

About Canada Health Infoway

Canada Health Infoway (*Infoway*) is an independent, not-for-profit corporation funded by the federal government. *Infoway* jointly invests with every province and territory to accelerate the development and adoption of electronic health record (EHR) projects across Canada. While respecting patient confidentiality, these secure systems will provide clinicians with the information they need to better support safe care decisions and similarly provide patients with information to help them manage their own health. Accessing this vital information quickly will help foster a health system distinguished by greater availability, quality and productivity.

Infoway's Application of *Privacy by Design*

Canada's provinces and territories are each ultimately responsible for privacy and their approach to their EHR systems development. *Infoway* does not create the systems nor do we manage systems or collect health information. However, as a strategic investor, *Infoway* is in a unique position to ensure privacy is embedded in the design and development of EHR systems. We stipulate that privacy and security be incorporated from the outset in the projects we fund and we identify and leverage privacy and security best practices for reuse across the country.

Infoway developed the EHR Privacy and Security Conceptual Architecture, which sets out ten features to guide developers in creating privacy-protective systems. The architecture respects jurisdictional variations while providing funded projects with common privacy and security features on which to base their developments. As a condition of funding, *Infoway* requires projects involving personal health information to conduct Privacy Impact Assessments (PIAs). This enables privacy issues to be anticipated and mitigating strategies to be identified before systems go live.

Through our Certification Service, *Infoway* is also working to ensure privacy is built into Personal Health Records (PHRs) products offered in Canada. Our pre-implementation certification process is aimed at ensuring vendors' PHR products are compliant with privacy, security, interoperability and management criteria before they are deployed for use or interaction with EHR systems in Canada.

Infoway continues to keep privacy top of mind in EHR developments by highlighting privacy topics associated with the transition to the EHR environment. We have done so by developing a series of key privacy resources including a

White Paper on Information Governance, a Privacy Impact Assessment of the EHR Blueprint and by hosting jurisdictional meetings to consider the issues.

Privacy by Design is also practiced within *Infoway*. Privacy is embedded within our systems through privacy codes protecting the personal information of employees and contractors. Confidentiality and electronic communications policies guide employees in respecting privacy in all of their work-related activities. Contracting guidelines also exist to confirm the security and integrity of information is respected in business processes and requirements. Furthermore, a website privacy policy sets out the manner in which personal information is managed through our public website.

Benefits of *Privacy by Design*

Infoway has always been “privacy proactive” and has been referencing the importance of *Privacy by Design* since we released the Privacy and Security Architecture in 2005. As a result we have managed to ensure that privacy has been considered in the nearly 300 EHR projects completed or underway across Canada.

Infoway has been able to bring into focus non-technical EHR-related privacy issues. Through the Privacy Forum and the Health Information Privacy Group, two federal-provincial-territorial groups created by *Infoway*, jurisdictional policy makers and oversight bodies are discussing EHR-related privacy issues and common approaches to addressing them as they emerge, rather than after the fact.

By using a *Privacy by Design* approach, *Infoway* has fostered a pan-Canadian dialogue that facilitates and promotes harmonization of privacy rules and practices across the country. This approach has moved Canada’s EHR closer to the goal of integrating privacy into systems design, anticipating and preventing privacy risks, and positioning privacy as a facilitator, not a barrier, to the overall implementation and adoption of EHRs.