



- Welcome to a webinar about understanding BC's Personal Information Protection Act or PIPA for short.
- If you're a physician or MOA working in a private practice, this webinar is for you.

FAX RISKS

- Mistakes
 - Sending to the wrong fax number (procedures)
 - Incorrectly programmed fax number
 - Delays in response time and care
- Misunderstandings
 - Misinterpretation of content
 - Poor writing skills
- Mishandling
 - Faxes received not in a secure area
 - Faxes not picked up promptly
 - Personal information leaves Canada



There are lots of risks involved in using faxes to communicate with patients or others in the circle of care

- Mistakes happen
- Sometimes a fax is sent to the wrong number and you need to have procedures documented on how to respond
 - For example,
 - 1) asking the recipient to confirm they have destroyed the fax and
 - 2) Informing the patient about
 - a) what happened
 - b) that you have confirmation of destruction from the accidental recipient
 - c) that you don't believe there is any real risk of significant harm to them as a result of the error and
 - d) an apology for the inconvenience
- If you used a pre-programmed fax number, you'll need to modify it so future faxes are sent to the correct number
- Delays could negatively impact a patient's care if timeliness is critical
- Misunderstandings can happen with
 - one-way communications (two-way is always better)
 - or if the sender has poor writing skills but has better verbal skills (better to meet in person)
- Mishandling can occur if
 - faxes received are not in a secure area
 - faxes are not picked up promptly and

- personal information leaves Canada

FAX RISKS

- Interception when sent to a shared fax machine
 - publicly accessible
 - home fax
 - shared with other third parties (should be dedicated)
- Generally not encrypted and could be
 - intercepted by third parties tapping into or monitoring the transmission



Other risks include

- The potential for the fax to be intercepted if it's a
 - publicly accessible fax machine,
 - home fax machine or
 - one that's shared with other third parties
 - For example, a practice in a big box store should have its own dedicated fax machine
- Faxes are generally not encrypted and could be
 - intercepted by third parties tapping into or monitoring the transmission

You need to take reasonable steps to protect personal information under your control

WHERE DO YOU START?

- Inform patients of
 - the potential risks
 - precautions (anonymization)
 - alternatives (encrypted email, postal mail, courier)
 - their right to withhold or withdraw consent

- Policies and Procedures
 - cover sheet
 - acceptable use, verification and fax etiquette
 - verification of fax number prior to sending
 - removing sensitive personal information and diagnosis/prognosis
 - confirmation of transmission
 - retention and destruction

- Employee training



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WHERE DO YOU START?

- Inform your patients of
 - the potential risks of using fax
 - precautions you need to take to anonymize their personal information
 - alternatives available such as encrypted email, postal mail or courier and the impacts of using those alternatives and
 - their right to withhold or withdraw consent
- Make sure your policies and procedures include
 - having a fax cover sheet for all faxes
 - acceptable use, verification and fax etiquette
 - verification of the fax number prior to sending
 - removing sensitive personal information and diagnosis or prognosis as this should be done in a face to face meeting
 - the machine is programmed to produce a fax confirmation and
 - rules for retention and destruction
- Most importantly, make sure your employees are trained

It's understood that fax technology is used in the medical profession to collaborate with others in the circle of care.

The same policies and procedures should apply to those situations as well.

IDENTIFICATION

- How do you confirm:
 - the identity of the patient when fax is received?
 - Multiple patients with the same name
 - Missing patient's name
 - the fax number you are sending to?
 - Secure on the other end?
 - Received by the intended recipient?
- Controls
 - Understand an document recipient security
 - Confirmation
 - Password access to your fax machine



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- How do you confirm
 - the identity of the patient when a fax is received?
 - when you might have multiple patients with the same name
 - or the fax doesn't contain the patient's name and
 - the fax number you are sending to?
 - is it secure on the other end? (for example, it should not be shared)
 - was actually received by the intended recipient?
- There are a number of controls that can be used
 - Understanding and documenting the nature of security on the other end can help you advise on potential risks
 - Calling to confirm receipt of the fax is a best practice
 - You could also require password access to your fax machine



Here's an example of a fax being sent to the wrong person

All of your outgoing faxes should contain a disclaimer

Check out the Tools Tab in the Privacy Toolkit for the wording you can use

WEBINAR RESOURCES

- College Standards and Guidelines
<https://www.cpsbc.ca/for-physicians/standards-guidelines>
- Doctors of BC Privacy Toolkit and webinar notes (PDF)
<https://www.doctorsofbc.ca/privacy-toolkit-webinars>
- Office of the Information & Privacy Commissioner for BC:
 - Guide to PIPA
 - Privacy Breach Tools and Resources
 - Accountability Tips
 - Getting Accountability Right
 - Self-Assessment Tool for Securing Personal Information
 - Cloud Computing Guidelines
 - Guidance Document: Information Sharing Agreements
<https://www.oipc.bc.ca/guidance/guidance-documents/>



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Links to these Resources are in a PDF document on the Webinars page of the Privacy Toolkit

- College Standards and Guidelines
- Doctors of BC Privacy Toolkit and webinar notes
- and Privacy Commissioner guides, tips and resources



PIPA SHORTS

BC's Personal Information Protection Act

QUESTIONS?
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Let us know if you have any questions about complying with PIPA