

## Privacy Policy for JointAction Physiotherapy & Wellness Centre

The protection of your private personal information (PI) is one of our priorities at JointAction Physiotherapy & Wellness Centre Inc. (JA Physio). Due to the nature of the business at JA Physio, JA Physio is required to collect essential Personal Identifiable Information (PII) as is dictated by law. Additionally, JA Physio is committed to collecting, using and disclosing your PII responsibly, and only to the extent necessary for the goods and services we provide to you. This document describes the JA Physio privacy policies in alignment with PHIPA, PIPEDA, and the Digital Privacy Act, in addition to JA Physio's own strict privacy policies & procedures.

**PHIPA:** The Provincial; (Ontario) Personal Health Information Protection Act was established in Ontario in 2004. This legislation governs the collection, use and disclosure of personal health information, which is confidential data regarding a patient's mental and physical health.

**PIPEDA:** The Federal; (Canada) Personal Information Protection and Electronic Documents Act sets the ground rules for how private-sector organizations collect, use, and disclose personal information in the course of for-profit, commercial activities across Canada. PIPEDA generally applies to personal information held by private sector organizations that are not federally-regulated, and conduct business everywhere in Canada.

**Digital Privacy Act:** The Federal; (Canada) The requirement for "valid consent" to the collection, use and disclosure of personal information. Every organization that collects, uses and discloses personal information in the course of commercial activity in Canada (with a few exceptions) must follow new mandatory data breach record-keeping, reporting and notification rules – or face significant non-compliance consequences.

### **What Is Personal Information / Personally Identifiable Information (PII)?**

Personal information is information about an identifiable individual. PII includes information that relates to their personal characteristics (e.g., gender, age, income, home address or phone number, ethnic background, family status), their health (e.g., health history, health conditions, health services received by them) or their activities and views (e.g., religion, politics, opinions expressed by an individual, an opinion or evaluation of an individual).

### **What Is NOT Personal Information / Personally Identifiable Information (PII)?**

What is not considered to be Personal information is business related information (e.g., an individual's business address, business title, business email address and business telephone number), all of which is not protected by privacy legislation.

### **Your Personal Information:**

JA Physio is required to collect PII information in regards to yourself which will include; legal name, date of birth, place of residence; basically all contact information in addition to an emergency contact with their contact

information, in order to provide you with optimal service. JA Physio will also require information on insurance benefit coverage if JA Physio will be submitting a claim on your behalf for example; OHIP. There will be requirements to provide your age, health history, current health condition(s), assessment results or diagnoses from other health providers; health services provided to or received by you, and the name and date of birth of the policy holder for insurance billing purposes if the patient is not the insurance policy holder.

## Who We Are

Our organization, JointAction Physiotherapy & Wellness Centre Inc (JA Physio) who, at any given time is comprised of; Physiotherapists, Massage therapists, Doctor of Chiropractor, Exercise program instructors (including Yoga & Pilates instructors), support personnel and administrative staff, etc; are all held to uphold the strict JA Physio policies and procedures in addition to the stringent protection and management of your confidential PII.

In the course of doing clinic business, JA Physio will use a number of consultants, agencies and resources that may, in the course of their duties, have access to your personal information. Including but not limited to; computer consultants & technicians; office & clinic security; legal service providers; etc. JA Physio proactively restricts access to your PII and has engaged these resources and possibly others under strict contracts to insure they follow appropriate privacy policies and procedures which are required by law to protect your PII.

## We Collect Personal Information: Primary Purposes

### About Patients/Clients (Patients)

Like all multidisciplinary clinics, we collect, use and disclose PII in order to serve you our patient.

- The primary purpose; for collecting personal information, is to provide JA Physio's services and treatments. For example, we collect information on health history, including family history, physical condition, physical function and social situation in order to assess what your health needs are, to advise you of your options, and then to provide the health care you choose to receive and/or refer you to a service that we believe would contribute to reaching your treatment goals.
- The secondary purpose; is to obtain a baseline of health and social information to facilitate the provision of ongoing optimum health services, and identify changes that are occurring over time. In the event JA Physio should need to collect such information without the patient's express consent, as might occur in an emergency (e.g., the patient is unconscious) or where we reasonably believe the patient would consent if asked and it is impractical to obtain consent (e.g., a family member passing a message to us, from our patient and we have no reason to believe that the message is not genuine due to the reasonable nature of it).
- Physiotherapists are regulated by the College of Physiotherapists of Ontario; Massage Therapist are regulated by the College of Massage Therapists of Ontario; Chiropractors are regulated by the Canadian Chiropractic Association;
  - All of whom may inspect our records and interview our staff as a part of their regulatory activities, and in the public interest.
  - As part of JA Physio's Duty of Care requirement(s);

- JA Physio is mandated to report serious misconduct, incompetence or incapacity of any practitioner.
- Various government agencies (e.g., Canada Revenue Agency, Information and Privacy Commissioner, Human Rights Commission, etc.) have the authority to review our files and interview our staff as a part of their mandates.
  - In these circumstances, we consult with professionals (e.g., lawyer, or accountants) who investigate the matter on our behalf.
  - The cost of some goods/services provided by JA Physio to patients is paid for by third parties (e.g., MVA insurance, OHIP, WSIB, private insurance, Assistive Devices Program).
    - These third-party payers often have your consent or by legislative authority to direct us to collect and disclose to them certain information in order to demonstrate patient entitlement to their funding.
- Patients or other individuals we deal with may have questions about our goods or services after they have been received years later.
- We also provide ongoing services for many of our patients over a period of months or years for which our previous records are essential resources.
- If JointAction Physiotherapy & Wellness Centre Inc. (JA Physio) or its assets were to be sold, the purchaser would conduct a “due diligence” review of the Clinic’s records to ensure that it is a viable business which has been honestly portrayed. This due diligence may involve some review of our accounting and service files. The purchaser would not be able to remove or record personal information. Before being provided access to the files, the purchaser must provide a written promise to keep all personal information confidential. Only reputable purchasers who have already agreed to purchase the organization’s business or its assets would be provided access to personal information, and only for the purpose of completing their due diligence search prior to closing the purchase.

### **Members of the General Public**

JA Physio’s primary purpose for collecting a limited amount of your personal information including your email address; is to provide notice of appointments for exercise classes or other services. Upon your request JA Physio will remove any reasonable personal information from our contact list. JA Physio does not use, share, sell, or in any way distribute your information in any manner other than it’s original intended use as was provided by you.

### **Collected Personal Information: Related and Secondary Purposes**

Like most organizations, we also collect, use and disclose information for purposes related to or secondary to our primary purposes and only in compliance with Government Regulations. The most common examples of our related and secondary purposes are as follows, and only upon your consent, would we share essential information with third parties to provide you with their services under the following circumstances, to name but a few;

- To send exercise programs via email and/or for the purpose of creating custom orthotics and/or compression socks.
  - JA Physio only deals with the companies who have and follow strict confidentiality policies, privacy policies, and standards which are in alignment with the law(s) governing them.
- invoice patients for goods or services that were not paid for at the time they were provided, to process credit

card payments or to collect unpaid accounts

- advise patients that their product or service should be reviewed (e.g., to ensure a product is still functioning properly and appropriate for their then current needs and to consider modifications or replacement)
- advise patients and others of special events or opportunities (e.g., a seminar, development of a new service, arrival of a new product)
- additionally; external consultants (e.g., auditors, legal service providers, practice consultants, voluntary accreditation programs) may conduct audits on our behalf and reviews for continuing quality improvements
- You can decline at any time, to discontinue the participation of some of these related or secondary purposes (e.g., by declining to receive notice of special events or opportunities, by paying for your services in advance).

## Protecting Your Personal Information

At JA Physio; we understand the importance of protecting all private information. For that reason, we have taken the following steps:

- Paper information is either under constant supervision, or secured in a locked or restricted area.
- Digital information is secured by passwords & electronic hardware either constantly under supervision or secured in a locked or restricted area at all times. In addition; strong passwords are used on all computers.
- When paper information is transferred, it is in sealed, envelopes or boxes, and by reputable bonded courier companies.
- Electronic/Digital information is transmitted either through a direct line (fax), is anonymized and/or is encrypted.
- Staff is trained to collect, use and disclose personal information only as necessary to fulfill their duties, in accordance with our strict privacy policy and the guidelines of Government Regulations.
- External consultants and agencies with access to your personal information must enter into privacy agreements with Ja Physio, or sign confidentiality agreements prior to any transfer of private information or access to any PII in the course of providing their services to JA Physio.
- Any unauthorized or unnecessary access to any personal information is prohibited.

## Retention and Destruction of Personal Information

JA Physio is required to retain personal information for various time frames in accordance with Government Regulations. Additionally, to ensure that we can answer questions you might have about the services provided and for our own accountability to external regulatory bodies.

JA Physio will retain patient information for a minimum of ten years after the last contact/entry or ten years after the patient reaches, or would have reached, the age of eighteen. Otherwise if you ask, we will remove “reasonable” contact information right away. We keep any personal information relating to our general correspondence (e.g., with people who are not patients) newsletters, seminars and marketing activities for approximately six months after the newsletter ceases publication or a marketing activity is over. Paper files containing personal information are destroyed by shredding. We destroy electronic information by deleting it and, prior to the hardware being

discarded; the memory device, or hard drive is physically destroyed.

### **You Can Look At Your Information**

Under the Privacy Act; you have the right to see what personal information JA Physio has in our files regarding you within reason, and the provisions of the governing bodies, or law. Often all you have to do is contact the JA Physio Information Officer. We will need to confirm your identity before providing you with this access. JA Physio reserves the right to charge a nominal fee for each of these requests. Please put your request in writing. If we cannot give you access, we will inform you by letter or email within 30 days and provide you with the reason why we cannot give you access.

If you believe there is a error in JA Physio's information regarding you; you have the right to request it to be corrected. This request can only apply to factual information, not financial information and not to any professional opinions. You will be required to provide documentation to support your request for the correction of our files. In the event JA Physio does agree that we have an error in our file on you, we will make the correction and notify those to whom we have been authorized by you to send this information originally. If we do not agree that we have an error, we will still agree to include a brief statement from you on the point in our file and we will forward a copy of that statement to those who received the earlier information.

### **Do You Have a Request or a Question?**

Our Information Officer: Nelly Temraz  
670 Taunton Road East Unit B2, Whitby, Ontario L1R 0K6  
[nellytemraz@jointactionphysio.ca](mailto:nellytemraz@jointactionphysio.ca)  
289-274-5399 x101

Ms. Temraz will, to the best of her ability, attempt to answer any questions or concerns you might have or provide direction as to where your answers can possibly be found. If you wish to make a formal complaint regarding our privacy practices; you may make it in writing to JA Physio's Information Officer (contact information above). Receipt of your complaint will be acknowledged, investigated promptly and you will be provided with a formal decision and reasons in writing.

If you have a concern about the professionalism or competence of our services or the mental or physical capacity of any of our professional staff we would ask you to discuss those concerns with JA Physio's Information Officer first (contact information above). If we cannot satisfy your concerns, you are entitled to contact to our regulatory body(s) (the following information lists are maintained on a best efforts basis) as follows:

Notice: the following list is maintained on a best efforts basis

<i>College of Physiotherapists of Ontario</i>	<a href="http://www.collegept.org">www.collegept.org</a>
<i>College of Massage Therapists of Ontario</i>	<a href="http://www.cmta.com">www.cmta.com</a>
<i>College of Chiropractors of Ontario</i>	<a href="http://www.cco.on.ca">www.cco.on.ca</a>

This policy is made under the (PHIPA) Personal Health Information Protection Act, the (PIPEDA) Personal Information Protection and Electronic Documents Act, and the Digital Privacy Act. All are complex and all provide some additional exceptions to the privacy principles that are too detailed to set out here, and as a result there are some rare exceptions to the commitments JA Physio has set out above.

For more Privacy information and inquiries;

Notice: the following list is maintained on a best efforts basis

The Privacy Commissioner of Canada	<a href="https://www.priv.gc.ca/en/contact-the-opc/">https://www.priv.gc.ca/en/contact-the-opc/</a>
The Information and Privacy Commissioner of Ontario	<a href="https://www.ipc.on.ca/about-us/contact-us/">https://www.ipc.on.ca/about-us/contact-us/</a>