



reconnect
COMMUNITY BUSINESS INTELLIGENCE

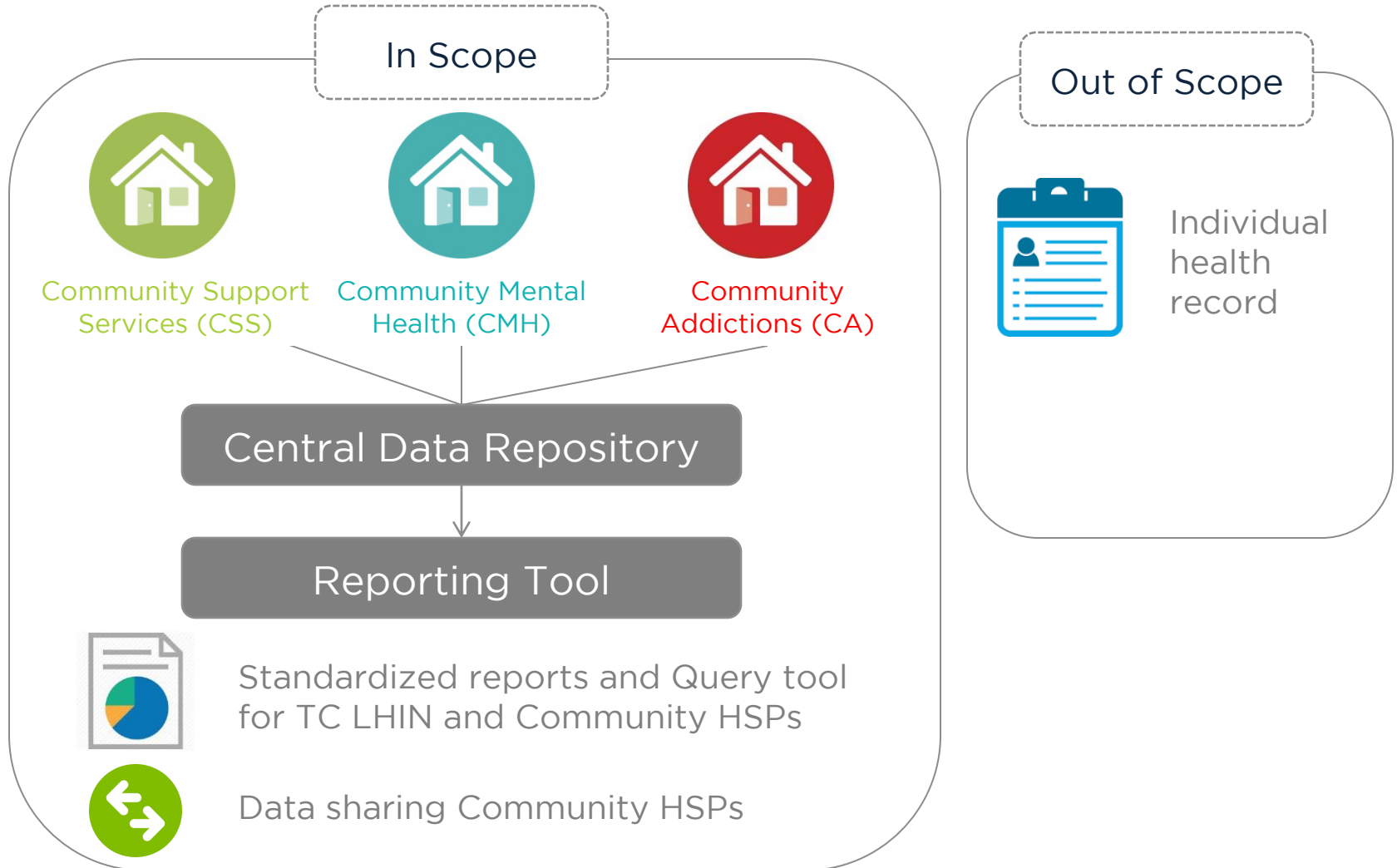
**Data Sharing Agreement
Kick-off**

December 16, 2015

Objectives

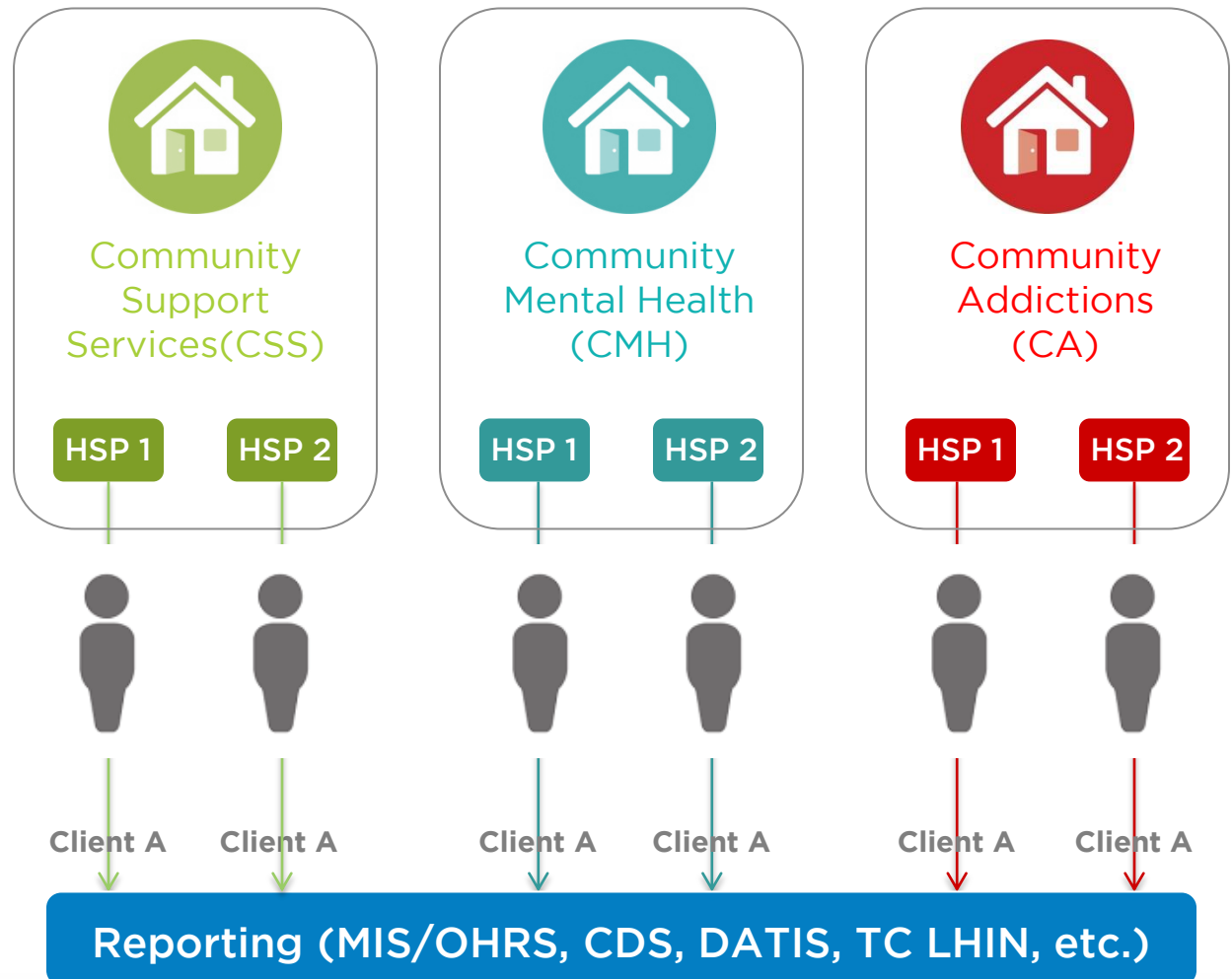
- Provide an overview of the Data Sharing Agreement (DSA)
- Acquire an understanding of the DSA
- Privacy, Security and Consent
- DSA Next Steps

CBI Project Scope



Non-CBI Reporting

- Limited capacity for analysis and reporting
- No ability to track client(s) within or between sectors
- Inconsistent data quality
- Duplicate reporting



TC LHIN Current State

- Ability to track clients through the system
- Understand service utilization and capacity across sectors
- Enhanced data quality based on consistent definitions and fields

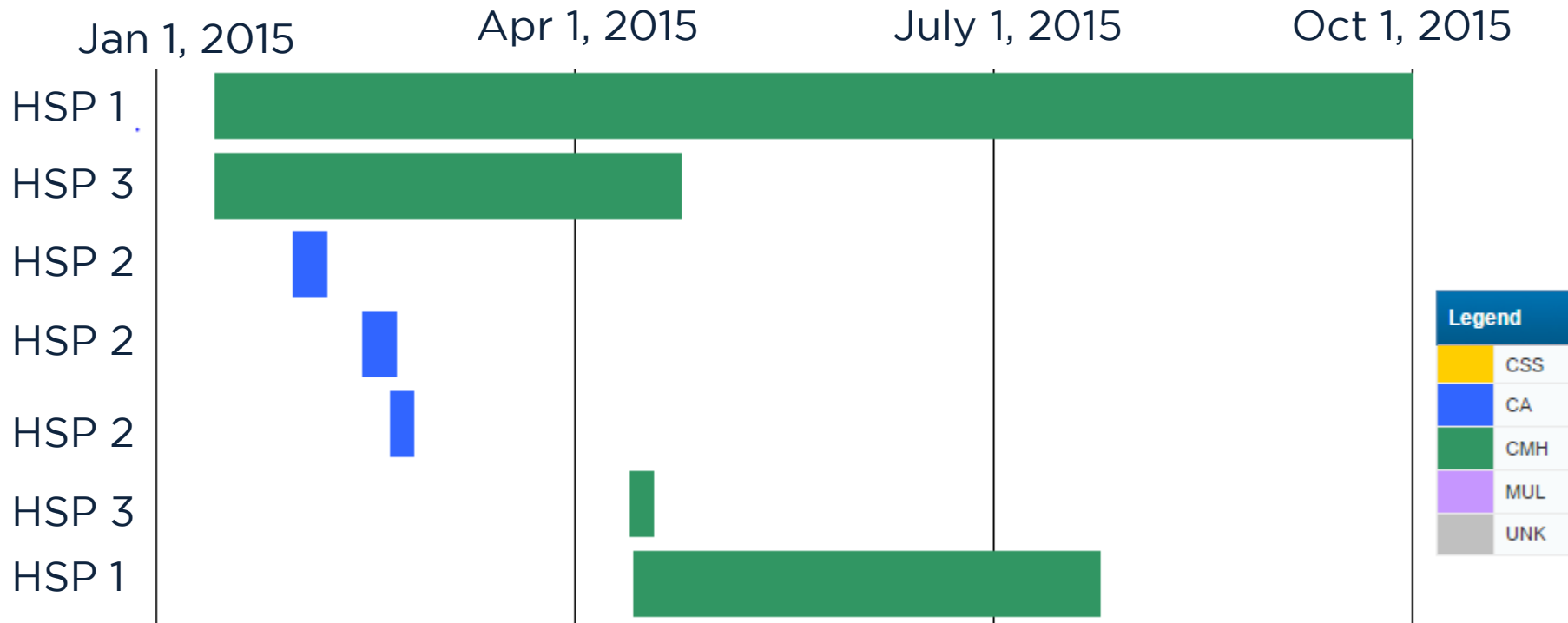


What is Data Sharing?

- Allows organizations to view information about shared clients within CBI reports
 - *Example: If Steph Carter is your active client, and she is also receiving services at Reconnect (or received services at Reconnect within the TBD look-back period), once both parties have signed the data sharing agreement, they will be able to view her services at both organizations in CBI reports.*
- This provides organizations with richer information in CBI reports – including a more complete client journey

Sample Data Sharing Report

Sample Reconnect Client ID 1234



What is a Data Sharing Agreement (DSA)?

- A formal agreement between participating parties
 - Describes accountabilities, obligations and rights of each participant
 - Describes rules and protocols related to the sharing of PHI
 - Defines terms and conditions governing the project
 - Outlines privacy and security requirements for data that is shared, as well as purposes for data sharing
- Establishes standard practices to instil trust among participants to enable data sharing for shared clients
 - For provision of health care
 - For improvement of services to client or to similar clients

Data Sharing Agreement

- The DSA is an amendment and restatement of the ESPA
- ESPA to be called “Original ESPA” and amended ESPA to be called “DSA”
- Much of the ESPA remains the same
- New provisions have been added to deal with sharing of client data
- DSA has been reviewed & approved by Reconnect, CAMH & independent counsel for HSPs (Ted Hyland of Iler Campbell)

Business Rules for Sharing Client Data

- HSPs can view shared client data in CBI reports if:
 - Both HSPs within the clients circle of care have signed the DSA
 - Client is active at the viewing HSP when the authorized staff log in to CBI
 - Client data is within the look-back period (time to be determined)

Data Sharing Considerations

- Circle of care provision in PHIPA
 - HICs may rely on assumed implied consent to collect, use and disclose PHI for the purpose of providing health care or assisting in the provision of health care to an individual
- CBI will allow for de-identification of client data to reflect client consent

Consent

Assumed Implied consent allows for the sharing of PHI within the circle of care for the purpose of providing health care to a client

Implied consent permits a HIC to infer from the surrounding circumstances that an individual would reasonably agree to the collection, use or disclosure of PHI within the circle of care

Express consent is explicit and direct. It may be given verbally, in writing or by electronic means

All are equally valid

Consent

The decision on consent will be made by each participating HSP based on their own information management practices.

What is a Health Information Network Provider (HINP)?

- A HINP provides services to two or more HICs primarily to enable them to use electronic means to disclose PHI to each other
- Given that CAMH will be enabling HSPs to share client data, it will be acting in the role of a HINP
- HINPs have specific requirements under PHIPA

HINP Obligations

- Notify custodians of any breach of restrictions on use and disclosure of PHI
- Public description of services, safeguards, directives, guidelines and policies
- Provide, upon request, an electronic record (audit log) of all access, transfers of PHI associated with requesting HIC
- Perform and Provide HICs with a Privacy Impact Assessment (PIA) and Threat Risk Assessment (TRA) of services provided
- Restrictions on employees and third parties (must adhere to strict policies and procedures)
- Enter into a written agreement describing services and safeguards provided

HSP Obligations

- Sign the Data Sharing Agreement
- By signing the DSA, HSPs agree to comply with PHIPA and maintain confidentiality of shared client data

Reconnect Obligations

- Ensure all requirements and safeguards are in place prior to moving forward with data sharing
- Support HSPs in signing the DSA and provide supporting information they may require
- Develop the specifications reflecting consent and support the vendors in implementing specifications

Comparison with the Original ESPA

Major Amendments from the Original ESPA

- CAMH as a HINP – Augmented services [Schedule E]
- Augmented security requirements & safeguards for CAMH [S. 6, Schedule G]
- Clear HSP privacy obligations to protect shared client data [S. 5.4 to 5.8]
- Plain language description for HSPs and their clients [Schedules I and J]
- DSA Adhesion Agreement to be signed (based on ESPA Adhesion Agreement)

What has not changed from the original ESPA?

- Insurance and indemnity, general provisions, most of definitions, dispute resolution, governance of CBI Project, termination provisions, data sharing with ICES, role of lead agency, role of HSPs
- Terms of Reference for Privacy Sub-Group and CBI Working Group
- List of Data Elements [Schedule C]
- Addendum 1 (Data linkage with ICES)

DSA Signing Instructions

1. Download the DSA and signing instructions from PMservices.reconnect.on.ca
2. Privacy officer to review and brief senior management
3. Signing authority or the individual who is authorized to bind the HSP signs schedule D of the DSA
 - Include signature, contact information and Privacy Officer contact information
4. Email signed DSA (entire agreement) to cbisupport@reconnect.on.ca

Contact us!

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