between AHS and UofC which automatically protects or encrypts information while it is being sent between the two institutions; therefore when sending sensitive information between AHS and UofC there is no need for additional encryption. Please note that personal identifying information must not be included in the subject line of emails and that only minimum necessary information should be included in the email.

If, however you are sending sensitive information by email from either institution to any outside email address (i.e. other institutions or organizations, Gmail, Yahoo, or community clinics), encryption is required.

#### **Is it a breach to include a patient name in a mobile phone text?**

AHS mobile phones have end to end encryption so sharing a patient name in a text between two AHS mobile phones is acceptable; however patient information (including names and photos) should never be collected, stored or shared using a personal mobile phone. Please note that personal identifying information must not be included in the subject line of text and that only minimum necessary information should be included in the text.

Patient names shared to a personal phone results in a breach as the information is leaving the control of AHS (the custodian) in an unauthorized manner.

#### **Is it a breach to include a patient name in an AHS pager message?**

It is not a breach to include the patient name in a AHS pager message because it is not leaving the control of AHS (the custodian) however it is not best practice to include patient names in pager messages. Only the minimum necessary information should be included and detailed information should not be sent.

### **Is it a breach to send patient photos outside of the AHS email system? Does it matter if the photo does not include a face or other identifying body part?**

A breach results from sending unencrypted identifiable patient information (including photos) outside of the AHS email system because the information is leaving the control of AHS (the custodian) in an unauthorized manner.

Non-identifiable health information may be used outside of the AHS or University of Calgary email system. The following elements must be stripped from the identifying health information to convert it to non-identifying health information:

- Names (including initials)
- All geographic subdivisions smaller than a province
- All elements of dates (except year) for dates directly related to an individual (i.e. birthdate) and all ages over 89
- Telephone and fax numbers
- Email addresses
- Social insurance numbers
- Medical record numbers
- Health plan beneficiary numbers (i.e. PIN, ULI)
- Account numbers
- Certificate/license numbers
- Device identifiers and serial numbers
- Biometric identifiers, including fingerprints and voice prints
- Full-face photographic images and any comparable images
- Vehicle identifiers (including license plates)
- URLs and IP addresses

### **Can patient identifiers (including names and photos) be sent via AHS email?**

AHS emails sent to other AHS emails (or to University of Calgary emails) are automatically encrypted permitting the sharing of patient identifiers via AHS email. Please note that personal identifying information must not be included in the subject line of emails and that only the minimum necessary information should be emailed.

### **Are first names and initials acceptable outside the AHS email system?**

First names and initials are considered identifiable health information and should not be used outside of the AHS or UofC email system or encrypted emails.

Non-identifiable health information may be sent outside of the AHS or University of Calgary email system. The following elements must be stripped from the identifying health information to convert it to non-identifying health information:

- Names (including initials)
- All geographic subdivisions smaller than a province
- All elements of dates (except year) for dates directly related to an individual (i.e. birthdate) and all ages over 89
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- Email addresses
- Social insurance numbers
- Medical record numbers
- Health plan beneficiary numbers (i.e. PIN, ULI)
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### **How do I report a breach?**

If you become aware of a breach originating at an AHS clinic or facility you must complete a Breach Notification Form and email it to the Privacy Intake Line at [privacy@ahs.ca](mailto:privacy@ahs.ca). You will be contacted by a Breach Coordinator who will work with you to investigate the breach.

If you become aware of a breach originating from your private clinic you must report the breach directly to the Office of the Information and Privacy Commissioner of Alberta (OIPC) and the Alberta Minister of Health. More information on reporting procedures is available at the following sites:

- OIPC – <https://www.oipc.ab.ca/action-items/how-to-report-a-privacy-breach.aspx>
- Alberta Health - <https://open.alberta.ca/publications/9780778582922>