

Post-Acute Care Network Management Solution and Safeguards

PointClickCare Technologies, Inc. (“PointClickCare”) is a Canadian corporation with headquarters in Mississauga, Ontario. PointClickCare develops and provides web-based software-as-a-service (SaaS) solutions to health care providers that enable them to record and share personal health information (PHI) about their patients. PHI is any information that can identify an individual and relates to the health care services they receive. This includes, but is not limited to, the individual’s name, address, telephone number, health card number, health care provider’s name, and examination results. PointClickCare is committed to protecting this PHI consistent with the requirements of applicable law, including the Personal Health Information Protection Act of 2004 and its implementing regulation at OR 329/04 (collectively, “PHIPA”).

Plain-Language Description of the Network Solution

PointClickCare provides a Post-Acute Care Network Management Solution (the “Network Solution”) to health care providers in Ontario in which PointClickCare acts as a health information network provider (HINP) under PHIPA. This Network Solution supports the bi-directional sharing of certain health information, including PHI, between acute-care hospitals and long-term-care (LTC) homes in Ontario regarding their shared patients. The purpose of this information sharing is to facilitate optimal treatment of the patient through improved care collaboration.

The following is an overview of the kind of information sharing that is facilitated by the Network Solution:

- The Network Solution integrates certain encounter data and other patient information from a hospital’s electronic medical record (EMR) system.
- Authorized users of the Network Solution at the hospital who are responsible for the discharge of a patient from the hospital to an LTC home identify the specific LTC home to which the patient will be transferred.
- The selection of the LTC home triggers the transfer of selected patient information (e.g., a discharge report) to the LTC home.
- The Network Solution securely routes the patient information from the hospital to the LTC home’s EMR instance.
- Authorized users of the Network Solution at the LTC home then view the inbound patient information from the acute hospital within their EMR instance and validate it against existing patient records.
- Authorized users of the Network Solution at the LTC home who are responsible for the subsequent discharge of a patient/resident from the LTC home to a hospital identify the specific hospital to which the patient will be transferred.
- The selection of the hospital triggers the transfer of selected patient/resident information to that hospital.
- Upon registration of the patient at the hospital following discharge from the LTC home, authorized users of the Network Solution at the hospital can view and reconcile matched patient information identified in the hospital’s EMR.

Privacy Overview

PointClickCare follows industry best practices and applicable legal requirements (e.g., PHIPA) in connection with information privacy. PointClickCare's Privacy Officer, as well as individuals within the Legal and Compliance Department and the Security and Trust Department, play active roles in building and managing privacy compliance within PointClickCare's solutions.

PointClickCare maintains a comprehensive information privacy program that addresses PointClickCare's various privacy obligations in accordance with applicable laws. PointClickCare's privacy program includes a PHIPA Privacy Policy that addresses PointClickCare's privacy obligations imposed by PHIPA specific to the protection of PHI of patients in Ontario as both a HINP and as an electronic service provider. For additional information about PointClickCare's PHIPA Privacy Policy, you may contact PointClickCare's Privacy Officer at the address listed at the end of this document.

PointClickCare's customers in Ontario are 'health information custodians' (as defined in PHIPA). PointClickCare is not itself a health information custodian. In its delivery of the Network Solution, PointClickCare is acting as a HINP and is, therefore, subject to the obligations imposed by PHIPA upon HINPs. PointClickCare is not an 'agent' (as defined in PHIPA) of a health information custodian in connection with its delivery of the Network Solution. However, to the extent that PointClickCare performs any separate services as an agent to a health information custodian, PointClickCare and that custodian will identify the specific scope of those agent services in the contract(s) between them and, within that context only, PointClickCare will take on the privacy obligations imposed by PHIPA upon agents.

PointClickCare has no direct relationship or interactions with individual subjects of PHI. Instead, PointClickCare relies upon its health information custodian customers' representations to PointClickCare regarding the consent status of a given individual. Accordingly, to the extent that a custodian utilizes the Network Solution to access, use, disclose, or otherwise interact with the PHI of a given individual, it is the sole responsibility of that custodian to ensure that it has obtained any consents necessary to do so.

Description of Safeguards

PointClickCare monitors, reviews, and updates its applicable policies and practices to ensure the security of the PHI processed and transmitted over its network and solutions. PointClickCare uses a variety of administrative, physical, and technical safeguards to protect the PHI that it is entrusted with from unauthorized access, use, copying, modification, and disclosure. The following is a summarized, non-exhaustive list of the safeguards that PointClickCare employs in the protection of PHI.

Administrative Safeguards

PointClickCare's Chief Information Security Officer (CISO) has developed and regularly updates PointClickCare's comprehensive information security program and its underlying policies (the "ISP"). The ISP includes policies and procedures that dictate how PointClickCare implements and adheres to information security requirements. PointClickCare's CISO and others from the Security and Trust Department, as well as third-party assessors, regularly test and assess all aspects of the ISP. PointClickCare regularly updates the ISP and its underlying safeguards in order to comply with applicable laws and regulations, conform to industry best practices, and adapt to the current risk landscape.

PointClickCare trains its workforce upon hire and at least annually thereafter regarding PointClickCare’s privacy and security obligations and policies with respect to PHI and requires them to demonstrate, to the extent applicable, their understanding of all such obligations and policies.

PointClickCare enters into a contract with each of its health information custodian customers. In those contracts, PointClickCare provides each customer with appropriate assurances regarding PointClickCare’s safeguarding of the PHI sourced from those custodians, as required by PHIPA.

Physical Safeguards

Physical safeguards (i.e., the physical measures, policies, and procedures that protect electronic information systems and related buildings and equipment from natural and environmental hazards, and unauthorized intrusion) are an important line of defense in the protection of PHI. In order to define and implement these physical measures, policies, and procedures, PointClickCare first identifies all potential points of physical access to PHI (e.g., data centers, office facilities, etc.), evaluates the reasonable risks associated with each access point, then specifies the means by which those risks will be appropriately managed.

The PHI of PointClickCare’s Ontario customers is hosted in Canada on redundant cloud infrastructure in facilities with 24/7/365 physical security monitoring and protection. These physical monitoring and protection measures include physical barriers, multi-factor authentication with biometrics, man-traps, cameras, and 24/7/365 staffing. The data centers are certified in, or have been audited against, applicable industry security standards.

Technical Safeguards

PointClickCare takes a risk-based approach in determining which technologies, policies, and procedures to employ in the protection of PHI. This strategy involves a combination of various technical controls designed to ensure a multi-layered defense against cybersecurity threats, also known as “defense in depth.”

In addition to compliance with its regulatory obligations, PointClickCare draws from industry-leading information security standards to employ technical safeguards that cover the entire spectrum of applicable cybersecurity domains, including, role-based access controls, user authorization and authentication, configuration management, network security, workstation security, transmission protection, vulnerability management, application security, logging, monitoring, etc. PointClickCare provides its customers with additional details about its technical safeguards under each of these categories as appropriate.

Contact

Please use the following addresses to contact PointClickCare’s Privacy Officer or CISO if you have any questions about the information in this notice or to identify a privacy or security concern:

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