

## The *Personal Health Information Act* Risk Management Toolkit

### Privacy Beach Incident Report Form

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#### Introduction

The purpose of this incident report form is to assist custodians in notifying the Office of the Information and Privacy Commissioner (OIPC) of any material breaches involving personal health information. Notifying the OIPC may enhance the public's understanding of the incident and confidence in the custodian. Furthermore, the OIPC may be able to provide advice or guidance to custodians regarding whether to notify affected individuals, as well as other issues relating to the breach.

Custodians are required under section 15(4) of the *Personal Health Information Act* (PHIA) to inform the OIPC of material breaches. A material breach includes an unauthorized collection, use or disclosure of personal health information as further defined in the Regulations. Although custodians are not required to inform the Commissioner of breaches which do not meet the definition of "material," they are welcome to do so.

Custodians should refer to the provisions relating to a privacy breach, as set out in section 15 of PHIA, as well as their corresponding policies and procedures in order to take the correct steps following the occurrence of a breach.

To report a privacy breach to the Commissioner, please fill out this form and send a printed copy to the OIPC at the address below. Be sure to complete all sections. You may attach additional pages if necessary. Please indicate if a question does not apply to your situation or if you are not sure how to answer. Should you need further assistance in completing this form, or if you have any other questions, please contact the OIPC.

Forward to:

Office of the Information and Privacy Commissioner  
2<sup>nd</sup> Floor, 34 Pippy Place  
P.O. Box 13004, Station "A"  
St. John's, NL A1B 3V8

(709) 729-6309 (t)  
(709) 729-6500 (f)

## PHIA Privacy Breach Incident Report Form

### Background Information:

<b>Name of custodian</b>	
<b>Contact information</b> (contact name, telephone number, facsimile, email and mailing address)	

### Details of Incident:

<b>Date breach occurred</b>	
<b>Date breach discovered</b>	
<b>Location of breach</b>	
<b>Description of incident</b>	
<b>Estimated number of individuals affected</b>	
<b>Description of action taken to contain breach</b>	
<b>Was the affected party(s) notified of the incident?</b> If so, what was the date of notification?	
<b>Was the affected party(s) notified of his/her right to complain to the OIPC?</b>	
<b>Was anyone else notified of the incident (i.e. professional bodies, law enforcement, etc.)?</b> If so, who and when were they notified?	

\_\_\_\_\_  
Signature of Custodian or Representative

\_\_\_\_\_  
Date