

Open OSP Service Cooperative Privacy and Security Policy

Version 2.0

Contents

- 1 Introduction 3
- 2 Open OSP’s EMR Solution..... 4
- 3 Information collection, use, protection and disclosure..... 4
- 4 Business and Legal Uses of Personal Information by Open OSP 6
- 5 What are your options in how we use and share your information..... 8
- 6 Security of your personal information 8
- 7 Data Storage and Retention 9
- 8 Correcting or accessing your personal information 10
- 9 Questions and concerns..... 10
- 10 Changes to the policy 11

1 Introduction

Open OSP Service Cooperative, referred to as Open OSP, respects your personal privacy.

Open OSP provides electronic medical records software solutions (the “EMR Solution”) along with support, enhancement and development services (the “EMR Services”) for healthcare clinics and providers across Canada.

As a customer owned co-operative, Open OSP (“**Open OSP**”, “**we**” and/or “**our**”) believes that the responsibility of providing, developing and supporting healthcare technology with built in privacy protections is an important part of our job. This Privacy Policy (the “**Policy**”) helps explain the privacy features of our EMR Solution and Services as well as the website we operate: www.openosp.ca (the “**Site**”).

This Policy describes how the EMR Solution helps healthcare professionals manage and protect the privacy of personal information they collect, and how we collect, use, disclose and protect personal information via our Site, and/or if individuals use any of our products, applications (including the EMR Solution), or any other services made available through or in relation to the Site and the “EMR Services”.

This Policy is not about the collection, use, and/or disclosure of personal information by healthcare providers. If you would like to know more about how your healthcare provider handles your personal information, you should ask them about their policies and practices.

The sections below describe the privacy features of our EMR Solution or how we protect personal information in the provision of our EMR Services.

In adopting and adhering to this Policy, we assure you that the personal information we collect will be used in an appropriate and responsible manner. Open OSP is committed to protecting the privacy of all personal information which has been provided to us and we will manage personal information in accordance with applicable Canadian privacy legislation and any other applicable provincial or federal legislation.

This Policy applies to the personal information collected through the EMR Services by Open OSP. This includes personal information collected, used, processed and disclosed through:

- Open OSP’s EMR Solution
- Open OSP’s Sites, and any social media we use
- Correspondence from individuals about our Site, the EMR Solution and/or the EMR Services (including e-mails, messages sent to us through the Site, telephone calls to our call centres)

- Providing support for our EMR Services
- Online job applications

2 Open OSP’s EMR Solution

Open OSP provides software and hosting solutions for its open source Electronic Medical Records solution based on OSCAR EMR that help healthcare providers manage and optimize their practice by digitizing patient information and streamlining day to day clinical and administrative workflow and tasks. We provide the software and data hosting to enable the health care provider to use the EMR Solution.

3 Information collection, use, protection and disclosure

Open OSP collects information from our shareholders/clients, their staff and any individual who provides personal information while interacting with us and use our Site, EMR Solution, and/or EMR Services.

The information collected by Open OSP and provided by you include the following:

- Online form submissions to request additional information about services or membership in Open OSP.
- Aggregate Site Use Information
- Cookies and Other Technologies

Data we collect directly from you (clients and shareholders):		
Types of Data	Examples	Open OSP uses it to:
Business or Personal Contact Information that identifies you, your staff and/or your clinic	<ul style="list-style-type: none"> • Name • E-Mail Address • Telephone Number • Clinic Name • Address • names and authentication information • IP address and browser type 	<ul style="list-style-type: none"> • Determine Eligibility for share Ownership • Create your membership account • Process your purchase of cooperative membership(s) • Verify member’s Identity • Provide services, including technical support • Communicate with you • Respond to your requests • Contact individuals directly for products and services that may be of interest • To ensure unique log in credentials • For use in conjunction with authentication information • For training and support purposes
Additional account data	<ul style="list-style-type: none"> • Number of your Clinic’s FTE clinicians 	<ul style="list-style-type: none"> • Provide a Service Package Quotation

	<ul style="list-style-type: none"> • Number of examining rooms at your Clinic • Products/Services of Interest • If a New Set-up or Migration of OSCAR 	<ul style="list-style-type: none"> • To understand the product and service needs of our members and prospective members
Open OSP Membership Information	<ul style="list-style-type: none"> • Member number • Name, address, telephone number and email of member • Number of shares held • Amount of Money collected for share purchase • Number of shares redeemed • Date the named member was registered with Open OSP • Date the named member ceased their membership 	<ul style="list-style-type: none"> • To maintain our membership database and meet our regulatory requirements • Open OSP corporate purposes, such as Board election information and other correspondence. • Administer corporate governance and share ownership • Note: Open OSP does not sell our membership lists to anyone.

We may share your Personal Contact Information and your Open OSP Services Request with third party technical support providers contracted by Open OSP Service Cooperative in order to provide services. We will not share your contact information with third parties other than for the stated purposes to provide requested services.

In the course of using our EMR Solution, healthcare providers will collect, use and/or disclose personal information about their patients, including personal health information (PHI). This personal health information collected, used and disclosed through our EMR Solution, for both cloud hosted and on premise options, is the responsibility of, and directly managed by healthcare professionals and their staff.

In the provision of our EMR Solution, Open OSP hosts personal information on behalf of clinics and healthcare providers, who remain the sole custodians of any and all personal health information. Open OSP does not collect PHI directly from patients of our EMR clients. If you are a patient of a healthcare provider who uses Open OSP’s EMR Solution, please contact your healthcare provider directly about any concerns you have regarding consent, collection, use and/or disclosure of your personal health information.

3.1 Information Provided by a Patient’s Healthcare Provider to Open OSP

Generally, Open OSP will collect personal information directly from the person to whom the personal information relates. However, given the nature of the EMR Solution, Open OSP will sometimes receive personal information about a healthcare provider’s patient solely during and for the purpose of resolving a Solution related problem.

To set up a healthcare provider with our Solution, the healthcare provider may provide Open OSP with a copy of their patient database to be imported into our Solution. This will

include all personal information in their patient files which the provider wants to digitize in the solution.

Open OSP may also receive personal information about a patient from a healthcare client when a client initiates a request for service or support. To provide this service, we may require access to an electronic file or data set, which may include a patient's personal information.

Any patient with concerns about personal information that has been provided to Open OSP by their healthcare provider, should address that concern directly with their healthcare provider.

4 Business and Legal Uses of Personal Information by Open OSP

Additionally, your information may be internally used by us for the following purposes:

- Resolving disputes;
- Troubleshooting problems;
- Enforcing site policies;
- Complying with legal requirements;
- Improving our services;
- Providing technical assistance; and
- Any other purpose disclosed or implied when the information is collected

Open OSP will only use your personal information for the purpose for which it was originally collected, or for a use consistent with that purpose, unless you expressly consent, or it is permitted or required by law.

You may withdraw your consent at any time by giving Open OSP reasonable notice, but consent may not be withdrawn where doing so would frustrate performance of a legal obligation.

We will not use or disclose your personal information for any new purpose without first identifying the new purpose and providing notice to you or obtaining your consent (as applicable), unless otherwise permitted by law. You can always choose not to provide Open OSP with certain requested personal information, but then you may not be able to access or utilize all or part of the Site, the EMR Solution and/or the EMR Services.

We may share your personal information with our service providers and other third parties for the purposes described below and in accordance with applicable laws.

4.1 How we share personal information with partners and service providers

Open OSP does not share any of your health information with any advertisers. Except as described in this Policy or in other situations where we have provided you with prior notice, have obtained your consent, or are obligated or permitted by law, Open OSP will not share your personal information with third parties. Note that third party companies may have their own privacy policies and practices regarding personal information and are not governed by this Policy.

4.1.1 Add-On Products Providing Specialized EMR Services

Add-on tools are offered by third parties that integrate with our EMR Solution. Examples include appointment reminders, transcription, dictation, patient messaging, online booking, video conferencing, and e-prescribing. If a healthcare provider uses any of these tools when using our EMR Solution, these third party solution providers may receive personal information about you. It is the sole responsibility of health care providers using third party solutions and third party solution suppliers to maintain and ensure the privacy and confidentiality of all personal information that is used and stored by an add on solution for any reason.

4.1.2 Third Party Healthcare Providers and Provincial EMR Services

Open OSP's EMR Solution allow for third party healthcare providers and provincial services to exchange personal information between health care providers and the vendors. For example, laboratory vendors such as Life Labs, can transmit your electronic lab results to healthcare providers who use our Solution and healthcare providers can transmit billing information through provincial claims services.

4.1.3 Third Party Service Providers

Open OSP may share certain personal information with third party service providers with whom we have contracted to provide certain services on behalf of Open OSP. Currently, Open OSP uses the third party service providers set out here.

EMR Services	Third Parties	Location of Data Processing
Virtual EMR hosting servers and storage	Amazon Web Services	Canada
Customer Support	Rogers Unison	Canada
Webpage Hosting	Doteasy	Canada

Recurring billing	Quick Books Online	Outside Canada
Countable	Host site management	Canada

The third-party service providers may have access to and be provided with the minimum amount of personal information required to perform their services. When Open OSP uses third party service providers, it requires the providers to protect your personal information in accordance with the law and with appropriate safeguards for the protection of the personal information. Any such sharing of your personal information by Open OSP to a third-party service provider will be conditional upon the information being used solely for the purpose for which it has been shared.

4.1.4 Where Required or Authorized by Law

Open OSP may also disclose your personal information where authorized or required by law. For example, we may disclose your personal information to comply with a subpoena, in response to a law enforcement body with the lawful authority to obtain the information, pursuant to an investigation into the breach of a law, or to our legal counsel.

5 What are your options in how we use and share your information

Open OSP wants you to be able to make informed decisions about how we use and disclose your personal information. For example, some options available to you for privacy preference management include: managing your preferences within your account(s), contacting Open OSP directly, opting-out of communications with us, changing your browser or device settings, and/or by contacting third parties.

Note that exercising some of these options may affect your ability to use the Site, EMR Solution or EMR Services as some parts may not be accessible or may not function properly.

6 Security of your personal information

The security of personal information in our care is important to us.

We have built-in security features into our EMR Solution to help healthcare professionals protect your personal health information when they are using the EMR Solution. Some of these features include access controls, unique user accounts, multi-factor authentication, threat detection, and active logging.

Open OSP takes prudent steps to help secure personal information provided to us or hosted through the EMR. These measures include various administrative, procedural and technological safeguards including unique user accounts, and role-based access based on need to know. We also actively protect our systems, including but not limited to regular vulnerability monitoring of our systems, encryption of data in transit and at rest, and active logging. We also request that our third-party service providers provide similar or better privacy and security for the personal information they process for us.

Additionally, Open OSP will use care when destroying or disposing of personal information to prevent unauthorized access, use or disclosure of any personal information. Open OSP's employees with access to personal information are required to respect the confidentiality of such information.

The safety and security of your personal information also depends on you. Open OSP is not responsible for any lost, stolen, or compromised usernames, passwords or for any activity on your account via unauthorized password activity. You should take steps to protect against unauthorized access to your account by, for example, choosing a robust password and keeping your username and password private. Open OSP is not responsible for any failure by you to secure your own devices and their access to the Internet or your use of public, unsecured networks. The Site and EMR Solution may include links to external websites. Once you leave the Site or the EMR Solution, this Policy does not apply. Open OSP is not responsible for the privacy practices, collection of personal information, or content of external websites.

Unfortunately, information systems, the transmission of information via the Internet and mobile platforms are not completely secure. Although we have designed features and employed security techniques to protect your personal information, we cannot guarantee the security of personal information at all times. Any transmission of your personal information is at your own risk.

7 Data Storage and Retention

Our Solution is only hosted on datacenters located in Canada and personal health information, business and client contact information is always stored in Canada.

The data that Open OSP hosts is on behalf of health care providers and individuals through use of the EMR Solution. As described above, we also collect some personal information for use by Open OSP. Our approach to data retention in both cases is described below.

7.1.1 Personal Information Managed on Behalf of Your Healthcare Provider

Personal information, including health information, that is collected by your healthcare provider is the responsibility of the healthcare provider, since they are the custodian of that information. Your personal information associated with your relationship with that custodian will be subject to the policies and practices of the custodian.

7.1.2 Personal Information You Provide to Open OSP

Personal information collected by Open OSP for its use directly is maintained in accordance with applicable privacy legislation and Open OSP's retention policies and practices. Generally, Open OSP stores your personal information for as long as it is reasonably necessary to fulfill the purposes we collected it for, except as otherwise permitted or required by applicable law or regulation.

For clients who have purchased Open OSP-hosted EMR Solution, Open OSP backs up client data and retains those backups for approximately 30 days. Data imports from health care providers may be retained for six months for data integrity confirmation purposes.

When the applicable retention period ends, personal information is scheduled for destruction according to our record retention policies. Where the personal information is stored in an electronic format, it will be deleted from the Solution or systems in which it is retained. Any backups of the personal information will exist until rotated out of the backup archives. Physical storage which is retired is put through a deep data wipe, degaussing and/or physical destruction designed to ensure there is no risk of personal information being recovered.

8 Correcting or accessing your personal information

Patients needing to access, correct or update the accuracy and completeness of their personal health information, including information stored in our Solution, should contact their healthcare provider directly as the healthcare provider maintains their healthcare record. It is up to the patient to provide any updates to their personal information to their healthcare provider as appropriate.

Clients/shareholders of Open OSP who need to provide corrections and updates to their personal information should contact Open OSP directly.

9 Questions and concerns

Questions or concerns about your personal health information should be directed to the healthcare provider from whom you received healthcare services.

Questions or concerns regarding this Policy, including the collection of your personal information, can be directed to:

Email: info@openosp.ca

Open OSP will investigate all complaints as we take privacy complaints seriously and will take the necessary steps to resolve it should a complaint be valid. You will be informed of the outcome of the investigation regarding any complaint. If you are not satisfied with Open OSP's response to a complaint, you may have options to exercise various complaint procedures, including with the relevant Privacy Commissioner or regulatory authority.

10 Changes to the policy

Open OSP may update this Policy from time to time by posting a new version of the Policy on the Site and the EMR Solution. If there are significant changes made to the Policy, we may notify users of the EMR Solution in advance through the EMR Solution or by e-mail. Open OSP's collection, use, disclosure, and retention of your personal information will be governed by the version of the Policy in effect at that time. We suggest that you review this Policy periodically.

Effective date: **2024/07/08**