

	<p>POLICY</p> <p>Number: 7311-75-011 Title: Facsimile (FAX)</p>
<p>Authorization</p> <p>[] President and CEO [x] Vice President, Finance and Corporate Services</p>	<p>Source: Director, Enterprise Risk Management Cross Index: 7311-75-003, 7311-75-010 Date Approved: April 11, 2014 Date Revised: December 5, 2014 Date Reaffirmed Date Effective: December 5, 2014 Scope: SHR & Affiliates</p>

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OVERVIEW

This policy supplements the provisions of Saskatoon Health Region's (SHR's) Privacy and Confidentiality Policy and SHR's Information and Classification, Labelling and Handling Policy by establishing special precautions that must be taken when information is transmitted by facsimile (FAX).

DEFINITIONS:

All Staff means SHR employees, practitioner staff, professional staff, affiliate staff, contractors and volunteers.

Confidentiality means a duty to keep information safe from unauthorized access, use or disclosure.

Information Classification - Types¹

Public information means non-sensitive information available to the general public containing no identifiable information.

Internal information means personal information and business information that is generally available to health stakeholders and approved non-health stakeholders with a legitimate business need to know; includes personal information; does not include personal health information.

Personal Information (PI) means personal information about an identifiable individual that is recorded in any form.

Confidential means information that is intended for use only by specified, approved groups of stakeholders for a specific purpose; includes personal health information.

¹ SHR Policy Information, Classification and Labelling

Personal Health Information (PHI) means, with respect to an individual, whether living or deceased²:

- (i) Information with respect to the physical and mental health of the individual;
- (ii) Information with respect to any health service provided to the individual;
- (iii) Information with respect to any body part or bodily substance donated by the individual;
- (iv) Information with respect to any body part or bodily substance of the individual;
- (v) Information collected in the course of providing health services to the individual;
- (vi) Information collected incidentally to the provision of health services to the individual;
- (vii) Registration information (e.g. demographic information)

Highly sensitive information means there would be grave harm to the unauthorized disclosure of the information, that may or may not be confidential.

Misdirected fax means a fax containing personal information or personal health information that is received by an individual without a need-to-know (unintended recipient); includes faxes received internal to SHR. The result is an unauthorized disclosure and a privacy breach.

Patient means a patient/client/resident.

1. PURPOSE

The purpose of this policy is to establish SHR's requirements regarding transmission of information by facsimile (FAX) and fax machine safeguards.

2. PRINCIPLES

- 2.1 Fax machines present an opportunity for rapid transmission of information and contribute to continuity of care and business continuity.
- 2.2 The use of fax machines increases the risk of improper collection, use and/or disclosure of information by not reaching the intended recipient.
- 2.3 All patients and staff who have their information faxed have the right to expect it will be completed under the utmost confidential conditions.

3. POLICY

- 3.1 SHR permits staff to transmit public, internal and confidential information by fax.
- 3.2 Internal and confidential information will be sent by mail or courier where time permits.
- 3.3 All SHR fax machines must have the program area and fax number programmed into the header.

² HIPA 2(m)

3.4 A fax cover sheet must be used for all information transmitted by facsimile (see Appendix A).

Exception:

3.4.1 Internal faxes to SHR pharmacy do not require a fax coversheet.

3.4.2 The fax cover sheet must contain the following information:

- Date the fax is sent;
- Name, address and phone number of sender;
- Name, address and phone number of receiver;
- Number of pages transmitted, including cover sheet, and
- Disclaimer that the information being transmitted is confidential and warning that the information is intended for the named receipt only, as well as a request to contact you if the information was misdirected.

3.4.3 The fax cover sheet shall not contain PI or PHI.

3.5 All misdirected faxes must be reported to Privacy and Access for review (see procedure).

3.6 SHR *Fax Procedures* must be posted at all SHR fax machines (see Appendix B).

Safeguarding fax machines

3.7 All SHR fax machines are to be located in a secure area to prevent unauthorized access and use.

3.7.1 If there is not a secure location, someone must be designated to be watchful of the machine while in operation.

3.8 In all areas where fax machines are located, at least one (1) staff must be designated for monitoring the fax machine, checking for incoming faxes and verifying pre-programmed features.

3.8.1 Preprogrammed features are to be used for frequently dialled fax numbers.

3.8.2 Preprogrammed fax numbers must be updated immediately upon notification and at a minimum verified every six (6) months.

3.9 All surplus/obsolete SHR fax machines must be forwarded to Information Technology Services for disposal.

4. ROLES AND RESPONSIBILITIES

4.1 All Staff

4.1.1 Protect information that is transmitted by fax as outlined in the procedure of this policy.

4.1.2 Report all breaches of this policy to the Privacy and Access Office.

4.2 Managers/Supervisors/Administrators or designate

4.2.1 Ensure staff is aware of this policy and their legal duty to protect information.

4.2.2 Designate at least one (1) staff member to monitor the fax machine in their area(s).

4.2.3 Provide guidance to staff with questions related to the use of facsimile.

4.2.4 Report all breaches of this policy to the Privacy and Access Office.

4.3 Staff designated to monitor fax machines

4.3.1 Monitor fax machines and forward faxes to recipients.

4.3.2 Update and verify preprogrammed features.

4.3.3 Ensure program area and fax number programmed into the header; update as required.

4.4 Privacy and Access Office

4.4.1 Provide advice to staff on all matters relating to the use of facsimile.

4.4.2 Respond, review, and make recommendations relating to incidents of non-compliance of this policy.

5. POLICY MANAGEMENT

The management of this policy including policy education, monitoring, and implementation is the responsibility of the Privacy Officer. Amendment is the responsibility of the Director, Enterprise Risk Management.

6. NON-COMPLIANCE/ BREACH

Noncompliance with this policy will result in a review of the incident. If the incident has resulted in a substantiated privacy breach under SHR Policy Privacy and Confidentiality, it may result in disciplinary action, up to and including termination of employment and/or privileges.

7. REFERENCES

Helpful Tips. Privacy Considerations: Faxing Personal Information and Personal Health Information, Office of the Saskatchewan Information and Privacy Commissioner, October 2012.

The Health Information Protection Act, Saskatchewan

The Local Authority Freedom of Information and Protection of Privacy Act.

PROCEDURE

Number: 7311-75-011

Title: Facsimile (FAX)

Authorization

President and CEO
 Vice President, Finance and Corporate Services

Source: Director, Enterprise Risk Management
Cross Index: 7311-75-007
Date Approved: April 11, 2014
Date Revised: December 5, 2014
Date Reaffirmed:
Date Effective: December 5, 2014
Scope: SHR & Affiliates

DEFINITION

Record means a record of personal health information (PHI), or confidential information in any form and includes information that is written, photographed, recorded, digitalized or stored in any manner.

Trustee means an organization or individual listed in *The Health Information Protection Act* as having custody or control of personal health information. SHR is defined as the trustee in the context of this procedure.

1. PURPOSE

The purpose of this procedure is to establish the process for transmitting faxes, receiving faxes and managing misdirected faxes.

2. PRINCIPLE

The sender is responsible for the security of information being transmitted by fax however, fax transmissions are the responsibility of both the sender and receiver.

3. PROCEDURE

Transmitting faxes

3.3 Determine if the information needs to be faxed.

3.3.1 If time permits, send internal and/or confidential information by mail or courier marked as confidential.

3.3.2 If the patient requests that their information be sent by fax rather than sent by mail/courier, explain the risks involved. For example, that misdirected faxes and/or receiving fax machines may not be in a secure area. Proceed if risks are acceptable to the patient.

3.4 Use discrimination in determining the selection and number of documents to be transmitted by fax.

- 3.4.1 In most instances it is not necessary to transmit the entire record. Send only the information which is immediately necessary for continuity of care and/or business continuity.
- 3.4.2 Where possible remove identifying information.
- 3.4.3 Ensure information to be faxed is either typewritten or if handwritten, the information is legible **and** in **black ink**³ (blue ink does not fax well).

3.5 Prepare fax cover sheet.

- 3.5.1 Ensure no internal/personal information or confidential/PHI is included on the fax cover sheet.

Sending Highly Sensitive Information

- 3.5.2 If the information is being sent **external** to SHR and is highly sensitive :
 - 3.5.2.1 Notify the recipient by telephone that confidential/personal health information is being transmitted.
 - 3.5.2.2 Ask the receiver to stand by the fax machine to receive the information.
 - 3.5.2.3 Ask the receiver for confirmation of receipt of the information.

NOTE: *The above is **not applicable** to areas that send a high volume of faxes to an external agency/office on a regular/recurring basis **or**; use pre-programmed features **and** regularly update/verify pre-programmed features as required.*

3.6 Consider the accuracy of the fax number BEFORE sending the information; any concerns regarding internal or external fax numbers need to be confirmed prior to transmitting the fax.

3.7 Carefully enter the fax number or use preprogrammed features and perform a visual check of the number prior to transmitting.

- 3.7.1 If fax machine provides a confirmation report, verify that the fax was sent to the correct number and the correct number of pages was sent.

3.8 Retrieve all materials that have been faxed from the fax machine immediately. Do not leave sent faxes sitting on or near the fax machine.

Receiving Faxes

3.9 Try to arrange a time to receive faxes so that you can be at the machine when it arrives or try negotiating a time to have the information sent when someone is at the machine.

3.10 Retrieve all materials that have been faxed from the fax machine immediately. Do not leave sent faxes sitting on or near the fax machine.

3.11 Check the number of pages received to ensure that the number recorded on the fax cover sheet is the same.

3.12 Forward the document(s) to the recipient as identified on the fax cover sheet; do

³ SHR Policy 7311-75-007, Appendix, page 7

not review the information contained in the fax document(s) if you are not the intended recipient.

Misdirected Fax – Sent in Error

- 3.13** Notify the Privacy and Access Office for guidance.
- 3.14** Contain the breach by contacting the unintentional recipient that received the facsimile.
 - 3.14.1 Confirm that the facsimile has been received;
 - 3.14.2 Explain the facsimile has been sent in error;
 - 3.14.3 Request they destroy it (using a cross-cut shredder) or return the facsimile by mail should they not have a cross-cut shredder;
 - 3.14.4 Ask them to inform you when it has been sent to you or destroyed;
Instruct the unintentional recipient not retain a copy of the PHI or PI.
- 3.15** If the misdirected facsimile contained PHI ensure that the facsimile reaches the intended recipient.
- 3.16** Once the breach has been contained, the Privacy and Access Office investigates root cause and follows established processes for a breach of privacy⁴.

Misdirected Fax – Received in Error

- 3.17** Notify the Privacy and Access Office.
- 3.18** Review the fax cover sheet or fax header to determine who the “sender trustee” is.
- 3.19** Contact the sender trustee to advise them of the breach.
 - 3.19.1 It is best to speak directly to the “sender trustee's” privacy officer.
 - 3.19.2 Determine how they would like you to contain the breach (i.e. return the fax to them by mail; destroy the fax using SHR approved destruction process (secure shredding bin).
 - 3.19.3 When possible, give the sender trustee confirmation once the fax has been destructed or returned to them.
- 3.20** Do not keep a copy of the misdirected facsimile.
- 3.21** Do not forward the misdirected fax to the intended recipient.

Staff Training

- 3.22** All new employees will be orientated to this policy.
- 3.23** SHR Fax Procedures will be posted at all SHR fax machines.

⁴ SHR Policy Privacy and Confidentiality

4. PROCEDURE MANAGEMENT

The management of this policy including policy education, monitoring, implementation is the responsibility of the Privacy Officer. Amendment is the responsibility of the Director, Enterprise Risk Management.

5. NON-COMPLIANCE/BREACH:

Non-compliance with this procedure will be reported to the Privacy and Access Office, and the Manager/Supervisor/Administrator. Non-compliance will result in a review of the incident. If non-compliance with this procedure has resulted in a substantiated privacy breach under SHR Policy Privacy and Confidentiality, it may result in disciplinary action, up to and including termination of employment and/or privileges.

6. REFERENCES

Checklist for Trustees, Misdirected Faxes, The Saskatchewan Information and Privacy Commissioner, October 2013

Helpful Tips. Privacy Considerations: Faxing Personal Information and Personal Health Information, Office of the Saskatchewan Information and Privacy Commissioner, October 2012.

Sunrise Health Region: *Transmittal and Receipt of Personal health Information by Facsimile (FAX) Policy*. January 10, 2010.



Department Name

Address

City, Province Postal Code

email@saskatoonhealthregion.ca

Tel:

Fax:

Fax

To:

Fax:

From:

Fax:

Date:

Number of pages:

Re:

**** Ensure that "NO" personal information or personal health information is disclosed on the Fax Cover Sheet.**

Notice of confidentiality: This transmission is intended only for the recipients(s) listed above and may contain information that is time sensitive or confidential. If you are not the intended recipient, any use, disclosure, copying or communication of the contents of this transmission is prohibited. If you have received this fax in error, please notify the sender immediately and destroy this copy.

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