



# Privacy Policy

Healthcare Employees' Pension Plan - Manitoba  
Healthcare Employees' Benefits Plan - Manitoba

## **Healthcare Employees' Pension Plan - Manitoba, Healthcare Employees' Benefits Plan – Manitoba (together, the "Plans")**

### **Privacy Policy**

#### **A. Privacy Statement**

This Privacy Policy has been developed:

- To affirm our commitment to protecting the privacy of our members and the confidentiality, accuracy and security of their personal information and personal health information, and
- To document our practices concerning the collection, use and disclosure of information provided by individuals and organizations, to the Plans.

The terms of this Privacy Policy accord with the federal Personal Information Protection and Electronic Documents Act (PIPEDA), to the extent it applies to the Plans.

#### **B. Application of Privacy Policy**

This Privacy Policy applies to the collection, use, disclosure, retention and disposal of personal information and personal health information in relation to:

- the Healthcare Employees' Pension Plan (HEPP), which provides its members with pension benefits;
- the Healthcare Employees' Benefits Plan (HEBP), which provides members with Group Life, Dental, Group Healthcare, Retiree Group Healthcare and Disability and Rehabilitation (D&R) benefits. D&R benefits are administered by the D&R Plan, which provides members with income replacement should they be deemed unable to work because of illness or injury.

This Privacy Policy governs:

- All HEPP/HEBP employees;
- The Plans' Trustees;
- Third parties to whom the Plans transfer personal information for processing; and
- Persons, both individuals and organizations, who perform services on behalf of the HEPP/HEBP Plans in respect of the Plans' purposes and not for their own purposes, including consultants, lawyers and actuaries.

This Privacy Policy applies to personal information and personal health information about the HEPP/HEBP Plans' prospective, current and former members, whether living or deceased. It also applies to personal information and personal health information about each member's former or current spouse or partner, together with their children, dependents, and beneficiaries.

Title: Privacy Policy Final 08-Dec-05	Issued by: Privacy Officer
Date: December 8, 2005	Page 1 of 8
Approved By: HEPP/HEBP Boards	Approved On: December 15, 2005

## **C. Privacy Practices**

### **1. What is personal information and personal health information?**

“Personal information” is oral, electronic or written information, about an identifiable individual. Examples of personal information collected by HEPP/HEBP can include, but are not limited to:

- Name, address, telephone number and e-mail address
- Age, gender, family and marital status, marriage date and separation date
- Information regarding an individual's association, activity, employment (e.g. hire date, retirement date, rate of pay, status), occupation and education
- Income and financial circumstances
- Banking and income tax information
- Identifying numbers, symbols or other particulars assigned to an individual including social insurance number
- Information regarding any other pension and benefits coverage or disability insurance benefits such as Workers Compensation Board (WCB), Manitoba Public Insurance (MPI) or Canada Pension Plan (CPP) benefits
- Previous insurance and claims experience
- Personal health information as defined below.

D&R, and on occasion, the other benefit plans, may collect "personal health information" including, but not limited to, information related to:

- Physical or mental health
- Health services provided
- Pending medical appointments
- Medical examinations or test results
- Treatment plans
- Prescriptions
- Prognosis
- Death certificates

The Plans may require information about a member's family, current and former spouse(s) or partner(s), child(ren), dependents and beneficiaries as it relates to the administration of the Plans.

### **2. Identifying Purposes**

The Plans collect, use and disclose personal information and personal health information for the purpose of administering the respective Plans in accordance with the relevant Trust Agreements, plan documents and policies, legislative requirements and the Trustees' fiduciary and other legal obligations. Please refer to “Use of Personal Information”, below, for related uses.

Title: Privacy Policy Final 08-Dec-05	Issued by: Privacy Officer
Date: December 8, 2005	Page 2 of 8
Approved By: HEPP/HEBP Boards	Approved On: December 15, 2005

### 3. Consent

HEPP/HEBP obtains consent from members for the collection, use or disclosure of personal information and personal health information. All members are asked to sign and submit preprinted forms authorizing the Plans to collect, use and disclose personal information. HEPP/HEBP may also use these forms to advise members of the use that will be made of the information and to which organizations the information may be transferred or disclosed, if any. Consent may also be obtained verbally or in other written formats.

Should HEPP/HEBP intend to use or disclose personal information or personal health information for a purpose other than those outlined in this Privacy Policy, the Plans will document the new purpose and obtain the individual's consent at or before the time the information is used or disclosed.

HEPP/HEBP obtains consent either from the individual about whom the information relates or from the member or claimant, if different from the individual. The Plans may also obtain consent from an authorized representative or substitute decision-maker, such as a legal guardian or a person having power of attorney. HEPP/HEBP does not accept consent from unions or any other individual on behalf of a member of the Plans.

HEPP/HEBP does not obtain consent in circumstances including, but not limited to, the following:

- when it is inappropriate to do so;
- when legal, medical or security reasons make it impossible or impractical to obtain consent; or
- when applicable legislation permits the collection, use or disclosure without consent. For example, consent will not be obtained when information must be used or disclosed to act in respect of an emergency that threatens the life, health or security of an individual.

Individuals may withdraw all or part of their consent at any time in writing, in which case HEPP/HEBP will evaluate options for providing services while maintaining the individual's privacy. However, withholding consent may interfere with the administration of benefits and/or services, including the Plans' ability to determine whether the individual is entitled to receive benefits.

### 4. Collection of Personal Information

HEPP/HEBP only collects personal information and personal health information that is required for the purposes outlined in this Privacy Policy. Such information is collected by fair and lawful means.

The Plans collect personal information primarily in writing from a variety of documents including, but not limited to: preprinted enrolment forms, application and claims forms; remittance forms from employers; identification documents (birth certificate, citizenship certificate, passport); medical reports; and death certificates.

Title: Privacy Policy Final 08-Dec-05	Issued by: Privacy Officer
Date: December 8, 2005	Page 3 of 8
Approved By: HEPP/HEBP Boards	Approved On: December 15, 2005

The Plans rarely collect personal information orally, by telephone or by other methods where it is difficult to verify the identity of the individual or the accuracy of the information. Information may be collected in person or by mail, fax, courier or e-mail.

## 5. Use of Personal Information

HEPP/HEBP uses personal information and personal health information for the purposes outlined in this Privacy Policy. Related uses are not limited to, but include:

- Identifying and enrolling members
- Recording designated beneficiaries
- Determining eligibility and entitlement, if any, to benefits
- Providing members with pension estimates
- Addressing pension and benefit issues which arise following a marriage break-up
- Processing benefits, if any
- Assessing and adjudicating claims
- Making decisions with respect to the Plans
- Communicating with members and responding to inquiries
- Monitoring service providers
- Conducting membership surveys
- Auditing claims

HEPP/HEBP collects social insurance numbers for income tax related purposes and for claims administration and record-keeping purposes.

In the course of administering the Plans, it may be necessary to share members' personal information and personal health information with third parties or obtain information from third parties to fulfill the Plans' purposes. Examples include, but are not limited to:

- Actuaries are hired to perform actuarial valuations on the plans. To perform their work, they need access to the HEPP/HEBP database;
- Where lawyers are consulted in relation to the administration of the Plans, it may be necessary to provide information about members to the lawyers;
- In relation to the D&R Plan, medical information about members is shared with physicians, healthcare providers, alternative healthcare providers and vocational rehabilitation providers to assist in the administration of benefits, to develop treatment plans, to facilitate vocational rehabilitation for members, or to adjudicate claims and appeals. In this case, information will only be shared with the member's signed consent on a specific consent form;
- Employment information is shared between members' employers and the Plans to allow HEPP/HEBP to confirm employment information, pension contributions, benefit premiums and entitlement to benefits;

Title: Privacy Policy Final 08-Dec-05	Issued by: Privacy Officer
Date: December 8, 2005	Page 4 of 8
Approved By: HEPP/HEBP Boards	Approved On: December 15, 2005

- HEPP/HEBP shares information about members with Manitoba Blue Cross, which is contracted to administer the HEBP Group Healthcare and Dental Plans, and with Great-West Life Assurance Company, which is contracted to administer the HEBP Group Life Insurance Plan(s);
- Personal information is provided to government regulators to fulfill tax or other regulatory reporting requirements;
- Third parties provide HEPP/HEBP with services related to document storage, recycling and shredding; and
- It is sometimes necessary to provide information to and obtain information from executors of estates of deceased members or to the Public Trustee to properly administer benefits under the Plans.

The HEPP/HEBP Plans are responsible for personal information under their custody or control, including personal information and/or personal health information that is transferred to third parties for specialized services, storage, or for other purposes. In this case, only information necessary to fulfill those purposes is provided.

Where appropriate, HEPP/HEBP's approach is to obtain contractual commitments from third parties to whom the Plans have transferred personal information, to ensure the personal information is protected in accordance with relevant privacy legislation and this Privacy Policy even when in the hands of third parties.

## **6. Disclosure of Personal Information**

The HEPP/HEBP Plans do not disclose personal information or personal health information for purposes unrelated to the administration of the Plans unless permitted or required to do so by law.

The Plans release of personal information or personal health information to its agents or service providers is considered a use and not a disclosure.

The Plans notify individuals that his or her personal information may be disclosed to certain types of organizations or individuals, and obtain the individual's consent to the disclosure, if it is required.

Examples of disclosures include, but are not limited to:

- Information about a member may be shared with a financial planner or financial institution selected by the member to provide the member with financial advice;
- For members of the D&R Plan, where D&R is not the primary insurer in disability management, other insurers like the Workers Compensation Board of Manitoba, Manitoba Public Insurance Corporation or the Canada Pension Plan may request disclosure of personal information about D&R members to facilitate the administration of their benefits; and

Title: Privacy Policy Final 08-Dec-05	Issued by: Privacy Officer
Date: December 8, 2005	Page 5 of 8
Approved By: HEPP/HEBP Boards	Approved On: December 15, 2005

- HEPP and HEBP are separate and distinct organizations, therefore, to provide seamless and responsive service, personal information about members is shared between the Plans.

Disclosures are recorded in member files.

## 7. Retention of Personal Information

HEPP/HEBP retains personal information and personal health information for as long as is required to fulfill the purposes for which it was collected, and as long as is required for any legal or regulatory requirements.

## 8. Safeguards

The HEPP/HEBP Plans have implemented physical, organizational and technological security measures to protect personal information and personal health information against loss, theft, unauthorized access, disclosure, inappropriate alteration and misuse.

HEPP/HEBP's systems and procedures will continue to be developed to ensure that all safety and security measures are appropriate to the sensitivity of the information. A higher level of protection will safeguard more sensitive information, such as medical and health records.

Access to the personal information and personal health information of members is restricted to HEPP/HEBP employees whose duties require them to have access. Access, use or disclosure by an employee without a legitimate business reason will result in disciplinary measures.

Access to HEPP/HEBP offices is controlled and monitored.

All HEPP/HEBP members are assigned an identification number. HEPP/HEBP expects members to take precautions in handling their identification numbers to help protect their privacy.

Our security practices are reviewed on a regular basis and we routinely employ current technologies to ensure that the confidentiality and privacy of our members' personal information is not compromised.

## 9. Accuracy of Personal Information

HEPP/HEBP endeavours to keep personal information and personal health information as accurate, complete and up-to-date as deemed necessary for the purposes for which it is to be used.

When necessary, HEPP/HEBP will contact individuals to verify information. The Plans also require members to participate in maintaining the accuracy of their own personal information. Members should bring changes in personal information to the attention of HEPP/HEBP.

Title: Privacy Policy Final 08-Dec-05	Issued by: Privacy Officer
Date: December 8, 2005	Page 6 of 8
Approved By: HEPP/HEBP Boards	Approved On: December 15, 2005

## 10. Individual Access to Own Personal Information

Processes have been put in place for HEPP/HEBP members to access their personal information and personal health information, to verify the accuracy and completeness of the information, and to obtain details pertaining to the use and disclosure of personal information and personal health information, except when limited by law. Any discrepancies will be reviewed and the information will be amended or documented as appropriate and in accordance with PIPEDA.

All requests for access to personal information or personal health information must be in writing and sent to the attention of the Supervisor of either HEPP, HEBP or D&R, depending which Plan(s) hold(s) the information that is to be accessed. The Plans will make every effort to respond to member requests for access to information within 30 days of receiving the request. This will be provided at no cost.

## 11. Challenging Compliance

Individuals wishing to challenge HEPP/HEBP's compliance with this Privacy Policy or treatment of personal information and/or personal health information are advised to do so in writing, to HEPP/HEBP's Chief Privacy Officer.

HEPP/HEBP responds to all written complaints regarding information practices, in accordance with PIPEDA.

The Plans investigate all concerns and review or amend related policies and practices related to the handling of personal information as necessary.

## 12. Accountability & Openness

Overseeing HEPP/HEBP's compliance with the Privacy Policy, and applicable privacy legislation, is the Chief Privacy Officer, supported by the Executive Director and management of HEPP/HEBP.

The Chief Privacy Officer is committed to addressing the questions and concerns of members and providing members with information related to this Privacy Policy, HEPP/HEBP's privacy practices, and PIPEDA. Please direct any privacy related questions, comments or requests to:

**Chief Privacy Officer**

HEPP/HEBP  
900-200 Graham Avenue  
Winnipeg, MB R3C 4L5

E-mail: [privacy@hepp.mb.ca](mailto:privacy@hepp.mb.ca)  
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Title: Privacy Policy Final 08-Dec-05	Issued by: Privacy Officer
Date: December 8, 2005	Page 7 of 8
Approved By: HEPP/HEBP Boards	Approved On: December 15, 2005

HEPP/HEBP reserves the right to amend this Privacy Policy without notice and will communicate changes to affected parties.

Title: Privacy Policy Final 08-Dec-05	Issued by: Privacy Officer
Date: December 8, 2005	Page 8 of 8
Approved By: HEPP/HEBP Boards	Approved On: December 15, 2005