

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.



By Emilie Lamarche

cheatography.com/emilie-lamarche/

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