Health Care Provider Guide

Version 1.0

Owner: eHealth Ontario

Contents

1 Welcome to the Ontario Laboratories Information System

The Ontario laboratories information system, or OLIS, is a health information system that facilitates the secure, electronic exchange of laboratory test orders and results.

OLIS is a province-wide repository of lab information that can be shared between hospitals, community laboratories, public health laboratories, and health care providers.

OLIS accepts data feeds from labs in the province such as public health Ontario laboratories, community and hospital laboratories and to date has data representing over 90 per cent of community lab volume, and almost 60 per cent of the total provincial volume.

The goal is to have 100 per cent of all lab tests performed in Ontario in OLIS. For the most up-to-date list and the latest about OLIS, visit: http://www.ehealthontario.on.ca/en/initiatives/view/olis.

2 OLIS and the electronic Child Health Network (eCHN)

eHealth Ontario and eCHN are collaborating to make laboratory information from OLIS available to authorized Users of eCHN.

3 Feedback from the Field

"It's reassuring for me as a type 1 diabetic that anywhere in the province I go, my health care team has access to my records with the click of a mouse. No more extra testing, no more frustrating, confusing processes that have to take place. Now there's a central hub of a computer system that can be plugged into by the entire health care team." – Steve Stresman, patient

"Patients are going to notice that they are not having duplicate tests or being asked the same questions over and over again, and that their care providers are more confident about the care they are delivering because they have better information and are more

comfortable with the decisions they are making." – Dr. Glen Geiger, chief medical information officer, The Ottawa Hospital

"The Ontario laboratories information system and eHealth Ontario have revolutionized my practice over the last year. And, in fact, I'm constantly learning new ways to use this system to my patients' advantage." – Dr. Greg Rose, infectious disease consultant, The Ottawa Hospital

"I think everyone wants to see movement forward in reducing inefficiencies in clinics. Everyone wants to use their time wisely, both patients and providers." – Dr. Erin Keely, chief, endocrinology & metabolism, The Ottawa Hospital

4   Benefits to You

- Ensures timely access to information for decision making at point-of-care
- Facilitates more comprehensive and complete lab test information as produced by laboratories outside of their organizations
- Provides better coordination of care between multiple practitioners and within health care teams
- Improves workflow and reduces the dependency on paper-based systems

5   Benefits for Your Patients

- Ensures fewer gaps in patient information as patients move between hospital, practitioner's office (e.g. family physicians, specialists), home care and long-term settings
- Provides an effective tool to integrate and track patient laboratory history over time, monitor progress of treatments and support chronic disease management
- Reduces the number of unnecessary lab tests due to greater availability and sharing of information
- Enables timelier and broader access to lab test results by practitioners

6   Getting Started

eHealth Ontario, in partnership with eCHN, will set you up for access to OLIS via eCHN's WebChart . In order to access OLIS you or your organization will need to complete the following steps:

- Complete all necessary forms and agreements required by eCHN.
- Complete and submit an eHealth Ontario Site Profile Form,
- Sign all agreements required by eHealth Ontario which outline User responsibilities under PHIPA

Key staff/employee changes must be communicated to eHealth Ontario:

- If your indicated site contacts change – update your eHealth Ontario Client Site Profile Form and email to registration.agents@ehealthontario.on.ca
- eHealth Ontario Client Site Profile Form can be downloaded at https://www.ehealthontario.ca/

- If there is a change in the Site User Coordinator, End Users or Lead Physician in the Electronic Portal Access Application Form that you've registered with eCHN, notify eCHN

7 Important Notices about Privacy and Security

Your Privacy and Security Obligations

As custodians of patient personal health information (PHI), health care providers have obligations under the *Personal Health Information Protection Act, 2004* (PHIPA) and Ontario Regulation 329/04 (the regulation).

In accordance with PHIPA, health care providers only collect lab data from the OLIS system for the purpose of providing health care, or assisting in the provision of health care, to the provider's patients.

If a provider is aware that a patient has placed a restriction on his or her lab data in OLIS (i.e. withdrawn consent), the provider must not access this information without obtaining the express consent of the patient (or that of the patient's substitute decision-maker).

Each health care provider is responsible for ensuring that he or she complies with the following obligations when collecting, using, retaining and disclosing OLIS data:

a) All agreements entered into between eHealth Ontario and the health care provider or the organization for which the health care provider works (whether as employee, partner, agent, or under contract)

b) All agreements entered into between the health care provider and the organization for which the health care provider works

c) Maintain records of access to OLIS data in accordance with applicable law and professional regulatory requirements.

d) PHIPA and Ontario Regulation 329/04 (the regulation)

e) Any other applicable legislation or regulation, and

f) Any applicable judicial or administrative tribunal judgments, orders, rulings, or decisions

Each health care provider should ensure that his or her employees, agents and service providers handling PHI on behalf of the provider are in compliance with the provider's obligations, listed above, and are aware of, and comply with, any specific obligations under PHIPA or the regulation applicable to the provider's employees, agents or service providers.

A more complete description of provider security and privacy responsibilities can be found in PHIPA and the regulation.

A useful overview of security can be found in the eHealth Ontario publication entitled *Guide to Information Security for the Health Care Sector – Small Medical Offices*, which is also available on eHealth Ontario's web site at: http://www.ehealthontario.on.ca/en/security/guides

If you become aware of a suspected or confirmed privacy or security breach of OLIS data by you or any of your employees, agents, or service providers, follow the procedure outlined in Appendix B.

Appendix C outlines the process for making the following types of access requests:

- A provider wishing to access the OLIS access audit log
- A patient wishing either to access the OLIS access audit log or to find out what information is contained about him/her in OLIS

Please see Appendix D for information on how to address patient enquiries or complaints related to OLIS data or to eHealth Ontario.

Patient Consent

Your patients may be concerned with the privacy and security of their personal health information (PHI), now that their laboratory test results may be more easily shared with other health care providers.

OLIS has a consent directive capability, which gives patients or their substitute decision maker(s) the option to opt out of OLIS.

A patient may restrict access to either:

- All of his/her laboratory test results in OLIS or
- A particular test (to be specified at the time the test is conducted)

Restricting a test result means only the following are allowed to see it:

- The health care providers who were named on the lab requisition (e.g., the ordering or copied provider)
- The reporting lab and the lab that performed the test
- The organization that placed the test request

In other words, if a patient restricts access to his/her results in OLIS, other health care providers involved in the patient's care (that are not named on the lab requisition) will not be able to access any patient information that has been, or will be, submitted into OLIS. When a restricted provider queries lab results for this patient, the eCHN WebChart will notify him/her of this when returning the results of a patient query.

If a patient wishes to place a restriction on access to his/her information in OLIS, or wishes to reinstate access (remove the restriction), he/she can call Service Ontario at 1-800-291-1405 (TTY 1-800-387-5559)).

Overriding a Consent Directive

In special cases (with consent from the patient or the patient's substitute decision-

maker) the patient directive restricting access to the test can be overridden by a provider, from within the eCHN WebChart.

Such an override is logged in the eCHN WebChart, along with the identity of the overriding health care provider. In addition, OLIS logs all accesses to its data, and an audit of this information can be requested by the patient or your facility.

The eCHN WebChart system stores a local copy of the data retrieved from OLIS. When a health care provider obtains the express consent of the patient or their substitute decision maker (SDM) to override a directive restricting access, it is recommended that the provider clarify for the patient that although the consent override is temporary in respect of OLIS, the information that the patient has allowed the provider to view will be saved in the clinical viewer system, flagged as sensitive information, and may be available to other providers involved in the patient's care.

Restrictions on your use of the eCHN Emergency Override Functionality for OLIS data

The eCHN WebChart application enables Users to override a consent directive applied to data within eCHN's system where; (a) there is a clinical/emergency requirement; or (b) access has been granted directly by patient or the patient's SDM (express consent).

However, the Ministry of Health and Long Term Care (MOHLTC), as the health information custodian of OLIS, does not permit authorized Users who access OLIS to override a consent directive applied to OLIS data without the patient's (or their SDM's) express consent. Therefore, eCHN's Users must not perform the consent override on OLIS data without obtaining express consent from the patient or their SDM, even for reasons of clinical emergency.

Consequently, eCHN has modified its WebChart user interface to permit eCHN users to override the patient's consent directive, for OLIS data, only with the express consent of the patient or SDM, and not for reasons of clinical emergency (eCHN has technically disabled the clinical/emergency override option within WebChart for OLIS data). Overriding a patient's consent directive for OLIS data without express consent from the patient or the patient's SDM will constitute a breach of the User's (or User facility's) agreement with eHealth Ontario, and will be subject to the remedies available under the agreement.

Please contact eHealth Ontario's Privacy Office at privacy@ehealthontario.on.ca, if you have any questions about consent management for OLIS data. Please indicate in the e-mail that you are an eCHN User.

8   Your Questions Answered

What's different between lab results from OLIS and the results I get now?

- OLIS will not yet replace your existing sources of lab results; rather it will augment them with additional information that you may not have access to today.

- OLIS provides data from more sources; eventually all labs in Ontario.

- Generally faster access to results.

- ▪ Access to historical, as well as current, results.
- ▪ Results are received electronically.

How will using OLIS affect the way I work?

OLIS is an additional tool for your use – specifically for getting a more comprehensive lab test history for a specific patient. It augments what you already do; there is no change to your existing workflow. You can choose how to integrate the OLIS patient query into your day-to-day work.

Future plans for OLIS include the continued introduction of both new features and additional sources of lab data.

How secure is OLIS?

OLIS uses sophisticated security features to keep patient information secure. OLIS runs in a state-of-the-art data centre to manage personal health information. A summary of administrative, technical, and physical safeguards is provided in Appendix D.

How complete and accurate is OLIS data?

Accuracy: OLIS data is provided to eCHN exactly as sent by the labs. eCHN normalizes the data it receives from OLIS, and makes it available as such to its users.

Completeness: Currently, there are a number of hospitals as well as public health and community labs feeding data into OLIS. Together, these organizations represent 60 per cent of the total test volume for the province – and 90 per cent of the community lab volume.

Some of their results may not be available in OLIS, for reasons such as:

- ▪ Tests were referred to sites not yet connected to OLIS.
- ▪ Results that were initially rejected due to formatting or information errors may not have been resubmitted by the labs.

Beyond the organizations currently feeding data into OLIS, work is underway to continually add new data sources.

For the most up-to-date list, visit:
http://www.ehealthontario.on.ca/en/initiatives/view/olis

What are the future plans for OLIS?

The goal is to capture 100 per cent of all laboratory test data for Ontario.

What if OLIS goes down?

- ▪ The eCHN WebChart will continue to receive lab data from your regular sources, and all other functionality should not be impacted.

- In the event of an OLIS outage (either planned or unplanned), eHealth Ontario will email notifications to eCHN.

What if something is not working?

- Your normal support model will remain in place for the eCHN WebChart, and your support team will have the ability to respond to any concerns about OLIS.

Which labs are currently sending results to OLIS?

For the most up-to-date list visit:
http://www.ehealthontario.on.ca/en/initiatives/view/olis

Appendix A – Common Types of Personal Information and Personal Health Information

Personal information (PI) means information about an identifiable individual, and includes:

- Information relating to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation or marital or family status of the individual
- Date of birth
- Home address, telephone number
- Photograph
- Any identifying number, symbol or other particular information assigned to an individual
- Employment history
- Criminal history
- Financial transactions; and
- Personal cell numbers.

The above list is not exhaustive. See subsection 2(1) of the *Freedom of Information and Protection of Privacy Act* (Ontario) for a complete definition of personal information.

Personal health information (PHI) includes any information in oral or recorded form about an identifiable individual, if the information:

- Relates to the physical or mental health of the individual;
- Relates to the family medical history of the individual;
- Identifies the individual's health card number;
- Can identify an individual and link him/her to health care;
- Can identify an individual and link him/her to a health information custodian.
- Identifies an individual's substitute decision-maker;
- Relates to the donation of any body part or bodily substance of the individual or the testing or examination of any body part or bodily substance; or
- Includes patient health records.

The above list is not exhaustive. See section 4 of the *Personal Health Information Protection Act, 2004* (Ontario) for a complete definition of personal health information.

Appendix B – Reporting a Privacy or Security Breach

This section includes instructions specific to providers at clinics, as well as privacy officers at medium and large organizations (such as hospitals), for reporting any suspected or confirmed unauthorized collections, uses, copying, accesses or disclosures of OLIS data, by Users, including health care providers or their agents, employees or service providers. This section also provides guidance on reporting any issues with the OLIS system which have caused or may lead to a privacy or security breach by your organization or eHealth Ontario.

Instructions for health care providers

If you become aware of a confirmed or suspected privacy or security breach of OLIS data by you or any of your employees, agents, or service providers, you must report the confirmed or suspected breach to your privacy office. If you do not have a privacy office, or you are unable to reach your privacy office or support team to report a breach, please contact the eCHN help desk team at the following contact information at 416-813-7998 from Monday through Friday from nine (9) to five (5) and at 416-904-6484 at all other times to request logs.

Alternatively, if you would like to report an issue directly to eHealth Ontario please call the eHealth Ontario Service Desk at 1-866-250-1554.

This includes reporting any suspected or confirmed unauthorized collections, uses, accesses or disclosures of OLIS data, by you or your agents, employees or service providers, and reporting any issues with the OLIS system which have caused or may lead to a privacy or security breach by your practice or eHealth Ontario.

It is expected that you will cooperate with any investigations conducted by eHealth Ontario or eCHN in respect of any suspected or confirmed privacy or security breaches in relation to OLIS data.

Instructions for Privacy Officers at eCHN sites

If you become aware of a confirmed or suspected breach of OLIS data by any of your organization's staff members, including employees, agents or service providers, you MUST report the confirmed or suspected breach to the eCHN help desk team at the following contact information at 416-813-7998 from Monday through Friday from nine (9) to five (5) and at 416-904-6484 at all other times to request logs.

Alternatively, if you would like to report an issue directly to eHealth Ontario please call the eHealth Ontario Service Desk at 1-866-250-1554.

It is expected that you and your organization's staff will cooperate with any investigations conducted by eHealth Ontario or eCHN in respect of any suspected or confirmed privacy or security breaches in relation to OLIS data. In the event of an incident investigation, eHealth Ontario may contact your site contacts, as designated in the Site Profile Form submitted to eHealth Ontario.

Note: It is extremely important that you do not disclose any patient personal health information and/or personal information to the eHealth Ontario service desk agent when reporting a suspected or confirmed privacy breach. You are expected to cooperate in any containment activities or with any investigation undertaken by eHealth Ontario or eCHN. During the investigation by eHealth Ontario or eCHN, you may be required to provide additional information, which may include personal health information or personal information, in order to contain or resolve the breach.

Appendix C – Access Requests

There are two kinds of access requests with respect to OLIS:

1) An access request made by a HIC for OLIS access audit logs for that HIC's facility (e.g. hospital, CCAC, physician practice).
2) An access request made by a patient to a HIC for:
   a. What information is contained in OLIS about me?, and/or
   b. Who has accessed my information in OLIS (i) in general; or (ii) from a particular facility?

This section provides instructions to health information custodians (HIC) (i.e. health care providers and/or privacy officers at eCHN sites) for responding to an Individual Access Request from a patient, and to assist HICs in auditing access by Users at their facility.

1. Access request made by a HIC for OLIS access audit logs for the HIC's facility

As a HIC (privacy Officer at an eCHN site), you may require a record of who from your organization accessed OLIS data via eCHN's WebChart. Your lead physician may request an audit log from eHealth Ontario which will provide you with a record of the following:

- By facility request – eHealth Ontario will provide you with a log of all users in your organization who have accessed OLIS data in the timeframe set out in the request.
- By user request – eHealth Ontario will provide you with a log of all accesses to OLIS data by a particular user from your organization, within the timeframe set out in the request.

Please note that eHealth Ontario can only release OLIS audit logs for eCHN sites to individuals listed on the OLIS-eCHN Site Profile Form.

Process for contacting eHealth for OLIS audit logs for your site:

1. Contact eHealth Ontario Service Desk at 1-866-250-1554 and request Audit Report by User or Audit Report by Facility. eHealth Ontario Service Desk will open a ticket on your behalf.

2. A representative from eHealth Ontario Privacy Office will call the **Contact Person listed on the OLIS-eCHN Site Profile Form** to confirm the type of report requested and to validate that eHealth is permitted to release the audit logs for the particular request.

3. If you are requesting "Audit Report by Facility", the eHealth Ontario Privacy representative will request the following information:

- Date range for the report

- Health care facility

eHealth Ontario Privacy Office will provide a report that will include the following information:

- Names of users and organizations who accessed and individuals information
- The Date and time that the information was accessed
- The name of the facility

4. If you are requesting "**Audit Report by User**", the eHealth Ontario Privacy representative will request the following information:

- Date range for the report
- Health care facility
- User name

eHealth Ontario Privacy Office will provide a report that will include the following information:

- What class of data was viewed i.e. labs
- The date and time that the information was accessed
- User name and ID of the person who accessed the information
- Names of users at a specific organizations who accessed an individual's information
- Health care facility name from which the access occurred

5. eHealth Ontario Privacy Office will encrypt the report ~~with Winzip~~ and send it to you via an email.

6. eHealth Ontario Privacy representative will call and provide you with the password to open the encrypted file sent.

7. Notify eHealth Ontario if the encrypted report received can not be opened.

2. Access request made by a patient

A patient may make an individual access request pertaining to OLIS data, including one or both of the following questions:

a. What information is contained in OLIS about me? AND/OR

b. Who has accessed my information in OLIS (i) in general; or (ii) from a particular facility?

Should your patients wish to make a request to find out what OLIS Information the Ministry has about them, please direct your patients to MOHLTC at:

Attention: Freedom of Information and Privacy Coordinator, Access and Privacy Office
Ministry of Health and Long-Term Care

5700 Yonge Street
6th Floor
Toronto, ON M2M 4K5

Should your patients wish to make a request to find out who has accessed their OLIS Information in a given timeframe, please direct your patients to MOHLTC at:

Attention: Manager, Access and Privacy Office
Ministry of Health and Long-Term Care
5700 Yonge Street
6th Floor
Toronto, ON M2M 4K5

If you have any questions regarding access requests, audit logs or incident / breach management processes, contact the eHealth Ontario privacy operations department, at privacyoperations@ehealthOntario.on.ca. Please ensure that you do not include any personal information or personal health information in any emails to eHealth Ontario.

Appendix D - Privacy-Related Enquiries and Complaints from Patients

Upon receipt by a provider of a privacy-related enquiry or complaint from a patient relating to OLIS, or his/her data in OLIS, the provider should promptly advise the patient to notify the MOHLTC's access and privacy office of the complaint or enquiry, in writing, at:

> Attention: Manager, access and privacy Office
> Ministry of Health and Long-Term Care
> 5700 Yonge St.
> 6th Floor
> Toronto, ON M2M 4K5

Upon receipt by a provider of a complaint or inquiry relating to eHealth Ontario or the Agency's privacy policies and procedures, the provider should advise the patient to submit their complaint, concerns or inquiry by telephone, email, fax or mail to the Chief Privacy Officer:

> eHealth Ontario Privacy Office
> P.O. Box 148
> 777 Bay Street, Suite 701
> Toronto, ON M5G 2C8
> **Fax:** (416) 586-6598
> **Email:** privacy@ehealthontario.on.ca
> **Telephone:** (416) 946-4767

Individuals may submit anonymous complaints and inquiries; however, in order to receive a response, complaints and inquiries must include the sender's name address, telephone number, or e-mail address. Identifiable personal information or personal health information should not be submitted with the complaint or inquiry.

Appendix E – Summary of Security Safeguards in Place at eHealth Ontario

Administrative Safeguards

- eHealth Ontario has a Chief Privacy Officer and a vice president of security services; these individuals are accountable for health information privacy and security.

- All providers who use OLIS must sign a data access agreement with eHealth Ontario, which, among other things, spells out their responsibilities regarding security and privacy.

- eHealth Ontario requires its representatives to implement privacy and security safeguards, as appropriate, to the service being provided.

- eHealth Ontario regularly reviews and enhances its privacy and security policies. Staff and contractors are required to read the relevant policies and acknowledge in writing that they have read and understood them.

- All staff and contractors must sign confidentiality agreements and undergo criminal background checks prior to joining or providing services to eHealth Ontario.

- eHealth Ontario has a security screening policy that requires staff to have an appropriate level of clearance for the sensitivity of the information they may access.

- eHealth Ontario staff and contractors generally have no ability or permission to access personal health information. If access to personal health information is required in the course of providing eHealth Ontario services, individuals are required to follow the access request process and are prohibited from using or disclosing such information for other purposes.

- eHealth Ontario ensures, through contracts, that any third party it retains to assist in providing services to health information custodians will comply with the restrictions and conditions necessary for eHealth Ontario to fulfill its legal responsibilities.

- eHealth Ontario has developed a full security and privacy incident management system.

- eHealth Ontario has mandatory privacy and security awareness and training programs for all staff and contractors.

- eHealth Ontario staff, contractors, suppliers and clients must promptly report any security breaches to eHealth Ontario for investigation.

- eHealth Ontario conducts privacy and security risk assessments for both product/service development and client deployments. Mitigation activities are well established and tracked as part of each assessment.

- eHealth Ontario provides a summary of the results of privacy and security risk assessments to the affected health information custodians.

- eHealth Ontario ensures all operational and systems changes follow the agency's change management procedures.

- Patients have a right to request and see information about all access to their information. To do so, the patient must contact the Ministry of Health and Long-Term Care directly at the following address:

  > Attention: Freedom of Information and Privacy Coordinator
  > Access and Privacy Office
  > Ministry of Health and Long-Term Care
  > 5700 Yonge Street
  > 6th Floor,
  > Toronto, ON M2M 4K5

Technical Safeguards

- Authorization and authentication (i.e., confirming who each user is, and what he/she is permitted to do) controls limit access to OLIS to only those individuals who require it to perform their job function.

- OLIS users are authenticated each time they access the system.

- Authorized systems/users must be able to supply a patient's health card number, date of birth, and gender in order to be able to access the patient's lab records.

- Information about each data request is recorded in an audit trail maintained by OLIS, in compliance with PHIPA.

- Patients can expressly withhold or withdraw their consent to use or disclose information related to their lab tests.

- Consent directives can subsequently be revoked by a patient who contacts Service Ontario. Reinstatement can only be done at the patient level and not at the test request level.

- When a laboratory order is received by OLIS, the patient and all health care providers named on the order are validated against appropriate data stores. The laboratory license is also validated for each laboratory.

- OLIS verifies all inbound messages to ensure that they are well formed.

- Personal health information is transmitted to and from OLIS securely using a mutually authenticated encryption tunnel.

- Networks are protected by devices (firewalls and routers) which limit access to and from systems.

- The systems are kept up-to-date by installing software updates on a regular basis.

- Security agents are installed on each system to protect OLIS from malware and detect intrusions.

- eHealth Ontario's hosting environment provides continuous secure data backup and immediate failover capabilities for all system components.

Physical Safeguards

- OLIS resides in a specially-built facility that is physically secured against unauthorized access.

- Biometrics, secure cabinets and access cards control physical access to facilities and equipment.

- OLIS equipment is located in isolation from other health information systems.

- The facilities are staffed and monitored continuously by security staff/employees.

- The facility is protected against environmental issues such as power outages and extreme weather conditions.