

CATEGORY:	<b>ORGANIZATIONAL: INFORMATION MANAGEMENT</b>
SUB-CATEGORY:	<b>INFORMATION MANAGEMENT</b>
GROUP:	
DISTRIBUTION:	<b>ALL EMPLOYEES/PHYSICIANS</b>
TITLE:	<b>FAXING CONFIDENTIAL INFORMATION</b>

**PURPOSE**

To outline roles and responsibilities when faxing of personal, personal health and other confidential information pertaining to clients/patients/ residents, employees and confidential business information of Western Health.

**POLICY**

Employees **must only** transmit personal, personal health and confidential business information (hereinafter referred to as information) via fax when required for immediate care/service of the client or when the information is critical to Western Health’s operations and time restrictions apply. Where a more secure method for communication of information is available, faxing must not be used. Employees must consider using email as an alternative to faxing when the recipient of the information is a specific individual. Please refer to the *Email Acceptable Use* policy (10-01-50) for further information and instruction.

Information that is of a non-urgent nature must be transferred by mail, courier or in person.

Whenever transmitting information via fax, employees must send only the minimum amount of information necessary.

Where a client or their authorized representative requests that their information be faxed, the information **must only** be faxed for the purpose of immediate care / service. Employees must advise the client / patient / resident that faxing personal information can result in it being accidentally disclosed or deliberately intercepted by other people.

Please also refer to the guidelines included in this policy.

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**Managers / leaders must ensure that:**

1. Fax machines are located in a secure area where they can be monitored and accessed only by individuals who are authorized to handle the information.
2. The identity of, i.e. name and fax number, their department / program / service is programmed into the fax machine(s) under their area of responsibility.
3. Employees adhere to the FAXING PROCEDURE included below to transmit information via fax.
4. The faxing procedure outlined in this policy is followed and posted near the fax machine(s) under their area of responsibility for employees' reference when faxing information.
5. Employees follow the Faxing Breach process outlined in this policy and refer to the Privacy Breach Management policy (9-03-10) as required.
6. Contact the IT Department to arrange for purchasing a new fax machine where network printing capabilities are required as well as to arrange for appropriate and secure disposal of a fax machine that is no longer being used.

**FAXING PROCEDURE**

**When transmitting information via fax, employees must:**

1. Prior to sending a fax, confirm the accuracy of the fax number by contacting the intended recipient to ensure that the fax number is correct.
2. Complete a Western Health [Facsimile Cover Sheet](#) (Form 12-400) to attach to the information being faxed.
3. Where possible, inform the requestor of the anticipated time the information will be faxed.
4. Once the fax number is confirmed, verify in the machine's display window that you have keyed in the correct number.
5. Await confirmation that the faxed information has been successfully transmitted. (Refer to step 3.) If confirmation is not received, contact the requestor/intended recipient to verify that that fax has been received.
6. Document on the fax transmission sheet or fax cover sheet:
  - a) a description of the information disclosed;

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- b) an indication that the information was received as confirmed by requestor/intended recipient.
  7. Where client/patient/resident specificis faxed, retain the fax transmission sheet or fax cover sheet on the client's/patient's/resident's health record.
  8. Where other confidential information is faxed, retain the fax transmission sheet or cover sheet on the appropriate file (e.g. human resources, administration.)
  9. If informed that the faxed information has not been received by the intended recipient, refer to the Fax Breach procedure outlined below.

**When receiving information via fax, employees must:**

1. Where possible, designate an individual in each department / program /service to receive and distribute faxes.
2. When expecting information to be faxed, arrange to be at the fax machine when the information is being transmitted, or otherwise retrieve information as soon as possible.
3. Upon receipt of faxed information, compare the number of pages received with the number indicated on the fax cover sheet. Notify the sender if the numbers do not match.
4. If an expected fax fails to arrive, immediately contact the sender to advise of this fact.
5. If faxed information is received in error or contains inadequate distribution information, where possible contact the sender of the faxed information to identify the intended recipient and to get direction on what to do with the information.
6. If the sender or intended recipient of the fax cannot be determined, securely destroy the information by discarding it in a Western Health secure disposal bin.
7. In the case of a faxing breach, refer to the faxing breach procedure outlined below.

**When a Faxing Breach Occurs**

Where faxed information is mistakenly faxed to the wrong recipient, or once an employee is aware that a fax transmission has failed to reach the intended recipient:

1. The sender must:
  - a) check the internal logging system of the fax machine to obtain the number to which the fax was sent;
  - b) contact the recipient and, where possible, arrange to pick up the information. It is recognized that doing so may not be feasible or impractical and the sender must

- request that the misdirected fax be disposed of in a secure manner or returned to the sender in hard copy form via mail;
- c) notify the immediate manager/leader;
  - d) complete an Occurrence Report in keeping with Western Health's *Occurrence Reporting* policy (6-02-15)
2. The manager/leader must refer to the *Privacy Breach Management* policy (9-03-10).

## DEFINITIONS

**Confidential business information:** Information with respect to Western Health's business that is not publicly disclosed by the organization. Employees / affiliates may come in contact with such information that is not generally known to the public as they perform their duties.

Examples include:

- Legal matters involving the organization that are not public knowledge,
- Financial information that is not available in Western Health's annual report,
- Contractual agreements with vendors, consultants, contractors, and third parties (The confidentiality of this information may be written into the contract, e.g. non-disclosure of the cost of the service),
- Information about intellectual property such as development of new technology and treatments or unpublished reports,
- Information pertaining to Western Health's information technology access and security systems such as:
- Information that could lead to inappropriate access to internal and external computer resources,
- Information that is regarded as confidential between the vendor and Western Health related to negotiated product discounts,
- Products that are part of Western Health's security infrastructure or the names of vendors of hardware / software solutions that may be vulnerable to external access attacks.

**Personal information:** Information of an identifiable individual, but does not include the name, title, business address / telephone number of a staff member of an organization.

**Personal health information:** Personal information with respect to an individual, living or deceased, and includes:

- Information concerning the physical or mental health of the individual
- Information concerning any health service provided to the individual
- Information concerning the donation by the individual of any body part of any bodily substance by the individual
- Information derived from the testing or examination of a body part of bodily substance of the individual
- Information that is collected incidentally to the provision of health services to the individual

**GUIDELINES**

- Where feasible and appropriate, use automatic dialing (pre-program) features that have already been tested for accuracy. Ensure that directories are updated regularly, test destination numbers on a regular basis, and update directories when notified of a change. These practices help eliminate errors in transmission from misdialing and the use of outdated fax numbers.
- Where possible, set up the fax machine to automatically generate a fax transmission report or produce manually generated reports after each use. These reports confirm that the faxed information reached the number that was entered on the fax machine. Confirm successful transmission of the faxed information by checking this report after the fax has been sent.

**LEGISLATIVE CONTEXT**

*Personal Health Information Act* (2008). Available at:  
<http://www.assembly.nl.ca/legislation/sr/statutes/p07-01.htm>

**REFERENCES**

Newfoundland and Labrador Health Record Association website at:  
<http://www.nlhra.nf.ca>

Office of the Privacy Commissioner of Canada website at:  
[http://www.priv.gc.ca/fs-fi/02\\_05\\_d\\_04\\_e.cfm](http://www.priv.gc.ca/fs-fi/02_05_d_04_e.cfm)

**KEY WORDS**

Faxing, faxing personal health information, faxing information

TO BE COMPLETED BY STAFF IN QUALITY DEPARTMENT

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