

Ontario Health Teams and Client Information Sharing

Leadership Considerations



Alliance for Healthier Communities
Alliance pour des communautés en santé



Presented by:
Rodney Burns & Simeon Kanev

Land Acknowledgement



Not Legal Advice...








The content of this presentation should not be considered a legal opinion. It is based on extensive research of publically available materials. If you need a legal advice, please refer to your legal counsel.

This is a presentation on industry's best practices which may differ from the ones of your own organization. If that is the case, please consult your employer before changing your existing practices.



How much does privacy concern your organization as an OHT partner?

- Not at all 
- Somewhat 
- We have concerns 
- Something we discuss often 
- It keeps us/me up at night 

How Did We Get Here?

Improve coordination of services by **communicating and sharing client information**

Quintuple Aim Objectives:

- Improved client experience;
- Improved provider/team work life experience;
- Improved value, reducing the per capita cost;
- Improved patient and population health outcomes; and
- Equity lens





PHIPA - Current State

“PHIPA does not directly address the type of information sharing that is necessary to realize a fully integrated model of health care delivery by OHTs”

Current challenge: OHT participants include both HICs & non-HICs

Issue of consent (Implied, Express, and Assumed Implied)

- Sharing between HICs
- Sharing between HIC and non-HICs

Current State vs. Future State

Function	Health Information Custodian	Ontario Health Teams
Governance, Policy and Procedures, Manuals	<ul style="list-style-type: none"> ▪ Internal committee 	<ul style="list-style-type: none"> ▪ Compliance with Provincial policies • Governance framework and privacy/security committee • Risk Tolerance • Strategy • Shared policies
Oversight and Monitoring	<ul style="list-style-type: none"> ▪ Employee signs organizational confidentiality agreement • Ensure notices are visible • Compliance reviews, accreditation, privacy impact assessments 	<ul style="list-style-type: none"> ▪ Risks across partners in OHT • Increased compliance monitoring within shared systems • Attestation processes • Multiple end-user agreements for shared systems • Patient rights
Reporting	<ul style="list-style-type: none"> ▪ Incident reports • Aging of outstanding risks from PIAs • Unresolved complaints • Results of compliance reviews 	<ul style="list-style-type: none"> ▪ Reviewing and identifying themes • Emerging risks

Current State vs. Future State

Function	Health Information Custodian	Ontario Health Teams
Privacy Operations	<ul style="list-style-type: none"> Organizational incident management Audit review Access and correction requests Inquiries and complaints Consent directive management Notice Inventory of data flows PIAs and TRA reviews 	<ul style="list-style-type: none"> Coordination of patient rights and services Managing inventory of data flows for shared data Privacy by Design in technology solutions Oversight of shared agreements Review of summary risk assessments Overseeing readiness assessments
Agreements	<ul style="list-style-type: none"> Data sharing agreements Vendors/third parties Employee confidentiality agreements 	<ul style="list-style-type: none"> Data sharing agreements Participant agreements
Training and Awareness	<ul style="list-style-type: none"> Organizational privacy training Some training for shared systems (e.g. ConnectingOntario) Awareness/notices 	<ul style="list-style-type: none"> Onboarding and refresher training Shared system training – role based and more detailed

PHIPA – Future Regulations

Bill 106, Pandemic and Emergency Preparedness Act, 2022

The Minister may make regulations governing:

- Circumstances where OHTs can **C**ollection/**U**se/**D**isclosure PHI
- Conditions that apply to the C/U/D of PHI by OHTs
- Security requirements, records retention, information practices and rules for access and correction for PHI
- Disclosures of PHI that may be made by a HIC or other person to OHT
- The C/U/D of PHI by persons or entities that used to be designated as OHT

Greater Hamilton Health Network (GHHN)

- Incorporated entity – OHT enablement?
- Wide geographic coverage?
- Has not applied for HIC status ... yet
- Multitude of players

Primary Care

Home Care

Hospitals

Emergency Medical Services

Addictions and Mental Health

Community Support Services

Public Health Units

Municipalities

Community Housing

Virtual Care



- Here to stay

[Approved list of virtual care solutions](#) by Ontario Health as of June/22:

- 36 video (synchronous)
- 25 secure messaging (asynchronous)

Using anything else in use?

Guidance to support innovation: '**Reasonable in the Circumstances**' (eg sharing PHI via email, harm reduction approach, etc.)

Virtual Care (cont'd.)



Assessing patient confidence in health IT and the extent to which they have been willing to share their health information

- 94% of patients expressed interest in accessing their PHI on a portal
- 87% of patients unwilling to share their full medical histories with their providers
- 84% said level of trust in their provider was influenced by how they used technology

Black Book survey of 12,000 patients (2020)

Digital Equity and OHTs

- Considerations for DE in OHT context
- Virtual care and DE
- Digital inequity creates another barrier
- No one gets left behind





Cyber Security and its Role in OHTs

- Privacy and Security – two sides of the same coin
- Maturity of organizations on cyber security – only as strong as the weakest link
- Assessing you organization’s posture
- Cyber Insurance – Resiliency as a collective
- “Governance and Cyber Risk considerations” webinar – recording available [here](#)



What Boards Need to Know

- Risk is always present
 - e.g. reputational (privacy/security), funder and partner risks
- Accountability and transparency
- Organization's privacy program and level of maturity – quantify and plan for enhancement
- Demonstrability – showing stakeholders you have a reliable compliance program
 - ISO 27001, CoBIT, CIS, CISA, NIST; frameworks that generate quantifiable/reproducible evidence



What Boards Need to Know (cont'd.)

- Regulation changes to PHIPA necessitate updates to organization's policies
- OHTs need to assess their existing health privacy practices to ensure alignment
- Who coordinates privacy, compliance, policy development, training, etc. in your OHT?
- Help and resources are available, just ask.

Remember, you are not alone in this!



-
- Health care is in transition - Rome wasn't built in a day
 - Privacy is (almost) never black and white
 - Theory and Practice - two very different things
 - Reasonable Person Test
 - Help and resources are available, just reach out



Questions & Answers (maybe...)



**“I had a miraculous dream in which
our list of questions all had answers.”**

*Thank you
Merci
Miigwetch*

ims@allianceon.org

** Please complete the evaluation for this session!*

