

# Manitoba Ombudsman

## ***NEWS RELEASE***

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**For Release:** November 28, 2011

### **Manitoba Ombudsman Releases PHIA Investigation Report with Recommendations Regarding the Flin Flon Clinic**

Manitoba Ombudsman has released an investigation report under *The Personal Health Information Act* where recommendations were made to the Flin Flon Clinic. In cases where the Ombudsman has made recommendations, both *The Personal Health Information Act* and *The Freedom of Information and Protection of Privacy Act* require, as of 2011, that recommendations be made available to the public.

A third party alerted our office that partially burned medical records containing personal health information were found blowing on and around a highway and gravel pit near Flin Flon, Manitoba. The situation raised concerns about the Clinic's policy and practice with respect to the destruction of personal health information in a manner that protects the privacy of the individuals the information is about.

As a result of the investigation, the Ombudsman concluded that the records did in fact contain personal health information, that at the time of the breach, the Clinic did not have a written policy regarding the destruction of personal health information, and that the Clinic's arrangement for the destruction of the personal health information was not in compliance with PHIA. The Ombudsman issued two recommendations to bring the Clinic into compliance with the Act and Regulation.

The Clinic accepted the recommendations made by the Ombudsman and demonstrated that it had complied with the recommendations.

Investigation reports with recommendations posted on the Ombudsman's website contain the original report with the Ombudsman's recommendations and a summary of the public body's or trustee's response to the recommendations.

Investigation Reports with Recommendations are available by clicking on the "Investigation Reports" button on the Access and Privacy Division's website at:

<http://www.ombudsman.mb.ca/access.htm>

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