



Lost or Stolen files: Advice for Physicians

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Physicians have an ethical and legal responsibility to safeguard their patients' information. When safeguards fail and patient files are lost or stolen, however, physicians have a responsibility to take the following steps without delay:

1. **Assess the loss**
 - a. What type of information?
 - b. How many patients affected?
 - c. Sensitivity/potential for misuse of the information
 - d. What type of harm could result (breach of privacy, physical harm, identity theft, etc)
2. **Notify the Office of the Information and Privacy Commissioner (OIPC)** (optional, but advised)
 - a. Phone (780) 422-6860
 - b. A reporting form is available on their website at www.oipc.ab.ca/publications/notes.cfm "Reporting a Privacy Breach to the OIPC"
 - c. See also "Key Steps in Responding to Privacy Breaches" at www.oipc.ab.ca
3. **Notify the police if appropriate** – especially if there is physical property (such as a computer laptop) or prescription pads stolen.
4. **Notify the CPSA** (optional, but advised) at (780) 423-4764 or (800) 320-8624
 - a. We may be able to offer more specific advice on the situation
 - b. We may be contacted by patients and/or the media, and would like to be able to respond appropriately and knowledgeably
 - c. If TPP pads were lost or stolen, contact the TPP Department at the College so that the prescription numbers can be invalidated and pharmacies notified.
5. **Notify the patients affected by the loss** (optional, but advised if practical) – how and when to do this may depend on the number and the degree of loss (eg, if the patient's entire chart, including their contact information, is stolen it may make locating them much more difficult).
6. **Ordinarily the CMPA (or other liability protection providers) need not be notified**, unless the loss is significant or unusually sensitive, but members may wish to seek advice or legal assistance.
7. **Take positive steps to prevent a similar loss in the future**
 - a. additional physical or technical security
 - b. refined procedures or processes
 - c. staff awareness/training measures
 - d. consider or review insurance coverage for such losses