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<b>TO:</b>	<b>CHAIR AND MEMBERS COMMUNITY AND NEIGHBOURHOODS COMMITTEE MEETING ON SEPTEMBER 13, 2011</b>
<b>FROM:</b>	<b>CINDY HOWARD DIRECTOR OF SOCIAL AND COMMUNITY SUPPORT SERVICES AND INTERIM ADMINISTRATOR OF DEARNESS HOME COMMUNITY SERVICES DEPARTMENT</b>
<b>SUBJECT:</b>	<b>PERSONAL HEALTH AND INFORMATION PROTECTION ACT, 2004</b>

<b>RECOMMENDATION</b>
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That, on the recommendation of the Director of Social and Community Support Services and Interim Administrator Dearness Home, with the concurrence of the Executive Director of Community Services, the following actions **BE TAKEN**:

The attached proposed by-law (Appendix "A") be introduced at the Municipal Council meeting to be held on September 19, 2011 for the purpose of designating a contact person under subsection 15(2) of the Personal Health and Information Protection Act, 2004, S.O. 2004, c.3, Sched. A.

<b>PREVIOUS REPORTS PERTINENT TO THIS MATTER</b>
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None

<b>BACKGROUND</b>
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The Personal Health and Information Protection Act (the "Act") governs the collection, use and disclosure of personal health information by the health care sector. The purpose of the Act is to keep personal health information confidential and secure while allowing for the effective provision of health care services.

The City is a "health information custodian" under subsection 3 (1)4 of the Act because it collects and has custody or control of personal health information in its capacity as the owner and operator of the John Dearness Home, a long-term care home governed by the Long Term Care Homes Act, 2007. Subsections 15(2) and 15(3) of the Act require health information custodians to designate a contact person who, as an agent of the health information custodian is authorized on behalf of the custodian to:

- (a) facilitate the custodian's compliance with the Act;
- (b) ensure that all agents of the custodian are appropriately informed of their duties under the Act;
- (c) respond to inquiries from the public about the custodian's information practices;
- (d) respond to requests of an individual for access to or correction of a record of personal health information about the individual that is in the custody or under the control of the custodian; and
- (e) receive complaints from the public about the custodian's alleged contravention of the Act or its regulations.

It is recommended that the Administrator for the Dearness Home be designated as the contact person under the Act. Under the Long Term Care Homes Act, 2007 the City is required to ensure that the Dearness Home has an Administrator who shall be in charge of the long-term care home, is responsible for its management and performs any other duties provided for in the regulations.

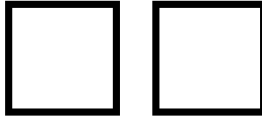
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<b>FINANCIAL IMPACT</b>
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There are no financial impacts.

<b>SUBMITTED AND RECOMMENDED BY:</b>	<b>CONCURRED BY:</b>
<b>CINDY HOWARD DIRECTOR, SOCIAL AND COMMUNITY SUPPORT SERVICES AND ACTING ADMINISTRATOR DEARNESS HOME DEPARTMENT OF COMMUNITY SERVICES</b>	<b>ROSS L. FAIR EXECUTIVE DIRECTOR DEPARTMENT OF COMMUNITY SERVICES</b>

cc. L. Marshall



**APPENDIX A**

**APPENDIX A**

Bill No.  
2011

By-law No. A.-

A by-law to designate a contact person pursuant to section 15 of the *Personal Health Information Protection Act, 2004*.

WHEREAS pursuant to paragraph 4(ii) of subsection 3(1) of the *Personal Health Information Protection Act, 2004*, S.O. 2004, c.3, Sched. A (the "Act"), The Corporation of the City of London, as the operator of the long term care home known as the Dearness Home, is a health information custodian;

AND WHEREAS pursuant to subsection 15(2) of the Act, The Corporation of the City of London is required to designate a contact person who is an agent of the health information custodian and is authorized on behalf of the custodian to perform all of the functions and duties as set out in subsection 15(3) of the Act;

AND WHEREAS pursuant to subsection 70(1) of the *Long Term Care Homes Act, 2007*, the Corporation of the City of London as the licensee of a long-term care home is required to ensure that the home has an Administrator;

NOW THEREFORE the Council of The Corporation of the City of London enacts as follows:

1. Pursuant to subsection 15(2) of the Act, the Council of The Corporation of the City of London hereby designates the Administrator for the Dearness Home as required under section 70 of the *Long Term Care Homes Act, 2007* as the contact person and authorizes the Administrator as the agent for The Corporation of the City of London to perform all of the functions and duties as set out in subsection 15(3) of the Act.
2. This by-law comes into force on the day it is passed.

PASSED in Open Council on

Joe Fontanna  
Mayor

Catharine Saunders  
City Clerk

First Reading –  
Second Reading –  
Third Reading –