



# **RFID and Privacy in Health Care:** *Guidance for Health Care Providers*

**Ann Cavoukian, Ph.D.**

**Information and Privacy Commissioner**  
**Ontario**

**GS1 Healthcare Global Conference**

*June 17, 2008*



# Unique Characteristics of Personal Health Information

- Highly sensitive and personal in nature;
- Must be shared immediately and accurately among a range of health care providers for the benefit of the individual;
- Widely used and disclosed for secondary purposes that are seen to be in the public interest (e.g., research, planning, fraud investigation, quality assurance);
- Dual nature of personal health information is reflected in *PHIPA*, and all other health privacy legislation.



# *Personal Health Information Protection Act (PHIPA)*

- Applies to organizations and individuals involved in the delivery of health care services (both public and private sector);
- The only health sector privacy legislation in Canada based on consent: implied consent within healthcare providers' "circle of care," otherwise, express consent;
- The only health sector privacy legislation that was declared to be substantially similar to Canada's federal private sector law, the *Personal Information Protection and Electronic Documents Act* (PIPEDA).

# Expected

CAVOUKIAN, ANN

R





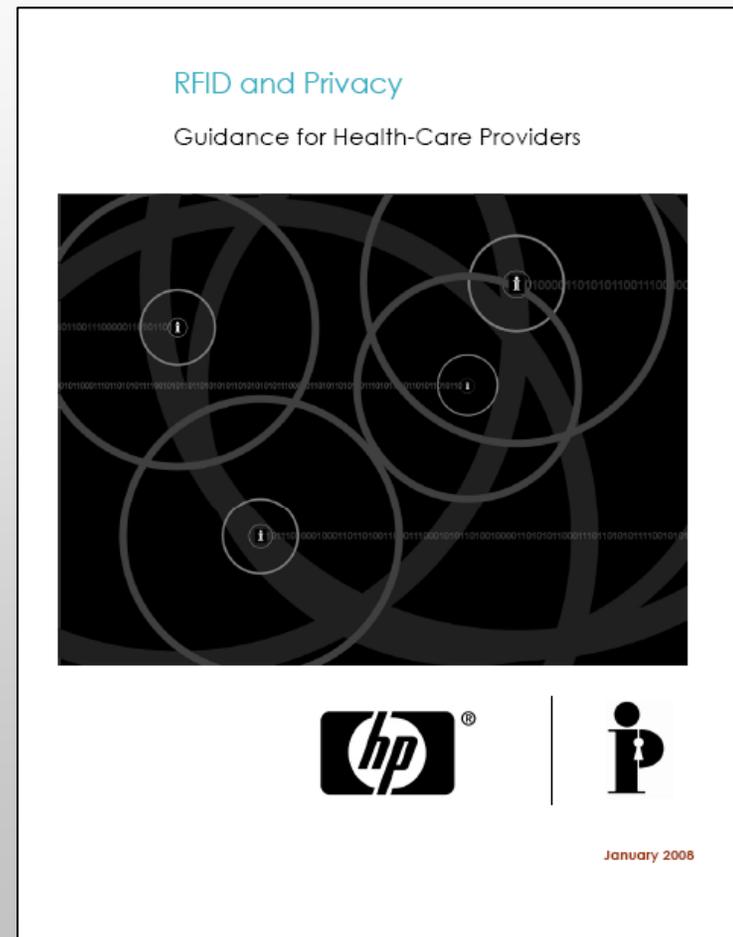
# Not Expected





# RFID and Privacy in Health Care: *Guidance for Health Care Providers*

1. Tagging Things
2. Tagging Things Associated with People
3. Tagging People





# Tagging Things

- RFID technologies have proven to be ideal for identifying and locating things because they increase the reading accuracy and visibility of tagged items far beyond bar codes and other labels;
- This can result in greater efficiency for automating inventory processes, finding misplaced items, and generally keeping better track of things as they move through their life-cycles;
- Some RFID health care deployment scenarios that involve the tagging of things include:
  - Bulk pharmaceuticals;
  - Inventory and assets (trolleys, wheel chairs, medical supplies);
  - Medical equipment and instruments (infusion pumps);
  - Electronic IT devices (computers, printers, PDAs);
  - Surgical parts (prosthetics, sponges);
  - Books, documents, dossiers and files;
  - Waste and bio-hazard materials.



# Tagging Things Associated with People

- RFID technology can involve tagging items that may be linked to identifiable individuals and to personal information, usually on a more prolonged basis – ranging from one week in the case of tagged garments, to several years in the case of patient dossiers.
- Some examples of RFID deployment scenarios that involve tagging *things associated with people* include:
  - Readers, tablets, mobile and other IT devices assigned to staff;
  - Access cards assigned to staff or visitors;
  - “Smart” cabinets
  - Equipment, garments, or spaces (rooms) assigned to patients;
  - Blood samples and other patient specimens;
  - Patient files and dossiers; and
  - Individual prescription vials.



# Tagging People

- RFID use can also involve the intentional tagging and identification of individuals. The distinction can be subtle since, technically speaking, it is always the tag that is identified in any RFID system.
- When we talk about tagging people, we are focusing on the primary purpose of the RFID deployment in question, as well as the relative strength and permanence of the linkage of the tag to the individual and their personal information.
- Examples of RFID used (or intended to be used) to identify and track individuals in health care contexts include:
  - Health care employee identification cards;
  - Patient health care identification cards;
  - Ankle and wrist identification bracelets (patients, babies, Alzheimer's patients);
  - Implantable RFID chips and other biosensors.



# Applying RFID to Health Care





# What You Need to Do:

## *Privacy by Design*

- **Build privacy and security in at the outset:**  
Incorporate Fair Information Practices into the design and operation of all RFID information systems, as well as the policies that govern their operation.

**Old World:** Zero-sum mentality

**Future:** Positive-sum paradigm

*Don't get stuck in the past*



# How to Contact Us

**Ann Cavoukian, Ph.D.**

**Information and Privacy Commissioner of Ontario**

**2 Bloor Street East, Suite 1400**

**Toronto, Ontario, Canada**

**M4W 1A8**

**Phone: (416) 326-3948 / 1-800-387-0073**

**Web: [www.ipc.on.ca](http://www.ipc.on.ca)**

**E-mail: [info@ipc.on.ca](mailto:info@ipc.on.ca)**