Kathryn Frelick has specialized expertise in health and privacy and is a leading lawyer in these areas. She advises public and private health industry clients on a broad range of matters, with a particular focus on regulatory, strategic, and risk management advice, as well as advocacy before health and privacy administrative tribunals and regulatory bodies.

Kathryn’s regulatory practice includes expertise in areas such as health information and privacy, quality and patient safety, mental health, consent and capacity, health profession regulation, health insurance legislation, research and innovation, private health care, and corporate regulatory compliance.

In addition to her health practice, Kathryn advises clients on all aspects of federal and provincial privacy and freedom-of-information laws, including the management of privacy and security breaches, complaints, and proceedings. Kathryn regularly assists businesses, from startups to multinationals, to navigate Canada’s complex health regulatory and privacy regimes.

Kathryn is responsible for “Miller Thomson On Call,” an innovative program that provides 24/7 access to legal advice for health industry clients who require cost-effective, “real-time” assistance. Kathryn has assisted health industry clients in proceedings before the Ontario Court of Appeal, Superior Court of Justice, Coroner’s Courts, Consent and Capacity Board, Health Professions Review and Appeal Board, and Health Services Appeal and Review Board, as well as privacy and health profession regulatory bodies.

Kathryn worked in a hospital setting before her legal career, which provides an excellent framework for developing a quick and thorough understanding of her clients’ needs. Kathryn works with her clients to develop practical solutions to their legal problems in a manner that will best achieve their objectives.

**Thought leadership**

**Book Chapters**

- Legal Aspects of Health Information Management in *Fundamentals of Health Information Management*, Canadian Health Care Association/Canadian Health Information Management Association (2nd edition 2013)

**Recent Presentations**

- *Transition in Care: Collaboration Across the Care Continuum*, OACRS Annual Conference,
Privacy and Enterprise Risk Management, AFHTO/GCE, (November 22, 2017)

Privacy and Cyber Risk and Information Governance for FHTs, AFHTO Annual Conference, (October 25, 2017)


Directors Series What Directors Need to Know: Quality, Privacy, Accountability, Miller Thomson Directors Series (Webinar), (September 28, 2017)

Cyber Risk in the Health Sector, (CLEAR) Annual Educational Conference, (Denver, US), (September 13, 2017)

Transitions in Care: Collaborating Across the Care Continuum, Miller Thomson LLP, Coffee Talk: A Health Industry Seminar Series, April 19, 2017


How to Cope: Managing Mental Health Issues in the Workplace, Miller Thomson Labour and Employment Law Conference (April 6, 2017)

Navigating the Legal Pall of Medically Assisted Death – What you need to know about Medical Assistance in Dying in Canada, Miller Thomson CPD (In person and Webinar), (March 7, 2017)


Medical Assistance in Dying, Miller Thomson LLP, Coffee Talk: A Health Industry Seminar Series, (September 28, 2016)


Cyber Risk in the Health Sector Council on Licensure, Enforcement & Regulation (CLEAR) (June 15, 2016)

Dr. Seuss’s ABC’s – Privacy and Confidentiality, Long-Term Care Leadership Conference (April 27, 2016)

Protecting Quality and Risk Documentation – How to get the Balance Right (April 6, 2016)

Legislative Update, Risk & Compliance, Miller Thomson LLP, Coffee Talk: A Health Industry Seminar Series (February 17, 2016)

Getting Ready for Freedom of Information and Protection of Privacy Act, Community Care Access Centre, (February 16, 2016)

The Continued Evolution of Privacy and Risk, Miller Thomson and HUB International Limited Roundtable: Emerging Risks in Long-Term Care (January 27, 2016)


Current and Emerging Privacy Issues in LTC- Video Surveillance, Social Media and Email, 2015 Guide to Legal Risk Management in Long-Term Care, Osgoode Professional Development (September 28, 2015)


Select Publications

Public Hospital Advisory: New Accountability Agreement for Hospitals (H-SAA), Health Communiqué, February 20, 2018

Strengthening Quality and Accountability for Patients Act, 2017 Becomes Law in Ontario, Health Communiqué, January 16, 2018

Privacy Commissioner Gearing Up for Tougher Enforcement, Intellectual Property (IP) and Information Technology (IT) Law Practice Group Alert, October 5, 2017

Mandatory Notification Requirements under PHIPA in force October 1, 2017, Health Communiqué, September 26, 2017

Mandatory Notice Requirements under PHIPA and Public Consultation on Proposed Regulation Regarding Notices to the Commissioner, Health Communiqué, April 13, 2017

Confronting the opioid crisis, The Lawyer's Daily, November 24, 2016

Public Consultation on Proposed Regulations to Quality of Care Information Protection Act, 2016, Health Communiqué, November 1, 2016

What Health Facilities Need to Know About QCIPA 2016, Risk Management in Canadian
Transition to the Regulated Health Professions Act: What NDs Really Need to Know, The Pulse, 2012
FIPPA Exemptions for Hospital Quality of Care Records, Telehealth Law, Volume 11, Number 4, 2011
FIPPA exemption for hospital quality of care records, Health Communiqué, May 13, 2011
Sexuality in Long Term Care, LTC Magazine (Ontario Long Term Care Association), 2011
Special Health Legislative Update: Ontario, Health Communiqué, December 15, 2010
Accountability, Transparency and Quality in Long Term Care, LTC Magazine (Ontario Long Term Care Association), 2010
Dealing with Conflict at the End of Life, LTC Magazine (Ontario Long Term Care Association), 2010
Consent and Long Term Care, LTC Magazine (Ontario Long Term Care Association), 2010
Ontario makes changes to governance and critical incident reporting requirements for public hospitals, Health Communiqué, May 13, 2010
Workplace Violence and Harrassment: New Obligations for Long Term Care Homes, LTC Magazine (Ontario Long Term Care Association), 2010
Influenza and Pandemic Planning in Long Term Care Homes, LTC Magazine (Ontario Long Term Care Association), 2010
Strategies to Manage the Difficult Resident, SDM, or Family Member, LTC Magazine (Ontario Long Term Care Association), 2009
The Use and Misuse of Advance Directives, LTC Magazine (Ontario Long Term Care Association), 2009
Resident Safety and Disclosure of Adverse Events, LTC Magazine (Ontario Long Term Care Association), 2009
Ontario Court Looks At Public Consultation Requirements For Local Health Integrated Networks, Risk Management in Canadian Health Care, 2008
Ontario Court Looks At Public Consultation Requirements For LHINS, Communiqué for the Health Industry, September 30, 2008
Court of Appeal Reconsiders Approach in “Wrongful Life” Claim, Health Law in Canada, 2008
Court of Appeal Reconsiders Approach in “Wrongful Life” Claim, Communiqué for the Health Industry, June 9, 2008
The Legal Implications of Wait Times Strategies, 2007
Implications of the Private Security and Investigative Services Act, 2005 (Bill 159) for Health Industry Clients, Communiqué for the Health Industry, September 21, 2007
Disclosing Client Information to Elections Ontario, Communiqué for the Health Industry, September 13, 2007
Mandatory Disclosure of Critical Incidents, Communiqué for the Health Industry, August 30, 2007
Long Term Care Homes Act, 2007, Communiqué for the Health Industry, July 9, 2007
Ontario Legislative Update, Communiqué for the Health Industry, April 26, 2007
Potential Implications of Proposed Ontario Long Term Care Homes Legislation for Directors and Officers, Communiqué for the Health Industry, February 18, 2007
Potential Implications of Proposed Ontario Long Term Care Homes Legislation for Directors and Officers, Charities and Not-for-Profit Newsletter, February 2007
Government cannot be sued for failing to prevent spread of west nile virus, Communiqué for the Health Industry, January 19, 2007
Strategies to Manage the Difficult Client/Family Member, OBA Health Matters, 2007
Government Cannot be Sued for Failing to Prevent the Spread of West Nile Virus, OBA Sections in Review, 2007

Professional memberships
- Member, Canadian and Ontario Bar Associations
- Member, Privacy and Health Sections of the Ontario Bar Association
- Former Member, Centre for Addiction and Mental Health Research Ethics Committee
- Member, Medico-Legal Society of Toronto

Bar admissions & education
- Ontario Bar, 1998
- LL.B., University of Windsor, 1996
- H.B.Sc., (biology and psychology), Queen’s University, 1992

© Miller Thomson LLP 2018. All rights reserved.