



THE  
**LIGHTHOUSE**  
**LE PHARE**

COUNSELLING & PSYCHOTHERAPY  
COUNSELING ET PSYCHOTHÉRAPIE

## **What To Know About How Your Personal Data is Used At The Lighthouse - Le Phare Counselling and Psychotherapy**

Privacy policy (updated June 26, 2023)

**Welcome.** As part of our service, we believe it is important that you are aware of our privacy practices and policies (e.g. how we store your data, what we can and cannot keep private). Before you disclose any of your private information to us, please read this information and ask us any questions you might have.

### **Who We Are:**

The Lighthouse - Le Phare Counselling and Psychotherapy is composed of a team of highly educated registered psychotherapists, counselling interns in training, and administrative personnel. We provide counselling, psychotherapy, and neurofeedback services. We also work with external agencies (e.g., Veterans Affairs and private insurance companies) that may, in the course of their duties, have limited access to your personal health information in our possession.

### **What is your Personal Health Information?**

Personal health information is data that can be used to identify YOU and details of your healthcare. This may include your contact information (e.g., name, address, telephone number, e-mail address), personal characteristics (e.g., age, gender, cultural/ethnic background), and health details (e.g., presenting issues, health history, medical/mental health conditions, treatments being received). For health care providers to access this information, you either need to disclose it or give permission for us to access your information from another source.

### **How and why do we collect and use your Personal Health Information?**

- To understand your mental health and related needs as well as recommended appropriate treatment options including providing therapy and conducting follow ups, we will ask for personal health information via intake questionnaires and/or other self-report documents.
- Third party payers (e.g., insurance extended-health benefits, WSIB, legal representatives), when applicable, may request we release specific information about your mental healthcare. We will not release your information unless they show us evidence they have your consent for us to release information about you to them. In many cases, these third parties wish to know the following, likely to determine your entitlement to funding:
  - Your clinical provider's information (name, title, registration number);
  - Your session dates, duration of therapy and your mental health conditions, treatment needs, treatment progress and disability.

## Electronic Communication of Personal Health Information (“E-mail”):

### E-mail – When We Use It and Risks

**WHEN:** We use email to communicate with you (e.g., appointments – remind, cancel, etc., send invoices/receipts) as well as we may use email to respond to you (e.g., questions, send you various counselling resources).

**RISKS:** Although we will use your email address to communicate with you because it is convenient and efficient, you can choose to have us only contact you by phone since e-mail is not recognized as a secure form of communication. For example, the risks of transmitting your information by e-mail include, but are not limited to, the following:

- E-mail may be easier to falsify than phone, fax or mail. It is also impossible to verify the true identity of the sender, or to ensure that only the recipient can read the e-mail once it has been sent;
- E-mail can introduce viruses into a computer system, and potentially damage or disrupt the computer;
- E-mail can be forwarded, intercepted, circulated, stored, or even changed without the knowledge or permission of the sender or recipient. E-mail senders can easily misaddress an e-mail, resulting in it being sent to unintended and unknown recipients; and
- E-mail creates a permanent record. Even after the sender and recipient have deleted their copies of the e-mail, back-up copies may exist on a computer or in cyberspace.

**HOW WE TRY TO PROTECT YOUR PRIVACY WHEN USING EMAIL:** Overall, the privacy and security of any e-mail communication cannot be guaranteed. We will use reasonable means to protect the security and confidentiality of e-mail information sent and received but we are not able to offer you any guarantee of security of email communications. We strongly encourage you to use the secure messaging feature via our telehealth platform, Owl Practice as a more secure way to communicate with your therapist.

### WHEN USING EMAIL, please be advised:

- a) We will not discuss over e-mail sensitive personal health information, such as that related to mental health, disability, or substance use and we will not use e-mail as a substitute for treatment.
- b) E-mails between you and our practice become part of your clinical record, other individuals authorized to access the clinical record will have access to those e-mails;
- c) E-mail should not be used for emergencies or other time-sensitive matters – as we cannot guarantee that any particular e-mail will be read and responded to within any particular period of time;
- d) Please re-send your email or contact us if we have not responded to your e-mail within a reasonable time period – emails can get lost in cyberspace.

## **Telehealth-Services (Virtual Sessions):**

**WHAT IS IT?** Instead of meeting face-to-face, you can meet your therapist via virtual (video) or telephone for assessment and treatment services. Virtual and telephone-based sessions are convenient and may be used when in-person sessions are not possible. Your Clinician will discuss which mode of service is recommended based on your needs, and changes can be made throughout the course of your treatment with respect to the mode of therapy you both decide to use. All the laws and professional standards that apply to face-to-face mental health services (e.g., limits to your privacy, file management) apply to virtual and telephone-based care.

**HOW?** Virtual care is offered through a secure practice videoconferencing platform that meets Canadian privacy laws and is privacy-compliant (e.g., OWL Practice). Virtual care requires the use of a webcam or smartphone, and a link to the virtual session will be provided by e-mail prior to the session. We highly recommend you test your video/audio settings the day before your session, and contact Owl Practice's tech support for assistance, if needed. In the event of technical problems during your session, a back-up plan (e.g., a phone number where you can be reached) will be used to restart the session or to reschedule it.

IF YOU WISH TO USE TELEHEALTH SERVICES, please be advised:

- Despite best efforts to ensure high standards of technology, there is always a risk that services could be disrupted or distorted by unforeseen technical problems.
- Use of virtual and telephone-based sessions is voluntary. Both you and your clinician have the right, at any time, to determine if virtual and/or telephone-based sessions are/are not appropriate for your care.
- Confidentiality still applies for mental health tele-services, and the session will not be recorded by the Clinician or yourself without permission from the other person(s).
- It is your responsibility to use a secure internet connection (e.g., not public free Wi-Fi) and to be in a quiet, private space that is free of distractions during the session.
- For child/adolescent clients, permission of your parent/legal guardian (and their contact information) is required to engage in tele-sessions.

## **WHAT ARE THE Limits to MY PRIVACY?**

We work very hard to protect your privacy. For example, we review our security measures periodically to ensure that all personal information is kept securely. All personnel of The Lighthouse - Le Phare Counselling & Psychotherapy receive ongoing training regarding the information safeguards required for the protection of our clients' personal health information. However, there are several laws & practice standards that direct us to release your private information (see CRPO Standard of Practice (<https://www.crpo.ca/standard-3-1-confidentiality/>))

In summary, your information may be released without your consent in the following situations.

Whenever possible we will aim to involve you in this process:

1. **SAFETY ISSUES:** When our staff suspects there may be significant, imminent risk of serious bodily harm (includes physical or psychological harm) to the client or anyone else (e.g. suicide, homicide, child is in need of protection due to physical harm, neglect or sexual abuse by a person having charge of the child), there may be a professional and legal duty to contact relevant authorities, such as the police, a physician who is involved in the care of the client, and to warn the intended victim

2. **JUDGE ORDERS** the release of your information for particular legal proceedings (e.g. a staff member is subpoenaed) or to facilitate an investigation or inspection if authorized by warrant or by any provincial or federal law (e.g. a criminal investigation against the member, his/her staff, or a client);
3. **TO OUR REGULATORY BODY** for the purpose of administration or enforcement of standards (e.g., if a complaint has been made about one of our staff, assessment of a staff's practice as part of the Quality Assurance Program; mandatory reporting where a staff member learns a health provider may have sexually abused a patient/client).
4. **YOU ARE NOT ABLE TO GIVE CONSENT** for the purpose of contacting a relative, friend or potential substitute decision-maker of the individual, if you are injured, incapacitated or ill and unable to give consent personally.
5. **TO OPERATE** The Lighthouse - Le Phare Counselling and Psychotherapy's Services agency staff/ contract staff (e.g., bookkeepers, IT staff) may have access to parts of your file but would only access what they need to fulfill their job responsibilities.

#### **WHAT IS IN MY FILE?**

Clinicians tend to make notes about your goals, themes that emerge in your work, interventions, safety issues, and information about your progress. Clinicians do not tend to record "evidence" of what happened to you/to others. Notes clinicians take during a session are often shredded/deleted once they have transferred a summary of them into a client's file.

**Did you know that emails, texts, & letters** about you (i.e., from you/to you/about you/&/or shared on your behalf) are typically kept in your file (then may be deleted from the e-mail server). Recall, you are highly recommended NOT to share personal information in emails/texts since **there is always the risk privacy breaches can occur.**

#### **Can I Access to MY Personal Health Information? ASK FOR Corrections to my file?, and Ask for Information to be Released to Third Parties?**

YES. You have the right to access your personal health information. This means that you may request to read clinical notes in your file, ask for corrections to be made to factual information (we cannot delete information but will add your corrections), and for a copy of your health information. If we cannot give you access, we will advise you in writing within 30 days if possible, and will outline the reason, as best we can, as to why we cannot give you access.

You also have a right to request that your file or portion thereof be provided to a third party (e.g., insurance, legal representative, or other treating medical professional). In these cases, your clinician will review the clinical notes with you and can help you understand any information that is not clear (e.g., short-forms, technical terms, etc.). They will also discuss with you the risks and benefits of releasing this information to you or any third party you are providing consent to. There is a cost associated with reviewing and preparing your file for release, and we will provide an estimate of the timeframe and cost when your request is made.

## **How do you Store and Destroy My Personal Health Information?**

**Your client information is stored in e-files and/or paper files.** Paper files are stored in a locked cabinet, behind a locked door, in agency office(s); electronic files are kept in a password-protected computer, backup drives, and/or online software database designed for helping professionals (e.g., OWL). Your Clinician maintains responsibility for your client file. If your Clinician leaves The Lighthouse - Le Phare Counselling and Psychotherapy, your file will stay with them, and a copy will be retained by The Lighthouse - Le Phare Counselling and Psychotherapy.

Any personal health information that is stored electronically is protected by appropriate security measures (e.g., PHIPA-compliant software that includes bank-level encryption). We are required to retain your personal health information for a period of 10 years after our last contact with you (for adults) or 10 years after you turn 18 years of age (for youth), whichever is later. After 10 years, your personal information is destroyed in a secure manner that protects your privacy.

## **IF I AM CONCERNED ABOUT THE QUALTY OF CARE I AM RECEIVING OR HAVE QUESTIONS – WHAT ARE MY OPTIONS?**

If you have any questions about our privacy practices and procedures, we encourage you to contact **Natalie Carrière, Health Information Custodian & Director of Clinical Services.**

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You also have the right to file a complaint with your clinician's regulatory body via The College of Registered Psychotherapists of Ontario at [www.crpo.ca](http://www.crpo.ca)

Please know you can also contact the Information and Privacy Commissioner of Ontario for assistance in resolving privacy matters related to our practice at [www.ipc.on.ca](http://www.ipc.on.ca)