



August 16, 2018

Office of the Privacy Commissioner
211 Hawkins Street
Suite 201
Whitehorse, Yukon
Y1A 1X3

Dear Ms. McLeod-McKay:

Re: File No. HIP17-08I

This communication is in response to your July 12th request for an update on the action taken by the Yukon Hospital Corporation (YHC) in response to recommendations a, b, and d in the Consideration Report dated March 16, 2018.

Recommendation a:

Further to our letter dated April 30, 2018, we have been informed by the Chief Information Officer of the Department of Health and Social Services (HSS) that HSS does not feel it has the authority to destroy personal health information of individuals that is within its custody at the request of YHC alone, given this situation has not been reported as a privacy breach. HSS recognizes that the process to correct personal health information is set out in s28 of the Health Information Management and Privacy Act (HIPMA), and has indicated to YHC that it would follow this process at the request of the complainant.

Recommendation b:

Further to our letter dated April 13, 2018, after consulting with HSS, YHC went directly to three regional health authorities in British Columbia to determine how personal health information is used and disclosed within those health authorities for the purpose of providing postpartum follow-up health care to mothers and newborns in their communities. These health authorities were sampled based on provision of services that are most representative of the health system here in the Yukon.

YHC specifically gathered information regarding how the Perinatal Services BC British Columbia Newborn Records Part 1 and 2, British Columbia Community Liaison records Postpartum and Newborn, and British Columbia Labour and Birth Summary (collectively, the "Records") are being used and disclosed within the three regional British Columbia health authorities.

Clinicians and administrators at YHC reviewed all of the information obtained from the BC health authorities to determine if the practices of the BC health authorities provided any basis to suggest that modifications are necessary to YHC's practices to ensure that personal health information of mothers and newborns is disclosed only to the extent necessary.



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YHC also provided the information it obtained from the BC health authorities to HSS. Thereafter, YHC consulted with HSS to assess whether this disclosure of all information in the records to public health nurses is reasonably necessary to facilitate the effective provision of health care.

Following the review of YHC's and HSS's shared information practices, YHC in consultation with HSS, finds no justification to modify its practices, and continues to support the existing practices on the basis that the disclosure of all of the information in the Records to public health nurses, is necessary to facilitate the effective provision of health care.

Accordingly, at this time, YHC continues to disclose all of the information in the Records to HSS.

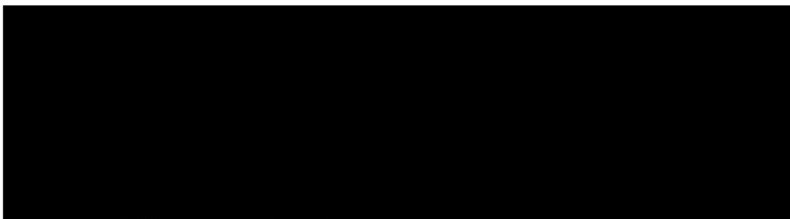
Recommendation d:

YHC believes in protecting the confidentiality, privacy, integrity and security of its patients' personal health information. As noted above, YHC has gathered information, consulted with HSS, including the Director of Community Nursing and the Chief Medical Officer of Health, and considered its obligations in the HIPMA.

Based on all of the information available to it, YHC remains of the view that its practice of disclosing all of the information in the Records to public health nurses in community health centres in the Yukon, is necessary to facilitate the effective provision of health care, and does not violate the HIPMA.

YHC recognizes that practices evolve and that continual improvement is necessary to achieve clinical best practices. YHC remains open to modifying its practices, or adopting new practices, to achieve the best possible outcomes for its patients where there is justification for doing so.

Sincerely,



Warren Holland,

Chief Privacy Officer