



Friday Five

October 20, 2017

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Protecting Personal Health Information: A Pharmacist's Obligation

Community pharmacists are trustees of personal health information (PHI) under the [Personal Health Information Act](#) (PHIA), and pharmacists working in hospitals or another institutional setting are employees of a trustee. Regardless of the place of employment, pharmacists must protect their patient's PHI by imposing restrictions on its disclosure (among other obligations).

Pharmacists face many unique challenges to ensuring the security of a patient's PHI including patient and healthcare provider communications by telephone. In both of these instances, pharmacists must have a policy in place to prevent or mitigate unintentional breaches of patient privacy.

In the case of communications with patients and other healthcare providers, pharmacists must remember that voicemail inboxes and answering machines are rarely confidential and their use to record or collect Personal Health Information (PHI) can result in a breach of privacy.

When leaving a voicemail message on a patient's answering machine, the amount and type of information should be limited and the message should not include PHI, if at all possible. The best practice would be to identify yourself and your pharmacy by name and ask that your patient return your call. Be clear to state if you require an immediate response or if the matter is not urgent, so as not to needlessly worry your patient. Leaving PHI (such as a Personal Health Information Number, date of birth, non-urgent drug information, etc.) on an answering machine can place a patient's right to confidentiality at risk and may represent a privacy breach.

At the same time, patients, healthcare providers and others who are

Professional Development Opportunities

Manitoba Thoracic Society presents:

[Emerging Trends & Treatments in Respiratory Care](#)

Friday, November 17, 2017

Online Programs:

[Oral-Systemic Health Education for Non-Dental Healthcare Providers](#)

[Ordering Lab Tests for Manitoba Pharmacists](#)

Visit www.cphm.ca for more information on [Expanded Scope of Practice](#) training.

[Self-Limiting Conditions Independent Study Program](#)

Visit www.cphm.ca for more information on [Expanded Scope of Practice](#) training.

All PD opportunities are listed on the College website under

asked to leave messages on a pharmacy's answering machine must be assured that the PHI they leave in their message is secure, kept confidential and will only be heard by pharmacy staff. Your pharmacy's answering machine should clearly identify the name of your pharmacy, the hours of operation of the pharmacy and if messages left are kept confidential and only shared with appropriate pharmacy staff. Pharmacists have the responsibility as trustees to ensure that if patients are being asked to leave a message that identifies them and includes information about the medications they use, this information will remain confidential and secure. Remember that patients have the right to know their personal health information is protected.

Pharmacies are advised that the use of answering services should be avoided as there is an inherent risk of patients not understanding that their PHI is being shared with a third party that is not governed by PHIA. If your pharmacy currently uses an answering service you may be at risk of violating PHIA and we request that you contact one of the College's inspectors for further information on safeguards that must be in place to mitigate this risk.

Whether collecting PHI via the pharmacy's answering machine or disclosing PHI by leaving a message about a patient's health or the medications they use on another answering machine, pharmacists have a responsibility as trustees under PHIA and are required to keep all personal health information confidential and secure.

Privacy Breaches as a Result of a Break and Enter or Robbery at a Pharmacy

Pharmacies are vulnerable to break and enters or robberies and this can sometimes result in the theft, not only of drugs or money, but also of personal health information (PHI) in the form of labelled prescriptions waiting for pick-up by patients. In addition to a report to police, the Health Canada Office of Controlled Substances, and the College following a pharmacy break and enter or robbery, it is critical to consider any theft or loss of PHI as pharmacies are required under PHIA to have a policy to address unintended disclosures of PHI.

In this instance of a PHIA security breach, the pharmacy manager must take the following steps:

1. There must be an initial assessment and notation to determine the type of PHI breach and where personal health information may have been disclosed or distributed.
2. Affected patients must be informed of the breach in their personal health information.
3. Police should be informed of this type of breach.
4. The Ombudsman should be contacted to determine if a report is warranted. The Ombudsman can advise the pharmacy manager on how to address the breach and the further course of action. The Manitoba Ombudsman can be reached at (204) 982-9130.
5. The pharmacy manager must review current procedures and security measures to address if preventative processes need to be implemented/modified to limit the likelihood of a future security breach.

Pharmacy managers should take a few moments to review the pharmacy's current policy and procedure regarding response to a breach of PHIA, and ensure all pharmacy staff are aware and informed.

If a pharmacist/pharmacy manager is uncertain of the requirements following a potential PHIA breach, please contact the College office or the Manitoba Ombudsman's office (204) 982-9130.

Website Updates: Pharmacy Compounding

The College has updated its website to improve the organization and access to information on pharmacy compounding. To review the current and upcoming standards and practice directions for pharmacy compounding, please visit

<http://www.cphm.ca/site/legislation?nav=practice#standards>

Health Professionals Questionnaire: Cannabis Public Education

Health Canada and the Public Health Agency of Canada will be developing resources that will provide information and advice on how to have informative and engaging conversations about cannabis with youth and vulnerable populations. These conversations might include the facts about cannabis use, the risks and the proposed changes to federal legislation. Health Canada and the Public Health Agency of Canada are seeking input from health professionals on the types of information that would be most helpful to you and to your patients. Please take a few moments to complete this short online survey. Your input will help inform the development of cannabis public education resources.

[Link to survey:](#)

The survey should take you about 5 minutes to complete. Your participation is completely voluntary and your responses will be treated in confidence. The results of this survey will be reported in aggregate form and no answers will be attributed to specific individuals. For more information on Health Canada's Privacy Policy, please visit <http://www.hc-sc.gc.ca/home-accueil/important-eng.php>

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The **Friday Five** e-bulletin is published by the **College of Pharmacists of Manitoba** and is forwarded to every licenced pharmacist in the Province of Manitoba. Decisions of the College of Pharmacists of Manitoba regarding all matters such as regulations, drug-related incidents, etc., are published in the *Friday Five*. The College of Pharmacists of Manitoba therefore assumes that all pharmacists and pharmacy owners are aware of these matters.

To download a PDF of this e-newsletter, please click [Friday Five & Newsletter](#), on www.cphm.ca.