

FW: Homepage

Stephan Warnat

Tue 6/14/2016 10:13 AM

To: Aleysha Mullen <Aleysha.Mullen@Dal.Ca>;

Dear Aleysha,

Please find below the remarks from Dr. Warren and Mrs. Gassek (Board Chairperson). We can discuss that in our meeting later today.

See you soon,
Stephan

From: Marika Warren
Sent: Friday, June 10, 2016 11:01 AM
To: GASEK, REBECCA <Rebecca.Gasek@emera.com>
Cc: Marika Warren <Marika.Warren@Dal.Ca>; Stephan Warnat <Stephan.Warnat@Dal.Ca>
Subject: Re: Homepage

Thanks - so it sounds like the upshot for the students, Stephan, is that there are no extraordinary requirements for security beyond what would be reasonable in any situation where personal information is being transmitted electronically.

Good luck - looking forward to seeing what they come up with!

Best,
Marika

On Jun 10, 2016, at 10:53, GASEK, REBECCA <Rebecca.Gasek@emera.com> wrote:

Hi,

Apologies for the delay in response; it has been a busy week.

I am not by any stretch of the imagination versed in the nuances of privacy law, but I am not sure that FOIPOP applies to the daycare in any event given that it is not a public body, but a private business. That said, we would want security protocols in place to protect all of the private

information which is collected in the normal course.

From: rgasek@gmail.com [<mailto:rgasek@gmail.com>]

Sent: June-07-16 2:43 PM

To: GASEK, REBECCA

Subject: Fwd: Homepage

Sent from my iPhone

Begin forwarded message:

From: marika warren <marika.warren@gmail.com>

Date: June 7, 2016 at 2:15:46 PM ADT

To: Stephan Warnat <Stephan.Warnat@dal.ca>, Rebecca Gasek <rgasek@gmail.com>

Subject: Re: Homepage

Hello,

Yes - thanks for the prompt! I'm cc'ing Rebecca in case I've got any of the legalities wrong, but I'm reasonably confident that this is accurate:

1. The Nova Scotia Personal Health Information Act (PHIA) does not apply to health information collected by SECDC because SECDC's purpose is not the provision of health care.
2. The Day Care Act requires SECDC to collect personal health information for each child
3. Given (2), the Freedom of Information and Protection of Privacy Act (FOIPOP) requires that SECDC take reasonable measures to ensure the security and integrity of the personal information it is required to collect
- <http://foipop.ns.ca/sites/default/files/publications/Plain-Language-Guide/FOIPOP-PLG.pdf> p. 17 (SECDC doesn't qualify as a public body under the definition FOIPOP gives, but I would argue it is relevantly similar in this particular regard).

So in our case, because information would be stored locally on Sherry's computer (as opposed to on a server somewhere) the biggest risk would be information being intercepted while being transmitted, and there are security protocols to deal with that that should, I think, be familiar to the students and would count as "reasonable".

Let me know if they have any further questions and Rebecca, correct me on the law - once we're outside of PHIA my knowledge is much less extensive.

Best,
Marika

On Tue, 7 Jun 2016 at 11:20 Stephan Warnat <Stephan.Warnat@dal.ca> wrote:

Hello Marika,

I am wondering if you gathered some information about the medical records issued raised ny the students.

I appreciate your help!

Stephan

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