

# Privacy Policy

Heal Canada

## PRIVACY POLICY

Last Updated: July 15, 2019

*Heal Canada (“Heal Canada “us” or “we”) operate the website [www.healcanada.org](http://www.healcanada.org)(the “Site”).*

*Please note that we may revise this Privacy Policy from time to time. Please review this Privacy Policy for any updates and changes. Any changes will be effective upon posting. The date of the last revisions will be posted at the top of this Policy. Your continued use of the Site demonstrates an acknowledgment that you understand the terms of the Privacy Policy in effect at the time of your use of the Site.*

## OUR PHILOSOPHY

At Heal Canada, we believe that all individuals should have the choice on how information that identifies them should be managed by organizations such as Heal Canada. This is particularly the case with respect to personal health information that many people consider to be the most sensitive information about them. We also believe that Patients may benefit from better healthcare when their personal health information is shared appropriately through the use of new technologies and that they will be willing to share such information when they have trust and confidence that their information will be used according to their wishes and expectations.

# OBJECTIVE AND SCOPE OF THIS POLICY

The objective of this Privacy Policy is to set out how the Heal Canada collects, receives, uses and discloses the information of all individuals who use the Site and participate in programs that may be offered through the Site.

## DEFINITIONS

**“Agent”** means a person who is authorized by a health information custodian to perform services or activities on the custodian’s behalf and for the purposes of that custodian; it is the definition used in the *Personal Health Information Protection Act, 2004* (Ontario);

**“Aggregate Data”** means data that has been compiled from record-level data to a level of aggregation that ensures that the identity of the individual to whom the data relates cannot be determined by reasonably foreseeable methods;

**“Anonymous Browsing Information”** means information related to how an individual uses walmartwellness.ca but does not include an IP address;

**“De-identified Information”** means information that does not identify an individual or for which it is not reasonably foreseeable in the circumstances that it could be utilized, either alone or with other information, to identify an individual;

**“Health Information Custodian”** or **“HIC”** means an individual or organization who, as a result of their power or duties, has custody or control of personal health information; healthcare providers such as pharmacists, physicians and nurses are health information custodians; it is the definition used in the *Personal Health Information Protection Act, 2004* (Ontario);

**“Patient”** means an individual who accesses the Site and who may enroll in programs offered by the Heal Canada through the Site in order to seek education and support related to a personal health condition.

**“Patient Registration Information”** means the information required for the Patient to register for a Program and includes her or his:

- first and last name
- email address
- age when diagnosed with the specific health condition

Patient Registration Information is a component of the Patient's Personal Health Information;

**“Personal Health Information”** or **“PHI”** means identifying information about an individual in oral or recorded form. It includes information about an individual's health or health history and includes:

- Name, address, health card number;
- Physical or mental condition, including family history;
- Diagnosis, treatment, and care services;
- Long term care services;
- The identity of a health care provider or a substitute decision maker for the individual;
- Blood or body part donations; and
- Payment or eligibility for health care.

It is the definition used in the *Personal Health Information Protection Act, 2004* (Ontario).

The following information about a Patient participating in a Program is therefore their PHI:

- First and last name
- Email address
- Postal code
- Gender
- Name of her or his Physician
- Diagnosis
- Other health-related information that the Patient may wish to provide.

**“PHIPA”** means the *Personal Health Information Protection Act, 2004* (Ontario);

**“Personally Identifiable Information”** or **“PII”** means information that identifies an individual that is not Personal Health Information;

**“Physician”** means the health information custodian who leads the Patient’s care team;

**“Physician Information”** means the information that the Patient may provide when using a Program and includes her or his:

- First and last name
- Email address
- Clinic’s address
- Telephone number
- Fax number

**“Privacy”** means the right of an individual to control access to one’s personal information, including personal health information, about oneself;

**“Process”, “processing” and “processes”** and grammatical variations thereof, means any use of or operation or set of operations which is performed upon or in connection with information or data, by any means and in any form or medium including without limitation collection, recording, analysis, consultation, organization, maintenance, storage, adaptation, modeling, retrieval, disclosure or otherwise making available, combination, matching, erasure or destruction;

**“Program”** means a digital support program offered by Heal Canada and delivered through [www.healcanada.org](http://www.healcanada.org).

**“Services Agreement”** means the agreement that Heal Canada has entered into with Subcontractors to provide access to and use of a Program;

**“Site”** means the Heal Canada website found at [www.healcanada.org](http://www.healcanada.org); and

**“Subcontractors”** means any person engaged by the Heal Canada for the purpose of fulfilling any obligation of the Heal Canada as part of the delivery of services through its Programs and Site and includes, without limitation, the Heal Canada’s agents, representatives and subcontractors, and the successors and assigns of each of the foregoing, but does not include any employee or officer of the Heal Canada.

# OUR PRIVACY PRINCIPLES

## PRINCIPLE 1 – ACCOUNTABILITY

Heal Canada is responsible for PHI and PII that has been provided to it by all individuals who use the Site and Program. This includes information in the custody of The Heal Canada, as well as that which is processed by its Subcontractors over which The Heal Canada has control. The obligations of Heal Canada with respect to the appropriate management of PHI and PII are set out in the terms of PHIPA, its policies, procedures and best practices.

Heal Canada maintains its accountability for PHI and PII in the following manner:

- It has identified Cheryl Petruk as the Heal Canada Privacy Officer, the individual responsible for its compliance. The Privacy Officer can be contacted at [healcanadacbca@gmail.com](mailto:healcanadacbca@gmail.com)
- It enters into agreements/contracts with Subcontractors who require access to PHI/PII to perform services for the Heal Canada in the delivery and operation of the Site and Program.
- It has developed and implemented policies and procedures to give effect to the principles in this Privacy Policy, including those related to the:
  - Protection of PHI and PI;
  - The receipt and response to complaints and inquiries;
  - Training of staff and communication of information about The Heal Canada's policies and procedures; and
  - Development of information to explain The Heal Canada's policies and procedures.

## PRINCIPLE 2 – IDENTIFYING PURPOSES

Heal Canada has identified the purpose for which it receives and collects PHI and PII in order to provide Patients with access to and use of the Site and Program.

Heal Canada has documented this purpose prior to its receipt and/or collection of the information in order to comply with the principles of Openness and Individual Access; and to determine that the collection and receipt of the PHI and PII is reasonably necessary to meet these purposes (as related to the Limiting Collection principle). The purposes are outlined in the consents provided to Patients and Pharmacists when they log onto the Site to register

for Programs and are further explained in this Privacy Policy which is available on every page of the Site. Heal Canada Privacy Officer can provide further explanation of these purposes if contacted at: [healcanadacbca@gmail.com](mailto:healcanadacbca@gmail.com)

### **PRINCIPLE 3 – CONSENT**

The Program operates on the basis of individual consent. The consent of all individuals is sought when they register to participate in a Program. Heal Canada makes a reasonable effort to explain in the consents the purposes for which PHI and PII will be used and disclosed, stating them in plain language that the individual can reasonably understand so as to be able to provide Heal Canada with a knowledgeable consent.

Heal Canada seeks the express consent of Patients before disclosing any Patient Registration Information or PHI. Patients may provide their consent to the disclosure of this information in order to participate in programs offered by Heal Canada.

An individual may withdraw their consent at any time. If consent is withdrawn, the individual may no longer be able to participate in a Program. A withdrawal of consent is not retroactive – any of the individual’s PHI and/or PII that has already been used or disclosed cannot be retracted.

The consents provided by Patients are included in Schedule “A” to this Privacy Policy or as separate webpages incorporated into the Program registration process.

### **PRINCIPLE 4 – LIMITING COLLECTION**

Heal Canada limits the receipt of PHI and PII that it collects from Patients to that which is necessary for the purposes of a Program. It does not receive or collect more PHI and PII than is reasonably necessary for these purposes.

### **PRINCIPLE 5 – LIMITING USE, DISCLOSURE AND RETENTION**

#### ***Limiting Use and Disclosure***

Heal Canada does not use or disclose PHI or PII for purposes other than those for which it was collected, except with the consent of the individual or as permitted or required by law. Heal Canada will seek the consent of Patients if it wishes to use or disclose their PHI and/or PII for purposes other than those

for which the individual has provided their consent when they registered for a Program. Heal Canada uses De-identified Information and uses and discloses Aggregate Data when it will serve the purpose of the use or disclosure as the case may be.

### ***Cookies and Site Analytics***

The Site may use “cookies” to help personalize and maximize a user’s online experience. Cookies are small amounts of data which often include unique, non-personal identifiers, and they enable the Site to recognize users and keep track of individual user’s preferences. Three types of cookies may be employed during a visit to the Site:

1. “Session” cookies, which are not permanently stored on the user’s hard drive and are permanently deleted from the user’s computer after two hours of inactivity or when the user ends her or his session, are used solely to help the user to navigate around the Site;
2. “Persistent” cookies, which remain on the user’s computer so that the Site can recognize the user when she or he returns; and
3. Third party cookies used by Heal Canada to measure the effectiveness of their education, support, or content management programs.

The Site may use cookies to improve the user’s experience with a Program. For example, when a user returns to the Site, cookies enable Heal Canada to retrieve the information previously provided by the user, so she or he can easily use the features that may have been customized. The use of cookies allows Heal Canada to deliver faster and more accurate results and a more personalized site experience.

Some parts of the Site may use cookies to track user traffic patterns. This is done in order to determine the usefulness of the Site’s information to users and to determine the effectiveness of the Site’s navigational structure in helping users reach information.

Cookies are not used to run programs or to deliver viruses to the user’s computer. Cookies are uniquely assigned to each user’s computer, and can only be read by a web server in the domain that issued the cookie.

While most browsers are initially set to accept cookies, users have the ability to disable cookies if she or he wishes, generally through changing the internet browser settings. It may also be possible to change the browser settings to

enable acceptance of specific cookies. If cookies are disabled it may mean that not all the services of the Site might be available.

A Program may also use website analytic tools, such as Google Analytics, in order to better understand traffic sources, and traffic patterns and usage patterns.

### ***Limiting Retention***

Heal Canada has developed guidelines and implemented procedures with respect to the retention of PHI and PII. These guidelines and procedures are consistent with the terms of the Services Agreement and any legislative requirements with which Subcontractors may be required to comply.

### **PRINCIPLE 6 – ACCURACY**

Because Heal Canada processes PHI and PII received from other individuals (e.g. Patients) it cannot assume any responsibility for the accuracy of this information.

### **PRINCIPLE 7 – SAFEGUARDS**

Heal Canada endeavours to protect the confidentiality and security of the PHI and PII that it processes. It takes steps that are reasonable in the circumstances to protect the information against theft, loss, and unauthorized use, disclosure, copying modification or disposal. Heal Canada:

- Uses administrative, physical and technical means to safeguard PHI and PII;
- Makes employees aware of the importance of maintaining the confidentiality of PHI and PII; and
- Uses care in the disposal or destruction of PHI and PII to prevent unauthorized persons from gaining access to the information.

### **PRINCIPLE 8 – OPENNESS**

Heal Canada makes this Privacy Policy available on the Site [www.healcanada.org](http://www.healcanada.org). The Privacy Policy sets out how:

- Heal Canada processes the PHI and PII it receives and collects for the operation and maintenance of a Program;



- An individual may contact its Privacy Officer;
- An individual may obtain access to or request correction of their PHI and/or PII included in a Program; and
- To make a complaint to The Heal Canada and the Office of the Information and Privacy Commissioner/Ontario.

## **PRINCIPLE 9 – INDIVIDUAL ACCESS**

Individuals may access and, in most cases, modify (i.e. correct) their PHI and PII through the Site. Where an individual may not modify their information through the website, Heal Canada will direct the individual requesting the correction to the person or entity from whom Heal Canada received the information that is the subject of the request for correction.

## **PRINCIPLE 10 – CHALLENGING COMPLIANCE**

Individuals should direct a challenge concerning compliance with the principles set out in this Privacy Policy to Heal Canada Privacy Officer at [healcanadacbca@gmail.com](mailto:healcanadacbca@gmail.com). In the event that the individual is not satisfied with the response provided by Heal Canada, they may file a complaint with:

The Office of the Information and Privacy Commissioner/Ontario

2 Bloor Street East, Suite 1400 Toronto, Ontario, Canada M4W 1A8

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## **SCHEDULE “A”**

### **PROGRAM CONSENT**

#### **Consent Agreement – Patients**

**Last Updated:** July 15, 2019

*Please read this statement carefully. It explains how Heal Canada (“Heal Canada”) collects, uses and discloses your information when you participate in online programs (“Program”) offered by The Heal Canada. For more information about Heal Canada’s information management practices, please see our Privacy Policy at [www.healcanada/privacy](http://www.healcanada/privacy). If you have any questions about this consent or any other matters related to your information and a Program, please contact our Privacy Officer at [healcanadacbca@gmail.com](mailto:healcanadacbca@gmail.com)*

*By clicking on “I AGREE” you acknowledge that you have read, understood and agree that your information may be collected, used and disclosed by Heal Canada as described below in this consent.*

## **Patient Registration Information**

Heal Canada requires certain information about you in order that you may participate in a Program.

In order to register for the Program, you will need to provide your:

- First and last name
- Email address
- Age when diagnosed with a blood cancer.

Together, this information about you is called your “Registration Information” (RI). This information is used to uniquely identify you in the Program, to communicate with you about information you may be interested in, such as

educational materials and other resources about your condition and treatment. Your age at which you were diagnosed with the specific health condition is important because this information will help us tailor the type of support information that may be of interest to you. We may ask you for your postal code at some point during your use of the Program in order to suggest other support services that are conveniently located near to you.

## **Personal Health Information**

Once you have registered for a Program, you may be asked to complete a series of survey questions that will help Heal Canada understand the type of support and information you are looking for related to the management of your health.

Together, the information uploaded by you that relates to your health and medical condition is called your “Personal Health Information” (“PHI”).

The objective of a Program is to improve the level of care and support you receive while undergoing treatment for a blood cancer. To facilitate this, your Physician or other individuals you identify may be granted access all of your Registration Information and PHI.

## **It’s Your Choice**

Heal Canada obtains your express consent to disclose your Registration Information and/or PHI to third parties that have not been invited by you to participate in a Program.

There may be occasions when third party healthcare providers offer programs in which you may be interested in participating. Heal Canada will seek your consent before providing these organizations with your Registration Information and/or PHI. These organizations may only use the information. Heal Canada provides to them for the purposes of the program in which you choose to participate.

Heal Canada will collect RI and PHI in order to provide our Program’s services and will analyze it to discover new facts that could help us better understand how our Program is used in individuals coping with a blood cancer. We may combine, in a non-identifiable format, your RI and PHI with information from other Program users to create aggregate or summary data that we will use for

our organization's purposes and to support our mission to improve healthcare, and conduct analyses that may help us offer better services.

Heal Canada does not use or disclose RI or PHI for any other purposes.

## **Withdrawing Your Consent**

You may change your mind at any time and withdraw your consent that authorizes Heal Canada to use and disclose your Registration Information and PHI as described above. You may do so by sending an email request to [healcanadacbca@gmail.com](mailto:healcanadacbca@gmail.com). We will confirm receipt of your request by sending you an email and in that email, Heal Canada will ask you to confirm your desire to withdraw from the Program.

Please be aware that if you withdraw your consent, you will not be able to continue to participate in programs offered by Heal Canada. Should you withdraw your consent, your Registration Information (RI) and PHI is retained by Heal Canada. Heal Canada may use it in de-identified form or as Aggregate Data to calculate statistics on the use of Programs, draw insights related to particular therapies, disclose it as Aggregate Data to Physicians, or other healthcare-related individuals and organizations in order to improve medical care