

Practical Tips:



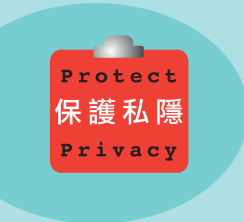
As patient wristbands contain important identification data, make sure they are tied to the correct patients.



To avoid accidental loss of patients' data, policies governing the taking of patients' data outside the precincts of a hospital should be formulated to ensure that extra-sensitive patients' data (e.g. HKID numbers) should not be allowed to be taken outside the workplace.



Remember to log out after using electronic medical records.



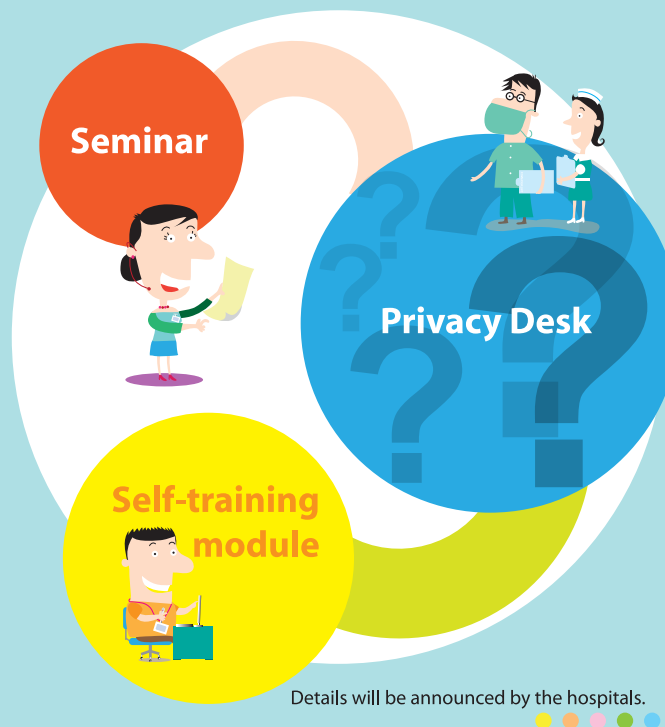
Patients' chart boards should be kept securely to avoid being seen by irrelevant parties.



A medical practitioner shall comply with a patient's data access request not later than 40 days after receiving the request.

Learn how to implement the requirements of the Personal Data (Privacy) Ordinance

To raise medical practitioners' awareness of privacy risks in their everyday work and to reinforce them to take precautionary steps to protect patients' data.



For further enquiries, please contact Office of the Privacy Commissioner for Personal Data, Hong Kong:

Enquiry Hotline : 2827 2827

Website : www.pcpd.org.hk

E-mail : enquiry@pcpd.org.hk

Address : 12/F, 248 Queen's Road East, Wan Chai, Hong Kong

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Care for Patients Protect Their Personal Data



Co-organizers :



香港個人資料私隱專員公署
Office of the Privacy Commissioner
for Personal Data, Hong Kong

Personal Data (Privacy) Ordinance

The Personal Data (Privacy) Ordinance has come into operation since December 1996 to protect the privacy right of individuals in relation to personal data.

Scope

The “personal data” under the Ordinance refer to any data from which it is practicable for the identity of a living individual to be ascertained and the data are recorded in a form that can be accessed and processed, i.e. documents, photographs, videotapes, etc.

In your daily life, do you know what your personal data are?



Data Protection Principles

When personal data are collected, held, stored or even erased, the requirements of the Personal Data (Privacy) Ordinance shall be complied. The six Data Protection Principles are:

Principle 1

Purpose and manner of collection of personal data

Personal data shall be collected for a purpose directly related to a function and activity of the data user; lawful and fair collection of adequate data; data subjects shall be informed of the purpose for which the data are collected and to be used.

Example:

When you collect patients' personal data, you should provide patients with a Personal Information Collection Statement, clearly stating the purpose of collecting the data, the classes of persons to whom the data may be transferred, the consequences of failing to supply the data and the right of access to the data. The Statement can be displayed in the waiting room of the hospital prominently.

Principle 2

Accuracy and duration of retention of personal data

All practicable steps shall be taken to ensure the accuracy of personal data; data shall be deleted upon fulfillment of the purpose for which the data are used.

Example:

Policy should be formulated to specify the period of retention of patients' personal data.

Principle 3

Use of personal data

Unless the data subject has given prior consent, personal data shall only be used for the purpose for which they were originally collected or a directly related purpose.

Example:

Under general circumstances, practitioners are not allowed to disclose patients' personal data to third parties without the patients' prescribed consent.

Principle 4

Security of personal data

All practicable steps shall be taken to ensure that personal data are protected against unauthorized or accidental access, processing or erasure.

Example:

Patients' medical records should be kept securely. Practitioners should ensure that unauthorized persons do not have access to the information contained in the records and that there are adequate procedures to prevent improper disclosure or amendment.

Principle 5

Information to be generally available

Formulates and provides policies and practices in relation to personal data.

Example:

You should provide your patients with a Privacy Policy Statement, stating the kinds of personal data held, main purposes of using the personal data and the practices in place. The policy can be displayed on your hospital's website.

Principle 6

Access to personal data

Individuals have rights of access to and correction of their personal data. Data users should comply with data access or data correction request within the time limit, unless reasons for rejection prescribed in the Ordinance are applicable.

Example:

A patient has the right to make a request to be informed by a hospital whether it holds his/her personal data and be supplied with a copy of such data.

