



Fax Best Practices

Before you fax, ask yourself if there is a more secure way of sending the information. Can you make this information available to the recipient in eClinician? Is the information already in Netcare?

All faxes are to be sent with a cover sheet that includes the name and contact information of the sender and recipient and a confidentiality disclaimer that includes a notification that you would like to be notified if the fax is received in error. Consider placing a pile of coversheets by the fax machine so they are easily accessible.

Do not put sensitive information (eg. health information) on the cover sheet.

Fax machines should be placed in internal areas. Promptly remove documents from fax machine to prevent potential privacy breaches.

Use the speed-dial function whenever possible. Pre-recorded fax numbers and lists of fax numbers should be reviewed regularly to ensure numbers have not changed.

Be cautious as to the number you type into the machine as one digit made in error can result in a breach.

You must report all privacy breaches including misdirected faxes. Contact your supervisor who will work with department management and the privacy office on next steps.

Post fax policies, procedures and/or guidance documents by the fax machine.

Please contact your Department to discuss policies and procedures. Many Departments have an *Information Handling and Security Procedure*. Department of Medicine has their procedure posted here <https://www.med.ualberta.ca/medicine/-/media/medicine/departments/medicine/faculty-staff/hia/domprivacypolicyandproceduresfinal.pdf> See number 3.8.

Please review the Office of the Information and Privacy Commissioner *Guidelines on Facsimile Transmission*. http://www.oipc.ab.ca/ims/client/upload/Guidelines_on_Facsimile_Transmission.pdf

The OIPC also put out a news release on Photocopiers and fax machine risks http://www.oipc.ab.ca/ims/client/upload/NR_03_15_2005_Residual.pdf

If you are using an AHS fax machine, take the time to familiarize yourself with the AHS policy *Transmission of Information by Facsimile or Electronic Mail*.

<https://extranet.ahsnet.ca/teams/policydocuments/1/clp-ahs-pol-transmission-information.pdf>

AHS Fax Poster

<http://insite.albertahealthservices.ca/legal-privacy/tms-lp-std-fax-poster-preventing-privacy-breaches-appendix-a.pdf>



Fax Breaches

Fax breaches are the most common type of privacy breach. University staff must notify the appropriate Custodian as well as the University Information Privacy Office **immediately** if a fax with sensitive information has been sent to the incorrect recipient. <http://www.ipo.ualberta.ca/FOIPP-Act/Guidelines/Loss-or-Breach-of-Personal-Information.aspx>

The following are examples of fax breaches taken from the HIA Guidelines and Practices Manual (Alberta Health) (page 135) <http://www.health.alberta.ca/documents/HIA-Guidelines-Practices-Manual.pdf>

- In OIPC Investigation Report H2004-IR-001, a couple received numerous faxes in error from a variety of separate sources. It was found that the only difference between the phone numbers was in the prefix where two digits are reversed. An employee of a health service provider entered the incorrect number into the fax machine which resulted in the patient's health information going to the wrong party. This error is considered to be an unauthorized disclosure of health information under the HIA. Custodians must make a reasonable effort to ensure disclosures are made to the intended and authorized person. Custodians also have the duty to establish or adopt policies and procedures to facilitate the implementation of the HIA and regulations. <http://www.oipc.ab.ca/ims/client/upload/H2004-IR-001.pdf>
- See OIPC IR H2009-IR-004 for additional guidance regarding faxing health information. In that report, the OPIC determined that a legitimate need for immediate access to health information was present in the circumstances, but that a more secure and equally timely mechanism for transmission of that information existed. The availability of a system like the Alberta EHR must be factored into a custodian's consideration of risk when disclosing health information. If it is essential that health information be sent immediately to support patient care and two or more mechanisms of transmitting the information are available, a custodian should send health information through the more secure channel unless transmission through the more secure channel would compromise patient safety or there are other mitigating factors. <http://www.oipc.ab.ca/downloads/documentloader.ashx?id=2404>