

NEWS RELEASE



Office of the Information
and Privacy Commissioner
of Alberta



Privacy Commissioner
Of Canada

Commissaire à la protection
de la vie privé du Canada

Edmonton, December 21, 2004

Joint investigation confirms breaches of provincial/federal legislation

For the first time, the Office of the Information and Privacy Commissioner of Alberta (OIPC) and the Office of the Privacy Commissioner of Canada (OPC) have collaborated in conducting parallel investigations and determined that misdirected faxes sent to an Alberta couple were in contravention of provincial and federal privacy laws.

On July 1, 2004, an article appeared in an Edmonton newspaper reporting that a local couple had received numerous faxes in error. The article suggested the errant faxes may have pertained to communications between health service providers and may have also contained health information about identifiable individuals.

A preliminary investigation determined that several of the parties who were responsible for sending the records are not subject to Alberta's *Health Information Act*. However, some of the information fell under federal jurisdiction through the *Personal Information Protection and Electronic Documents Act*.

The results of both investigations determined that human error was responsible for the privacy breaches. The OIPC and the OPC recommended that the organizations implement additional measures to protect personal information including a process whereby individuals may be notified when their personal information has been inadvertently disclosed when facsimiles have been transmitted and received at an incorrect facsimile number.

Recently, Alberta's Information and Privacy Commissioner asked the Select Special Health Information Act Review Committee to provide his Office with additional powers to enter into extra-provincial agreements. These powers are intended to be used where more than one jurisdiction may be involved in investigation of the same matter. The Committee has recommended that this matter be deferred to a new Committee of the Legislature early in 2005.

To obtain a copy of the Alberta report: www.oipc.ab.ca

To obtain a copy of the Federal report:
www.priv.gc.ca/cf-dc/incidents/2004/041221_e.asp

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