

MEDICAL REFORM GROUP

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November 22, 2005--FOR IMMEDIATE RELEASE

MD Launches Privacy Complaint Over New Special Diet Application

A family physician with St. Michael's Hospital in Toronto, Dr. Gary Bloch, filed a complaint today with privacy commissioner Ann Cavoukian regarding the new application form for the Special Diet Supplement available to recipients of social assistance.

The new form requires health providers to disclose specific health conditions to social services workers for extra funds to be approved for recipients' special dietary needs. The supplement has been available for almost a decade, and has always required a health care provider's assessment in order for the Ministry of Community and Social Services to approve the extra funds. The health provider simply had to state which special diet a client qualified for, and the supplement was approved.

As of November 18, the Ministry amended Ontario Disability Support Program and Ontario Works regulations with a new form which requires health providers to reveal specific health conditions, including such socially charged conditions as HIV, and send this information to social services.

"The new system forces individuals living in poverty to reveal their health conditions to social services workers who have no right to know such information," said Dr. Bloch. "This constitutes a gross breach of these individuals' right to privacy. The previous system kept confidential health information where it belonged – between a patient and her health care provider."

Dr. Philip Berger, chief of the Department of Family and Community Medicine of St. Michael's Hospital, recalls a similar complaint he filed with Dr. Cavoukian five years ago regarding an application form for recipients of Ontario Disability Support to receive funds for transportation to medical appointments. A negotiated settlement in that case resulted in a change in the form to eliminate the need to reveal confidential health information.

"I can't believe the Ministry hasn't learned from its previous mistakes," Dr. Berger stated. "This looks like another misguided attempt to intrude into the lives of people living in poverty. As a health provider, I am left with an impossible choice: to breach patient confidentiality or to deny my patients their ability to buy food."

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