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FOR IMMEDIATE RELEASE: APRIL 23RD, 2008

CONTACT: Julia Smith
Director of Communications
BC Persons With AIDS Society

Phone: 604.893.2209 **Cell:** 604.612.0222
Email: julias@bcpwa.org

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Government Wants Carte Blanche Over Your Personal Health Information: Privacy advocates take aim at BC Government's eHealth Legislation

The Province's recently introduced eHealth Bill (Bill 24) will receive its second reading within the next two weeks, allowing the Provincial Government to create massive electronic databanks of citizens' personal health information and to override citizens' long-cherished rights to privacy and to doctor/patient confidentiality. An informal coalition of health and privacy groups is joining forces to decry the Bill 24.

The BC Persons With AIDS Society (BCPWA), BC Freedom of Information and Privacy Association (FIPA), BC Civil Liberties Association (BCCLA) and BC Coalition of People with Disabilities have been involved with the eHealth consultation process for the last two years and say that the failure to enshrine meaningful control for citizens over their personal health information makes the government's assurances of privacy meaningless.

"The Bill enables the government to create vast databases containing our most sensitive personal information," said Darrell Evans of FIPA. "This opens the door to massive security breaches; they are happening all the time. We're talking drug histories, genetic information, medical test results, you name it. And once your personal information gets out or on the Internet, it's there forever, beyond anyone's control."

The Bill gives government sweeping powers to access and utilize private and confidential medical information gathered from a variety of sources including community health clinics, women's clinics, pharmacies, medical labs, hospitals and other public health bodies. Massive registries of health information are controversial and have seen organized medical and community opposition in the United Kingdom.

Since at least 2003, the Provincial Government has been working on the electronic health record system known as eHealth. The stated intention is to provide better care to the citizens of British Columbia. However, the Bill in front of the legislature, which would make the eHealth system a reality, has failed to address the privacy and confidentiality concerns that have been raised. If passed, it would allow the government, not the individual, to decide who can access confidential medical information and how it may be distributed.

“Essentially Bill 24 says that the government will decide what is good for you, in terms of protecting your medical privacy,” says Richard Rosenberg, of BCCLA. “Even if the government is currently to be trusted in promising privacy protections today, under this legislation, it can take those protections away tomorrow.”

The groups are calling for Bill 24 to be redrafted with the right of patient consent and control enshrined, with only strictly limited exceptions for emergencies and audits. The groups also say that sensitive health information should never leave Canada without express consent and that citizens should have an absolute right to prevent their health information from being used for research purposes.

“The government claims there will be benefits to eHealth, but whatever those benefits might be, they come with the risk for security and disclosure disasters,” says Glyn Townson, Chair of BCPWA. “To ensure citizen confidence we need real privacy protections built into the system, not airy promises that they might come down the road”.