

Version 1.2 – Updated October 27, 2008

Policy Application Guide:

Policy 3.2 - Identified Purposes and Ensuring Consent for Data Collection, Use and Disclosure

Introduction

This guide includes the following information and documents:

Section	Document Name
Background and Recommended Policy Application	
Workflow Diagram	<i>Consent Implementation Options</i>
Sample HSPnet Consent Form	<i>Consent for Use and Disclosure of Student Information</i>
Sample HSPnet handout for students:	<i>Identified Purposes and Handling of Personal Information and Personal Health Information in HSPnet</i>
Sample HSPnet handout for instructors and course leaders	<i>Guide for Instructors of HSPnet Programs</i>

Background

HSPnet Policy 3.2 *Identified Purposes and Ensuring Consent for Data Collection, Use and Disclosure* sets a high standard for privacy protection by requiring active consent from students for the use and disclosure of their personal information. Compliance with this policy requires an educational Program to collect a signed consent form from students, through an informed consent process that is supported by a handout describing the use and handling of student information in HSPnet.

This document outlines a process for implementing Policy 3.2, including both a **long term** approach (whereby all new students provide consent prior to their entry into HSPnet) and an **interim** approach to support a Program's use of HSPnet during the transition period of implementing a long term consent process.

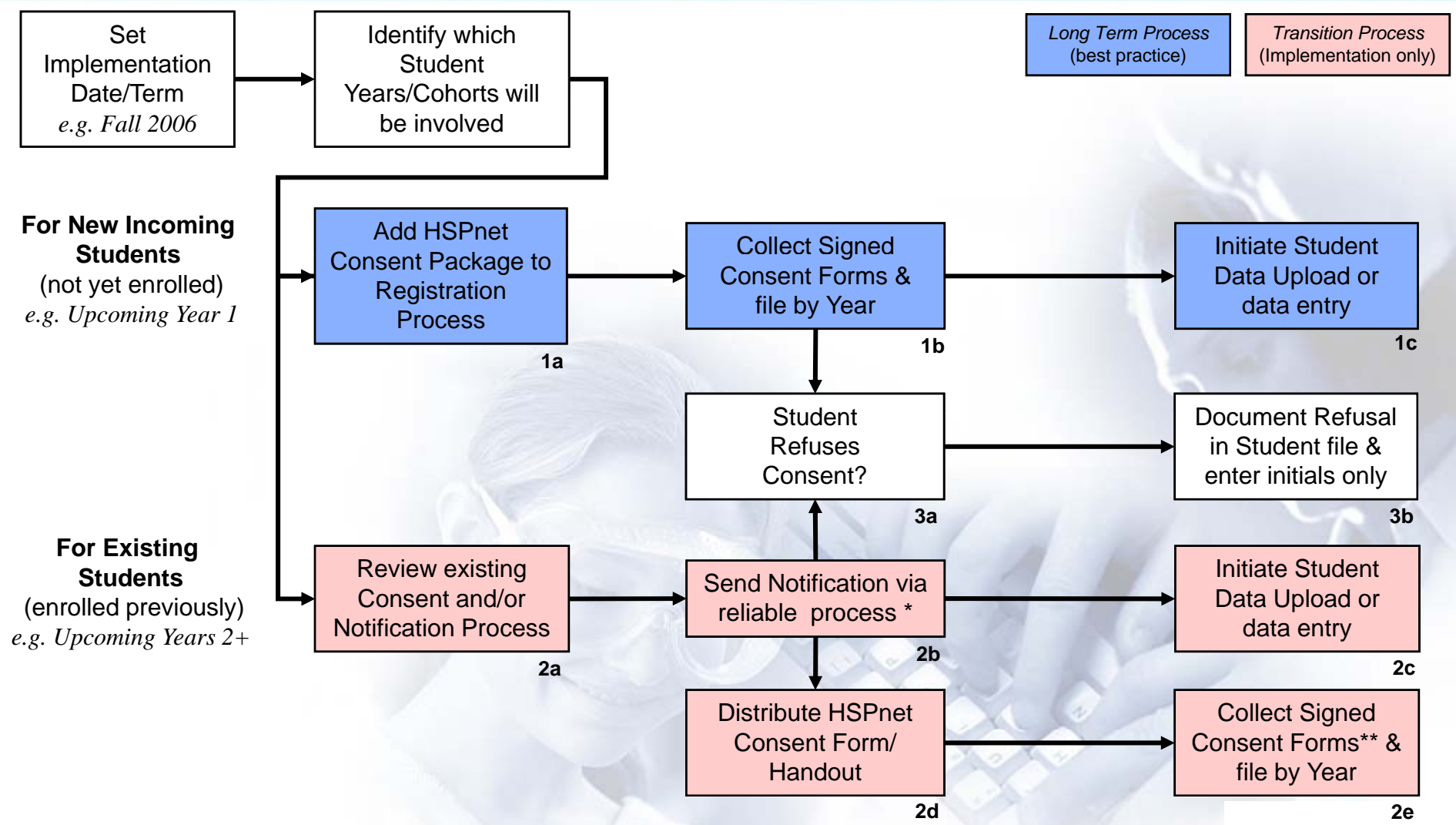
Recommended Policy Application

1. During HSPnet implementation planning, educational Programs should develop a mechanism within their admission or registration process for distributing the HSPnet consent form and handout to all new applicants or registrants. The **long term** objective of this mechanism should be to ensure that HSPnet consent is obtained as an integral part of documentation collected for all new (first year) students, thereby over time replacing the need for interim mechanisms as outlined below.

2. As an **interim** approach during the transition period (before all new students can sign HSP_{net} consent forms), a Program may elect to enter student information into HSP_{net} if they determine that existing consent/notification processes are adequate to cover uses/disclosures of student information via HSP_{net} (i.e. for the purpose of locating and coordinating an appropriate practice education experience). Examples of existing consent/notification processes include:
 - Other consent form whereby students authorize the educational institution and/or specific Program to release their information to placement sites (sometimes worded as “prospective employers”);
 - General consent form of the institution or Program on release of student information for related educational purposes;
 - Notification received by all students in the school calendar or other documentation, on the use/disclosure of their personal information;
 - Online processes for notifying students and/or obtaining consent.
3. Even if existing consent/notification processes are determined to be adequate during the transition period, the Program should notify previously admitted students about the use of HSP_{net} for student placements and should make reasonable efforts to collect signed HSP_{net} consent forms within the months immediately following HSP_{net} implementation. Such efforts could include:
 - Distribution and collection of HSP_{net} forms/handouts during class (if instructors are involved in this process, they should receive the handout entitled *Guide for Instructors of Programs Using HSP_{net}* to support their role in answering student questions and/or directing them to other resources);
 - Distribution of the HSP_{net} form/handout as an email attachment, with instructions for fax/mail return of signed forms to the educational program.
4. As outlined in Policy 3.2, educational Programs must document cases where a student refuses their consent and follow the procedure for removing the student’s record from HSP_{net} or limiting information that is disclosed.

For more information, contact your province’s HSP_{net} Privacy Officer (visit the website at www.hspscanada.net/privacy/index.asp) or contact privacy@hspscanada.net.

HSP_{net} Policy Application Guide: Consent Implementation Options - Overview



* Examples of reliable notification processes include University/College email system (available to all students), website that requires regular access, etc.
 ** Reasonable efforts to be made to collect all signed forms within the term immediately following implementation

HSP_{net} Policy Application Guide: Consent Implementation Options - Details

For New Incoming Students (not yet enrolled) - e.g. Upcoming Year 1

- 1a - Incorporate the HSPnet consent package (Consent Form and student handout) into the registration process for all new students
- 2a - Collect signed Consent Forms and file by year (or by student)
- 3a - Initiate processes for upload of student data (from student information system) or manual data entry into HSPnet

For Existing Students (previously enrolled) - e.g. Upcoming Years 2+

- 2a - Review pre-existing consent/notification processes employed for students (see examples in Policy Application Guide)
- 2b - If considered to be adequate under the applicable legislation:
 - - send notification to all students via a reliable process such as University/College email addresses available to all students, or school/program website that requires regular access
- 2c - Initiate processes for upload of student data (from student information system) or manual data entry into HSPnet.

In addition to the notification process described in 2b:

- 2d - Distribute the HSPnet Consent package to all active students
- 2e - Collect signed Consent Forms and file by year (or by student) – reasonable efforts should be made to ensure that all existing students complete the HSPnet consent process during the months immediately following the implementation of HSPnet.

For Students Who Refuse Consent:

- 3a - Discuss a student's concerns regarding the consent process and explain privacy protection in HSPnet
- 3b - If the student refuses consent, document the student's refusal and reasons in their student file. *In addition, the student's full name may not be stored in HSPnet and their record must be limited to initials only.*

Consent Form for Use and Disclosure of Student Information

Student Name: _____

Student No: _____

1. Permission to Use and Disclose Your Student Related Personal Information and Personal Health Information

By signing this consent, you authorize us to:

- Use and/or disclose your personal information (name and student profile information that is under the custody and control of your Program) to authorized staff of Receiving Agencies for the purpose of locating and coordinating an appropriate placement experience (e.g. clinical practica, fieldwork, or preceptorship) as required by your educational program;
- Use your student related personal information and personal health information relating to placement prerequisites, for the purpose of tracking your compliance against Receiving Agency safety and infection control prerequisites for accepting students. Placement prerequisites that may be tracked include personal information such as CPR certification or criminal records check status, and personal health information such as immunity/immunization status of vaccine-preventable diseases. Placement prerequisite information is used only by staff involved with your educational program, and is never disclosed to users external to your educational program.

2. Consent Period

This consent is effective immediately and shall remain valid for up to six years, or shall be voided upon your completion of the Program, your formal withdrawal from the Program, or upon written request as described below.

3. Your Rights With Respect to This Consent

- 3.1 Right to Refuse Consent** - You have the right to refuse to sign this consent, and if you refuse your placement will be processed manually at the earliest convenience of the Program and Receiving Agency.
- 3.2 Right to Review Privacy & Security Policies** - A copy of the document entitled *Identified Purposes and Handling of Personal Information in HSPnet*, which summarizes Privacy and Security policies relating to how we may use and disclose your personal information via HSPnet, is distributed with this Consent Form. You may wish to review the complete Privacy and Security Policies for HSPnet before signing this consent. The Privacy and Security Policies may be amended from time to time, and you may obtain an up-to-date copy by contacting the BC Academic Health Council at (604) 739-3910 or by visiting the website at www.hspscanada.net.
- 3.3 Right to Request Restrictions on Use/Disclosure** - You have the right to request that we restrict how we use and/or disclose your personal information or personal health information via HSPnet for the purpose of locating and coordinating a suitable placement experience. Such requests must be made in writing to the placement coordinator for your Program. If we agree to a restriction you have requested, we must restrict our use and/or disclosure of your personal information in the manner described in your request. If this restriction precludes our ability to coordinate your placement via HSPnet, then your placement will be processed manually at the earliest convenience of the placement coordinator and receiving agency.
- 3.4 Right to Revoke Consent** - You have the right to revoke this consent at any time. Your revocation of this consent must be in writing to the placement coordinator for your Program. Note that your revocation of this consent, or the voiding of this consent upon your completion or withdrawal from the Program, would not be retroactive and would not affect uses or disclosures we have already made according to your prior consent.
- 3.5 Right to Receive a Copy of This Consent Form** - You may request a copy of your signed consent form.

Collection of your personal information is done under the authority of the privacy legislation that applies to educational institutions in your province. For more information visit www.hspscanada.net/privacy/index.asp.

I hereby authorize my educational program to use and/or disclose my personal information via HSPnet for the purpose of locating and coordinating appropriate student placement(s) as required by the curriculum.

Signature of Student

Date

Background

The Health Sciences Placement Network (HSPnet) is a secure web-enabled application developed and managed by the BC Academic Health Council on behalf of its partners in several jurisdictions across Canada. The HSPnet database contains information about students in clinical placements within health agencies. Students authorize their educational program to use and disclose their personal information (name, student profile) and to use (but not disclose) their personal health information via HSPnet for the purpose of locating and coordinating placements as required for their educational program. This document provides a summary of the national HSPnet Policies on Privacy, Security and Data Access, relating to the protection of student information within HSPnet. The complete Policies can be viewed on the HSPnet website at www.hspscanada.net.

Collection, Use, and Disclosure of Personal Information (PI) and Personal Health Information (PHI) in HSPnet

HSPnet Policies ensure that PI and PHI in HSPnet:

- Are collected, used, and disclosed only for purposes consistent with identifying and coordinating a student's clinical placements;
- Cannot be used or disclosed without the consent of the student whose PI or PHI is to be collected; and
- Are used by or disclosed only to authorized individuals on a need-to-know basis, by/to staff involved in student placements within the student's educational program or placement site. PHI is never disclosed via HSPnet to users who are external to the student's educational program.

PI Collected <i>May include any or all of:</i>	Uses of PI <i>BY authorized users only within Student's Educational Program</i>	Disclosure of PI <i>TO authorized users only within the Placement Site being asked to accept the Student</i>
<ul style="list-style-type: none"> • Student names • Student home address, phone numbers or email ID • Student number • Placement Preferences (1st, 2nd and 3rd choices if offered) • Student gender – limited to students placed in locations that accommodate patient/ client preference for the gender of their care provider gender (e.g. homecare visits). 	<ul style="list-style-type: none"> • To contact students regarding placement needs or status, or regarding urgent issues such as labour disruption at the placement destination • To generate class placement lists, confirmation notices and schedules • To maintain a student history of placements 	<p>Student name is disclosed upon confirmation of an accepted placement, for the purpose of facilitating placement arrangements (orientation, preceptor assignment) and as a record of students received by the Site. Name may be disclosed, at the discretion of the educational program, prior to acceptance if the Receiving Site has a need to know (e.g. to arrange a student interview, if the student is an employee).</p> <p>No other student PI (besides name) is disclosed under any circumstances, excluding Student gender which may be disclosed on specific request by a placement site that requires this information to accommodate patient/client preference (e.g. homecare visits).</p>
Student Prerequisites as required by Placement Sites (e.g. criminal records check, CPR or other certifications)	To track student compliance with each site's published requirements for criminal records check, CPR certification, etc.	<i>Not disclosed under any circumstances</i>
Student Profile of educational or work history relevant to placement requests	To facilitate a good fit between the student and Placement Site, learning experiences offered, and supervisor/preceptor to be assigned.	

PHI Collected <i>May include any or all of:</i>	Uses of PHI <i>BY authorized users only within Student's Educational Program</i>	Disclosure of PHI
Status of indicators for safety and/or infection control as required by Placement Sites prior to accepting students: <ul style="list-style-type: none"> ● Information on a student's immunity or immunization status for vaccine-preventable diseases such as Varicella, Polio, Diphtheria/Tetanus, Influenza, and Measles/Mumps or Rubella ● Information on Tuberculosis status including TB test and/or chest X-ray results 	To track status of a student's eligibility according to the requirements of Receiving Agency sites where students may be placed	<i>Not disclosed under any circumstances</i>

Safeguards

- The accuracy and completeness of personal information within HSPnet is maintained through the use of system tools such as mandatory fields and formatting rules, and through periodic review of data quality to identify the need for interventions including user training and system modifications.
- HSPnet data is physically and logically secured in accordance with industry standards and best practices, including enforcement of strict rules for physical security and backups, password protection at all points of access, and use of anti-virus software, firewall protection, and data encryption.
- Periodic audits of HSPnet transactions are carried out to ensure there are no problems and/or gaps in the user interface that might permit inappropriate access to or update of data.
- Personal information on each student, along with their placement history, is retained for up to two years after the student's completion of or withdrawal from the educational program, and is available to the student upon request to their jurisdiction's Privacy Officer or the HSPnet Privacy Officer.

Openness, Access, and Challenging Compliance

- The BCAHC provides a mechanism whereby an individual can access their own information as well as a complete description of the type of PI or PHI used/disclosed and the purposes for using or disclosing the information. Such requests can be made in writing by the student to the HSPnet Privacy Officer and/or to the local Privacy Officer within the student's jurisdiction (contact information for each province or jurisdiction is available on the HSPnet website at www.hspcanada.net/privacy/index.asp).
- An individual may request changes to their PI or PHI contained in HSPnet, or may register a complaint or challenge regarding the handling of their information in HSPnet by submitting a request in writing to the HSPnet Privacy Officer or local Privacy Officer within their jurisdiction.