

Privacy Policy

Notice of Privacy to Clients

Imagus Inc. is committed to protecting your personal information and your personal health information.

IMAGUS INC is in compliance with the applicable privacy laws for Ontario, Canada; specifically, the Ontario Personal Health Information Protection Act, 2004 (PHIPA) which applies to personal health information, and the Federal Personal Information Protection and Electronic Documents Act (PIPEDA) which applies to personal information collected by our clinics. The commercial information is stored separately from your personal health information. Since the protections under both statutes are similar, we have combined the information under one Notice.

This Notice describes the collection, use, and/or disclosure of your information as well as the safeguards we have in place (defined below), including your rights and certain obligations we have regarding the use and disclosure of your information.

We are required by law to:

- Ensure protection of any personal health information and/or personal information we collect from you.
- Outline our legal duties and privacy practices (in this Notice) with regards to protecting your personal information and/or your personal health information.

We are committed to maintaining the accuracy, confidentiality and security of your information.

Safeguarding Your Personal Information

The security and maintenance of your personal information and/or your personal information is of utmost importance at Imagus Inc., and we take this responsibility very seriously.

Using methods appropriate to the sensitivity of the information, we strive to protect your personal and or personal health information. Specifically, only authorized persons may access your personal health and/or personal information. Procedural, physical, and technical safeguards are in place to prevent loss and/or unauthorized access to your information. For example, physical measures employed include the use of locked file rooms, locked drawers, as well as monitored burglar alarms and motion detectors. Technical safeguards include the use of passwords and encryption of data. Procedural safeguards include requiring all our employees, physicians and agents sign Confidentiality Agreements and regular employee participation in educational in-services to learn (and refresh) our practices and procedures.

Definition of Terms

"You" refers to IMAGUS INC.'s clients

"We", "our", or "us" refers to IMAGUS INC.

"HIC": Health Information Custodian.

"Information": Personal Health Information and Personal Information.

"Personal Information" means information about an identifiable individual and includes information such as name, mailing address, email address, phone number (home/work) as well as employer information. It does not include your business contact information in your capacity as an employee of an organization. For purposes of this Privacy Notice, "personal information" does not include "personal health information".

"Personal Health Information" or "PHI" means information relating to and identifying an individual, including information that concerns:

- i. physical or mental health and family's health history;
- ii. provision of health care, including health care providers;
- iii. medical records including charts, diagnostic/laboratory results and other health information collected or produced while providing you with health care services;
- iv. eligibility and payment for health care;
- v. and health-card number.

Who will follow this notice?

All Staff, Healthcare Professionals, and agents designated by Imagus shall follow the privacy practices and procedures described in this Notice.

Use and Disclosure of Your Information

Imagus may collect, use, and disclose your information for any purpose described in this Notice and for any additional purposes for which we have obtained your consent.

Current, accurate records are important. Please notify us if any of the information in our records changes or requires correction.

Use

In accordance with PHIPA and PIPEDA, IMAGUS INC. may use your Information for the following purposes:

PHIPA

- A. to provide/assist in providing care and service to you, including relaying the results of diagnostic imaging testing to your healthcare professional to assist in the interpretation of the diagnostic imaging results
- B. providing you with copies of your medical records (upon request)
- C. planning/delivering care or services, including the evaluation and monitoring of those services
- D. purposes permitted or required by law (e.g., if legislation requires disclosure, in the case of a legal proceeding or to the governing body of any of our professionals)
- E. risk management, error management or those activities that improve or maintain the quality of care at IMAGUS INC. (i.e., its programs, services and its operations)
- F. coordinating care and/or assisting in the provision of care
- G. obtaining payment
- H. contacting you to arrange for your appointments and/or to respond to your inquiries
- I. providing you with general health related educational information that may be relevant to you based on your treatment at IMAGUS INC. and other general medical updates
- J. contacting your family or a (potential) substitute decision maker if you are injured or unable to give consent.

PIPEDA

- K. responding to your general inquiries
- L. enabling us to comply with applicable law or regulatory process; and
- M. any other reasonable purpose to which you'd consent

Disclosure

PHIPA

- N. Personal health information may be shared with other HICs in your circle of care (e.g., physician/specialist or other health care practitioners who referred you to us), unless instructed otherwise by you.
- O. Reasonable steps will be taken to safeguard your PHI against unauthorized access/disclosure and we will inform you of any breach in our protocols resulting in unauthorized access/disclosure to your records.
- P. Your express consent is required for disclosure of your personal health information to non-HICs, unless the disclosure is otherwise permitted or required by law (see below), in which case, we will act in accordance with PHIPA.

Other permitted or required disclosures of personal health information under PHIPA include:

- Q. Those required to reduce or eliminate a significant risk to a person or persons
- R. Disclosures to a person conducting an audit or accreditation review, with the exception of the removal of any records from IMAGUS INC.
- S. Records requested by a medical officer of health or public health authority for purposes of public health
- T. Information requested by the Minister of Health and Long-Term Care ("Minister") or to another HIC to determine or provide funding for health care
- U. Data provided for the purpose of compiling or maintaining a registry to facilitate or improve the provision of health care
- V. Data required by an entity authorized by PHIPA such as Cancer Care Ontario for the purpose of analysis or compiling statistical information about the management or allocation of resources for the health system
- W. Audits to the Minister, upon request, for the purpose of monitoring or verifying claims for payment of health care
- X. PHI collected in Ontario about an individual will only be disclosed to a person outside Ontario in these circumstances:
 - i. if the disclosure is consented to by you;
 - ii. the disclosure is permitted under PHIPA;
 - iii. the person receiving the PHI performs a function similar to a function permitted under PHIPA;
 - iv. the disclosure is for health planning or health administration
 - v. the information relates to health care provided in Ontario to someone who resides in another province or territory of Canada and is given to the government of that province or territory and the disclosure is made by a prescribed entity; or
 - vi. the PHI is reasonably necessary for the provision of health care (unless there are express instructions from you prohibiting the disclosure of this information) or for payment in connection with provision of health care to you.

We may disclose your personal health information to comply with our legal and regulatory requirements under the Regulated Health Professionals Act and other applicable statutes. An insurer or employer may

not access your PHI without your express consent. If such a request is made, we will seek your written consent prior to releasing the information.

PIPEDA

Your personal information will only be disclosed if you've advised us (either in this Notice or at the time the information is collected from you) and given us your consent, which may be express or implied. IMAGUS INC. may disclose this personal information where permitted or required by applicable law or regulatory requirements, or to comply with a valid legal process such as a court order, during an emergency situation, or where necessary to protect the safety of a person or group.

In addition, both personal health information and personal information may be transferred to a successor, should there be a change in ownership in all or a part of IMAGUS INC., provided that the successor is bound by appropriate agreements and required to use or disclose your information in a manner consistent with the use and disclosure provisions of this Privacy Notice.

Safeguarding and Storage of Information

Your health records (acquired prior to July 20, 2020) are stored at the respective site of IMAGUS INC., specifically, Ancaster X-Ray files are stored at that clinic, Charlton X-Ray files are stored at that clinic, and a back-up copy is also stored at the opposite site (i.e., Charlton at Ancaster and Ancaster at Charlton). Beginning July 2020, records are stored in Velox Imaging's Data Centre. Velox Imaging is compliant with all relevant HIC responsibilities, included but not limited to PHIPA and PIPEDA regulations.

What are your rights (regarding info Imagus has collected about you)?

You have the following rights regarding your PHI and other personal information.

Consent: Your consent is required for the information that we collect, use, and/or disclose about you.

PHIPA

We will only collect, use or disclose your personal health information outside your circle of care with your express consent or in accordance with PHIPA. IMAGUS INC. provides a more detailed outline to its clients about what type of personal health information will be collected as part of providing health care services to you.

PIPEDA

Depending on the sensitivity of the personal information, your consent may be express, implied or deemed (using an opt-out mechanism). Express consent can be given orally, electronically or in writing. Implied consent is consent that can reasonably be inferred from your action or inaction. For example, upon acceptance of our services, we assume you consent to the collection, use and disclosure of your personal information for purposes related to our services, or for other purposes identified to you at the relevant time. Deemed consent is consent we assume in the event that you do not exercise an opt-out mechanism offered to you.

If we plan to use or disclose your personal information for a purpose not previously identified (either in this Privacy Notice or separately), we will endeavor to advise you of that purpose before such use or disclosure.

We may collect, use or disclose your personal information without your knowledge or consent where we are permitted or required to do so by applicable law or regulatory requirements.

Your right to access: You may ask to see the Information held by IMAGUS INC. about you by making a formal written request to see and/or obtain a copy of your health record and the other personal information we have collected about you. We may deny or restrict your access in very limited circumstances (e.g., if the information is subject to legal privilege, it is reasonable to believe that disclosure would result in a risk of serious bodily harm to you or another person, if a Provincial or Federal Act prohibits disclosure). Your request must be in writing, signed and dated.

We will endeavour to respond to a formal access request within 30 days, unless assembling or locating numerous pieces of information necessitates a lengthy search. We will provide written notice of the reason for the time extension and the length of the extension and will advise if there is a cost to be incurred to satisfy your access request.

Your right to correct the information: If you believe your health record or personal information to be inaccurate or incomplete, you may request that the information be corrected. We will make the correction if you can demonstrate that the information is inaccurate or incomplete for the purposes for which the information is being used. We may not correct the record if it was not originally created at IMAGUS INC. and we do not have sufficient knowledge, expertise or authority to correct it; or if the record consists of a professional opinion or observation made in good faith about you.

At your request, we will provide written notice to third parties about the correction, to the extent reasonably possible and if the correction could reasonably be expected to have an impact on your ongoing health care or benefits, to the persons who received the incorrect information.

Changes to IMAGUS INC.'S Privacy Practices and this Notice

We may revise IMAGUS INC.'s privacy practices and this Notice from time to time. In addition, at any time you may request a copy of the Notice currently in effect. You may find a copy of our privacy policy on our website at www.imagusinc.com.

Information, questions, access or complaints

If you would like more information, access to your records or you believe that your privacy rights have not been protected as required by law or as explained in this Notice, you may file a written complaint with us. Please send it to the IMAGUS INC. Privacy Officer at the address provided below. If you have any questions or would like further information about this Notice, please contact:

Privacy Officer

Patricia Gilchrist, General Manager
G2-25 Charlton Avenue East
Hamilton, ON L8N 1Y2
Fax: 905 528 1467
Email: manager@imagusinc.com

Delegate

Jackie Denison, Administrative Supervisor
G2-25 Charlton Avenue East
Hamilton, ON L8N 1Y2
Fax: 905 528 1467
Email: jdenison@imagusinc.com

You may also make a complaint about our personal health information and privacy practices to the Information and Privacy Commissioner at:

Information and Privacy Commissioner/Ontario

For related forms and information:

<https://www.ipc.on.ca/privacy-individuals/filing-a-privacy-complaint/>

Mailing address:

2 Bloor Street East, Suite 1400

Toronto, Ontario M4W 1A8

Tel: 416 326 3333 Toll-free: 1 800 387 0073

If you have concerns about our personal information and privacy practices, you may contact the federal Privacy Commissioner at:

<https://www.priv.gc.ca/en/report-a-concern/file-a-formal-privacy-complaint/>

Office of the Privacy Commissioner of Canada

30 Victoria Street

Gatineau, Québec

K1A 1H3

Toll-free: 1 800 282 1376

Phone: 613 947 1698

Fax: 613 947 6850

In the case of an inconsistency between this Privacy Notice and PHIPA or PIPEDA (whichever is applicable), the relevant Act shall take precedence. Any interpretation of this Privacy Notice will be made by the IMAGUS INC. Privacy Officer. This Privacy Notice does not create or confer upon any individual any right or obligation, or impose upon IMAGUS INC. any rights or obligations outside of, or in addition to, any rights or obligations imposed by PHIPA and PIPEDA, as applicable.