

### Responsibility to maintain privacy

ELC 1. Client care, subcategory A: client relationship building and communication

Code of Ethics Part 1: Nursing values and ethical responsibilities, E.

Professional, legal and ethical obligation to protect privacy

Federal, provincial, regulatory bodies, CNA code of ethics and standard

### Privacy

Personal information that can identify an individual

Legislated at the federal and provincial level

Their right to decide to share information or not

### Confidentiality

keeping pts personal health information private and protected

Legal and professional obligation

Need consent or lawful reason to share information

### How is information protected?

Federally: V. Provincially

The personal Information Protection and Electronic Documents Act (PIPEDA)

The privacy Act

### Exceptions to privacy

Child protection: Mandatory reporting: gun wounds  
abuse/neglect

Communicable disease reporting to PH  
Public safety: threat to others

### Areas where privacy may be breached

Collection Disclosure

Access Consent

### Liability risk

Direct liability: being responsible for your actions

Vicarious liability: institution responsible for employees negligence

Joint and several liability: when two parties are at fault both are held accountable (\$)

### Purpose of documenting

Communication Continuity of care

legislative requirements Quality improvement

Research Legal proof of care

Evidence of safe care

### Legal risk of email

Email can pose a risk to privacy breach

Prevent privacy breach by:

Confirming email Obtain consent forms

Follow employer policies Obtain written proof from IT that it is secured

### Social Media

Establish therapeutic boundaries: - often asked about medical help from friends/family online

Reasons to avoid SM:

- No copy of medical record - Limited assessment online

- Permanency of information

### Telepractice

Virtual means to increase accessibility

Important to Consider:

Privacy concerns Scope can vary btw jurisdictions

Direct client observation Who is responsible for record holding

Appropriateness for telehealth Communication skills

### Canadian Nurses Protective society

Legal advice Risk management services

Legal assistance Assists to understand work agreements

Professional liability protection

### Professional liability protection

Legal representation/assistance:

- Claims and civil proceedings - Statutory offences

- Criminal investigations/- prosecutions - Witness appearances

Assistance with payment

### Tips to protect license

Do not order tests for no reason :

By ordering test just to cover yourself can cause liability issues. .e. ordering a test to r/o TB but they become positive and no protection was put in place.

