

MEDICAL REFORM GROUP

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December 5, 2005

Mark Ratner, Arbitrator
Information and Privacy Commission of Ontario
2 Bloor St. East, Suite 1400
Toronto, ON M4W 1A8
Fax: 416-325-9188

Dear Mr. Ratner:

As a follow-up to the privacy complaint I initiated on November 22, 2005, I wish to bring your attention to another breach of privacy regarding the health information of recipients of ODSP (the Ontario Disability Support Program).

The ODSP application process involves the completion of an extensive medical report by a health practitioner. This report, which includes signed consent forms for the release of general medical and psychiatric health information, is submitted by the client to the Disability Adjudication Unit (DAU) for assessment and determination of eligibility for ODSP.

The DAU sends its decision, along with an electronic file, to the client's social services worker. Included in this electronic file is a list of International Classification of Disease (ICD) diagnostic codes pertaining to the diagnoses identified in the client's medical application. The ICD is a publicly accessible classification system maintained by the World Health Organization and easily available through a quick Internet search. A cross-referencing of the codes included in the application with the conditions they refer to would take no more than a few minutes.

There is no need for front line social services workers to have access to this health information. The only information relevant to their role is whether or not a client was accepted for ODSP. Their access to specific medical diagnoses constitutes an unnecessary and serious breach of the privacy of already vulnerable individuals.

I am submitting this as a follow-up to my complaint about the Special Diet Application Form as they both result in the unnecessary disclosure of health information to front line social services workers. I trust you will consider this with, or separate to, the Special Diet Application complaint as you feel is appropriate.

Again, please do not hesitate to contact me if you require further information. Thank you for your attention to this important matter, and I look forward to your response.

Sincerely,

Gary Bloch MD CCFP

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