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Commissioner responds to health information court case

A guilty plea and hefty fine for unauthorized access to personal health information sets a very important precedent for health care providers, says Information and Privacy Commissioner Frank Work.

A medical office clerk from Calgary pleaded guilty to charges of improperly accessing another person's medical information, in contravention of the *Health Information Act* (HIA). The individual appeared in Calgary court Friday and was fined \$10,000. This is the first time that charges have laid under the HIA.

Work says this case should serve as a clear message to all health care custodians and their employees. "This is a very serious matter, and health care providers must know that surfing records for personal purposes will not be tolerated and individuals will be prosecuted. My office is charged with protecting the health information of Albertans, and we will not hesitate to recommend charges again in the future."

The clerk accessed the information through the Netcare electronic health records system, and by fax, on six different occasions. According to an agreed statement of facts, the clerk was accessing health information of the wife of a man she was having an affair with.

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