

What does the term “lockbox” mean?

Individuals have the choice to withhold or withdraw their consent to the collection, use or disclosure of their personal health information for a particular purpose, including for the provision of health care.

Under the *Personal Health Information Protection Act* (“PHIPA”), individuals may provide express directive to health information custodians not to use or disclose their personal health information for health care purposes without consent as set out in sections 37(1) (a), 38(1)(a) and 50(1)(e) of PHIPA.

Section 20(2) of PHIPA also states that individuals may withhold or withdraw their consent to the collection, use or disclosure of their personal health information by health information custodians for the purposes of providing or assisting in providing health care.

The term ‘lockbox’ is not defined in PHIPA, however, it serves as an appropriate label for the patient’s ability to withdraw or withhold consent for the use or disclosure of their personal health information for health care purposes.

Need more information?

For more information on Oak Valley Health’s lockbox policy, please contact:

Office of Access and Privacy P:

905-472-7373 ext. 2183 E:

privacyoffice@oakvalleyhealth.ca

To visit our website and learn more about our privacy practices, please scan the QR code:



Office of the Information & Privacy Commissioner

The Information and Privacy Commissioner (IPC) of Ontario is responsible for overseeing issues related to health information in Ontario. If you feel that your privacy concern or complaint was not addressed by the Office of Access and Privacy at Oak Valley Health, you have the right to contact:

**Registrar, Information and Privacy
Commissioner of Ontario**

P: 416-326-3333

E: info@ipc.on.ca



381 Church Street
Markham, ON L3P 7P3
oakvalleyhealth.ca

M-BRORLHR (11-23) (10-19)



Requesting a Lockbox on your Medical Records

A Guide for Patients



What information can be “locked”?

A lockbox can be placed on the patient’s health record for the following purposes:

- Not to collect, use or disclose a particular **item** of information contained in their record of personal health information (for example, a particular diagnosis);
- Not to collect, use or disclose the contents of their **entire** record of personal health information;
- Not to **disclose** their personal health information to a particular health information custodian, a particular agent of a health information custodian or a class of health information custodians or agents (e.g. physicians, nurses or social workers); or
- Not to enable a particular health information custodian, a particular agent of a health information custodian or a class of health information custodians or agents (e.g. physicians, nurses or social workers) to **use** their personal health information.

How can I make a lockbox request at Oak Valley Health?

To request a lock on your PHI, please visit www.oakvalleyhealth.ca/patients-and-visitors/your-privacy to access the “Request to Lock Personal Health Information” form.

Complete and return the form to:

Oak Valley Health
Office of Access and Privacy
381 Church St.
Markham, ON L3P 7P3
P: 905-472-7373 ext. 2183

Please note that the form must be returned in person or via mail along with a copy of one piece of government issued ID.

Requests will be processed within 30 days upon receipt of the written request from the patient or substitute decision maker (SDM).

Can I submit a request to lock my records contained in the province’s electronic health record?

Yes — this is called a “consent directive”, and must be submitted directly to Ontario Health. For more information, please visit: <https://ehealthontario.on.ca/en/privacy/managing-access-to-your-ehr>.



What obligations are imposed on a health information custodian (HIC)?

Once a patient has authorized that a lockbox be applied to their personal health information, a HIC can break the seal for the following reasons:

- The individual changes his or her mind and informs the HIC accordingly; or
- The collection, use or disclosure can be made without consent (except as set out in section 37(1)(a), 38(1)(a) and 50(1)(e) of *PHIPA* such as where the health information custodian believes, on reasonable and probable grounds, that the disclosure is necessary for the purpose of eliminating or reducing a significant risk of serious bodily harm to a person or group of persons, subject to any applicable constitutional restrictions (section 40(1) of *PHIPA*).