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COMMUNIQUÉ for the Health Industry

UPCOMING PHIPA REVIEW

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Group*

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Ontario's *Personal Health Information Protection Act, 2004*, commonly referred to as PHIPA, has now been in effect for over 3½ years. PHIPA establishes rules regarding the collection, use, retention and disclosure of personal health information of individuals, and has significant implications for health care facilities and individual health care providers.

Over this time, Miller Thomson's Health Industry Practice Group has provided clients with considerable legal and policy assistance on various PHIPA issues ranging from discrete advice about collection, use, retention or disclosure of personal health information in specific situations, to developing comprehensive policies and procedures to ensure organizational practices are aligned with PHIPA.

PHIPA is now undergoing a comprehensive review by the Ontario government's Standing Committee on Social Policy. On June 3, 2008, the Standing Committee was asked to report back within one year with observations and recommendations for improvement. As part of this review, the Standing Committee has invited stakeholders from across Ontario to provide their feedback on PHIPA.

How Can I Contribute?

The Standing Committee on Social Policy will be accepting stakeholder comments and feedback in August 2008. There are several ways you can provide your feedback:

(1) Make a Submission to the Standing Committee

The Standing Committee on Social Policy will be holding public hearings in Toronto on Thursday, August 28, 2008. No other public hearing dates or locations have been announced to date. Those who are unable to or do not wish to make an oral presentation may send written submissions to the Committee Clerk by Friday, August 8, 2008.

For more information about submissions and presentations to the Standing Committee, please see the Standing Committee on Social Policy Meeting Notices under "Current Committees" at www.ontla.on.ca.

(2) Provide Comments to the Ministry's PHIPA Review Project

The Ministry of Health and Long-Term Care's Health System Strategy Division has established a PHIPA Review Project. The PHIPA Review Project oversees the Ministry's submission to the Standing Committee, and is accepting input from the public on what should be included. Contact information for the PHIPA Review Project is available on the Government of Ontario website, www.infogo.gov.on.ca/infogo/search.do, keyword search "PHIPA Review Project".

(3) Provide Feedback to your Association or Professional Body

Some professional organizations are also developing responses. For example, the Ontario Hospital Association ("OHA") will be making a submission to the Standing Committee on behalf of hospital members from across the province. It is our understanding that information and a survey has now been circulated to hospitals who are members of the OHA.

Assistance from Miller Thomson

The opinions of health care facilities and providers are extremely important to the PHIPA review, as you are the ones who work with, and within, PHIPA on a daily basis.

To this end, our Health Industry Practice Group would be pleased to provide you with assistance in developing feedback or a submission on PHIPA - to the Standing Committee directly, or to the PHIPA Review Project, the OHA, or any other group soliciting feedback for a submission. Your opinions and experiences matter and we encourage you to share them!

For further information, please contact us:

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Our National Health Industry Practice Group is dedicated to providing comprehensive and integrated legal services to health industry clients. For more information about our group, visit our website at www.millerthomson.com or contact one of our regional contacts:

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