



Information and Privacy
Commissioner of Ontario

Commissaire à l'information et à la
protection de la vie privée de l'Ontario

VIA ELECTRONIC MAIL

October 30, 2020

Mr. Matthew Anderson, President and CEO
Ontario Health
525 University Ave, 5th Floor
Toronto ON M5J 2L3

Dear Mr. Anderson:

**RE: Review of the Report on the Practices and Procedures of Ontario Health
(Pursuant to Transfer from Cancer Care Ontario in 2019)**

Pursuant to subsections 45(4) of the *Personal Health Information Protection Act, 2004* ("the *Act*") and 13(2) of Regulation 329/04 under the *Act*, the Office of the Information and Privacy Commissioner of Ontario (IPC) is responsible for reviewing and approving, every three years, the practices and procedures implemented by an organization that has been designated as a prescribed entity and prescribed person for the purposes of subsection 45(1) and 39(1)(c) of the *Act*. Such practices and procedures are required for the purposes of protecting the privacy of individuals whose personal health information such organizations receive, and maintaining the confidentiality of that information.

As you are aware, the practices and procedures of Cancer Care Ontario were last approved on October 31, 2017. Since that approval, and in response to the Minister of Health's transfer order under the *Connecting Care Act, 2019*, Cancer Care Ontario was transferred into Ontario Health. In correspondence dated November 25, 2019, the former Commissioner, Brian Beamish, confirmed that his [approval](#) of Cancer Care Ontario's practices and procedures as a prescribed entity and prescribed person under the *Act* would transfer to Ontario Health as part of the current three-year term and continue until its expiry on October 31, 2020. Thus, the IPC was required to review these practices and procedures again and advise whether they continue to meet the requirements of the *Act* on or before October 31, 2020.

In accordance with the process set out in the *Manual for the Review and Approval of Prescribed Persons and Prescribed Entities* ("the *Manual*"), Ontario Health, as a prescribed entity and prescribed person seeking the continued approval of its practices and procedures, submitted a detailed written report and sworn affidavit to the IPC. These documents were to conform to the requirements set out in the *Manual*.

The IPC has now completed its review of your report and affidavit. Based on this review, I am satisfied that Ontario Health continues to have in place practices and procedures to protect the privacy of individuals whose personal health information it receives and to maintain the confidentiality of that information in accordance with the requirements of the *Act*.



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Accordingly, effective October 31, 2020, I hereby advise that the practices and procedures of Ontario Health as a prescribed entity and prescribed person continue to be approved for a further three-year period.

Attached is an Appendix containing recommendations to enhance the practices and procedures of Ontario Health. My staff will continue to monitor Ontario Health's progress towards implementing these recommendations. Please be advised that these recommendations are to be addressed prior to the next cyclical review of the practices and procedures of Ontario Health, or sooner, if and as indicated in the attached Appendix.

I would like to extend my gratitude to you and your staff for your cooperation during the course of the review, including your diligence and timeliness in submitting the requested documentation, in responding to requests by my office for further information, and in making the amendments requested.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Patricia Kosseim', with a stylized flourish underneath.

Patricia Kosseim
Commissioner

cc: Ms. Ashley Dent, Acting General Counsel, Corporate Secretary and Interim Chief Privacy Officer, Ontario Health

Appendix A

1. It is recommended that Ontario Health continue to update its policies, practices and procedures as a result of the transfer of Cancer Care Ontario to Ontario Health to clearly and consistently describe the roles and responsibilities of its agents and its own internal accountability structures for ensuring compliance with the *Act*, its regulation and the *Manual for Review and Approval of Prescribed Persons and Prescribed Entities* (the “*Manual*”). This recommendation should be addressed as soon as reasonably possible, providing written confirmation to the IPC of this no later than October 31, 2021.
2. It is recommended that Ontario Health continue to make progress towards ensuring that linked records of personal health information are de-identified and/or aggregated as soon as practicable and that, to the extent possible, only de-identified and/or aggregate information is used by Ontario Health’s agents, as required by the *Manual*. It is further recommended that Ontario Health ensure that, even in those circumstances where personal health information is required, its agents use the least identifiable information and the minimum amount of identifiable information, as required by the *Manual*. This recommendation should be addressed as soon as reasonably possible, providing written confirmation to the IPC of this no later than October 31, 2022.