



April 21, 2020 - Advisory from the Office of the Information and Privacy Commissioner of Saskatchewan on Apps that Offer Health Care Consultations

Since the government has said stay home and self-isolate or quarantine and the temporary closure of offices, including those of some health professionals, has been mandated the question of how might I consult a health professional has arisen. The need for health professionals to be in contact with their patients continues during the pandemic and when the government created a temporary fee for telehealth consultations, the desire and need to create ways of consulting over the telephone, computer or device accelerated.

Media coverage has been given to apps that will facilitate health professional's consultations with their patients. As health professionals and patients are approached to use such apps, they should be asking questions before agreeing to do so.

Health professionals should ask:

- Does the organization offering the app (service provider) reside in Saskatchewan?
- What personal health information is collected and stored by the app (service provider) and for how long?
- Where geographically is the information stored?
- Who is in custody and control of the stored information?
- Can I get a copy of the stored information any time I ask?
- Is the personal health information shared with any other company or individual?
- What safeguards are in place to protect that information?
- Can I see the contract I would have to sign to use the service?
- Have you done a privacy impact assessment and could I have a copy?
- Have you had a security assessment done by an independent third party and if so can I see a copy?
- What recommendations have your professional association made?

The prospective patient before signing up should ask:

- Does the organization offering the app (service provider) reside in Saskatchewan?
- What personal health information about me is collected and stored by the app and for how long?
- Where geographically is my information stored?
- Can I get a copy of my stored information any time I ask?
- Is there a fee for getting a copy of my personal health information?
- Is my personal health information shared with any other company or individual?
- What safeguards are in place to protect my personal health information?

The questions for the health professional and the patient are similar. Both need to know where personal health information is stored, who has access to it, how long is it stored and what steps are taken to protect personal health information.

The pandemic will continue to create privacy issues. I expect there will be many apps vying for loyalty of health professionals and patients. As always, it will be “buyer beware”. In other words, health professionals and patients, be careful for what you sign up for. However, in terms of health care providers, the ‘beware’ includes an expectation that you will do your homework and know whether or not by participating in the service you are or are not meeting your obligations under *The Health Information Protection Act*.

In the longer run, if telehealth is here to stay, health professionals and their governing bodies should establish rules governing the engagement of apps that provide a telehealth service.

Health professionals should insist on a contract with the app service provider, read it carefully and not sign on the dotted line unless satisfied all aspects of HIPA are addressed.

Patients should read the privacy policy on apps (service provider’s) website.

This may turn out to be a very convenient service for health professionals and patients. Let us make sure the service has appropriate privacy and data protection.

Ronald J. Kruzeniski
Information and Privacy Commissioner

Media contact:
Kim Mignon-Stark
Kmignon-stark@oipc.sk.ca

