

MEMBER'S STATEMENT – GREAT SLAVE – FEBRUARY 20, 2009

PRIVACY AND BOARD REFORM

Thank you, Mr. Speaker.

In the debate about board reform on Wednesday, the Premier identified that privacy policies seemed to block departments from working together. The issue was identified as one of the reasons for board reform. I guess the idea is that if nurses and teachers as well as housing and income support officials were co-located under one CEO they could freely exchange personal information about their clients. I'm not sure that it would work that way and it concerns me for two reasons:

First, if privacy policies are not operating now, then that's a problem we need to work on and solve. Board reform won't automatically solve that problem. The Access to Information and Protection of Privacy Act was prepared and enacted by this government. If it needs to be amended or changed, then the Minister of Justice should bring forward those proposals. It seems like an awfully long detour around a problem to rearrange a government structure of three major departments in order to improve employee access to personal information of their clients when that information is held by another agency.

Second, both the Premier and the Minister of Finance have talked about improving case management in the context of access to personal information of clients. The basis of good case management is client participation. The basis of being able to access and share a client's personal information is client consent.

If a client with various problems refuses to participate in understanding and determining his or her own needs and next steps, then the good deeds of social workers and nurses and housing representatives are not likely to help. If a client does not consent to letting social workers and teachers have access to his or her medical records, then our laws say that we have to respect that.

I, for one, don't think that an income support worker should be able to access a client's medical records without his or her consent. I think this is a topic that deserves more work and attention as opposed to board amalgamation.

Privacy issues often take two forms: to share individual information such as the case and topic that I just mentioned or in the form of the management of program IT systems which have lots and lots of personal information in them. Perhaps the Ministers were suggesting that the teachers should be able to access the income support records or electronic health records. This goes far beyond one worker dipping into a person's file or another worker. This would start a move towards Big Brother of George Orwell's 1984, the government keeping a master file on its citizens. This is what the privacy laws are intended to prevent.

I do think the government needs to make more of an effort to tackle these issues. I do think the government needs to acquire additional expertise and privacy issues and work with relevant boards and authorities to develop the lawful protocols and agreements that would support improved case management and improved system practices. There are methods and

ways to properly sort through some of these issues. Agencies in southern provinces have figured out many of these issues.

Mr. Speaker, at the appropriate time, I will be asking the Premier some questions. Thank you.