



NEWFOUNDLAND AND LABRADOR
MEDICAL ASSOCIATION

NLMA Privacy Policy

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Introduction

The Newfoundland and Labrador Medical Association (“NLMA”) is committed to fair information practices in relation to individuals, including NLMA members, whose information it collects, uses, discloses, and retains in the course of its operations.

This *Privacy Policy* outlines the principles and guidelines by which the NLMA operates to protect the personal information of individuals that the NLMA collects, uses, discloses and retains in the course of its operations, as subject to the provisions of the *Personal Information Protection and Electronic Documents Act* and applicable provincial privacy legislation.

This *Privacy Policy* incorporates the ten principles of the Canadian Standards Association Model Code on the Protection of Personal Information, which ten principles form the basis of this *Privacy Policy*. This *Privacy Policy* also incorporates provisions of Part 1 of the *Personal Information Protection and Electronic Documents Act*, and applicable provincial privacy legislation.

Except where expressly stated otherwise, this *Privacy Policy* applies to all personal information, other than information concerning employees, former employees and potential employees of the NLMA or information that is in the public domain, which has been or will be collected, used, disclosed or retained by the NLMA.

Internet Aspects

Personal information may be collected when a user conducts activities on or related to the NLMA website at www.nlma.ca.

The NLMA website has links to other websites that are not under its control. The NLMA is not responsible for the content of any linked website, any link contained in a linked website, or any changes or updates to such websites. The inclusion of any link does not mean that the NLMA endorses that website. Please be aware that the NLMA is not responsible for the privacy practices of other websites that the NLMA website links to. The NLMA encourages you to read the privacy statements of every website that requests personal information from you.

Use of Cookies

The NLMA website automatically recognizes your domain name, IP address, browser version, operating system, and other salient data about your computer, as well as the site you passed through to reach us. The NLMA uses a browser feature called a “cookie” to collect information anonymously and track user patterns on NLMA websites. This cookie is a small text file that is placed on your hard disk by our website and remains there unless it is deleted by you.

“Cookies” contain a unique identification number that identifies your browser, but not you, to our computers each time you visit one of our websites. Cookies tell us which pages of our websites are visited and by how many people. They also allow us to save your settings and preferences for future visits, enabling you to customize your experience of our websites. Information gathered through the use of cookies is not related to any personally identifiable details, and is not released to any third party. The only exception to this is if the NLMA is legally compelled to provide such information.

The use of cookies is an industry standard, and many major browsers are initially set up to accept them. You can reset your browser to either refuse to accept all cookies or to notify you when you have received a cookie. However, if you refuse to accept cookies, you may not be able to use some of the features available on the NLMA website.

Summary of Principles

Principle 1 Accountability for Personal Information

The NLMA considers “personal information” to mean any information, recorded in any form, about an identified individual or an individual whose identity may be inferred or determined from such information, other than business contact information (e.g., name, title, business address, e-mail address, telephone, and fax numbers). The focus of this *Privacy Policy* is personal information collected, used, disclosed or retained by the NLMA that is NOT in the public domain.

The NLMA’s obligations under this *Privacy Policy* apply to all officers, employees, contractors and agents of the NLMA who provide services to or on behalf of the NLMA in connection with the delivery of products, services or information to NLMA members.

The NLMA is responsible for all personal information under its control, including personal information transferred to third parties for processing or analysis. The NLMA has designated an individual, the NLMA Chief Privacy Officer, who is accountable for the NLMA’s compliance with this *Privacy Policy*.

Principle 2 Identifying the Purposes for Personal Information Collection

The NLMA will identify the purposes for which personal information is collected at or before the time the information is collected. The NLMA collects information for purposes of fulfilling its objectives and mandate, which those purposes include:

- Determining an individual's eligibility for membership in the NLMA or the CMA;
- Determining an individual's eligibility to benefit from NLMA or CMA services;
- Communicating with NLMA members;
- Assisting the CMA (and its subsidiaries) and provincial or territorial medical associations with maintenance of their membership and client contact information;
- Assessing the needs of NLMA members;
- Providing products, services, and information to NLMA members;
- Conducting surveys and polls of NLMA members;
- Permitting affiliated and other reputable third-party organizations, subsidiaries, and suppliers to provide products, services, and information to NLMA members;
- Managing the NLMA’s relationship with NLMA members;
- Conducting surveys of NLMA members in order to analyze for statistical and research purposes such issues as the demographics of physician human resources;
- Engaging NLMA members and physicians in NLMA policy development;
- Meeting any legal or regulatory requirement; and,
- Other purposes consistent with the above.

Principle 3 Obtaining Consent for Collection, Use, Disclosure or Retention of Personal Information

The NLMA will obtain the consent of individuals before or when it collects, uses, discloses and retains personal information, except where authorized by law. The NLMA may seek consent to use and disclose personal information after it has been collected in those case where the NLMA wishes to use the information for a purpose not identified in this *Privacy Policy* or not previously identified. If a member consents, his or her personal information shall be used for the purposes indicated in this *Privacy Policy*. If a member does not consent, then his or her personal information shall be used by the NLMA for purposes of communication with the member only and not be provided to anyone else. In the event a member does not explicitly indicate his or her consent, the submission of the information constitutes consent to the use of his or her personal information for these purposes.

Subject to restrictions required by law, a member may withdraw consent to the further collection, use, disclosure or retention of personal information by the NLMA for some or all of the purposes identified in this *Privacy Policy*. Such withdrawal of consent must be provided to the NLMA with reasonable notice in writing indicating the intention to withdraw consent, the scope of consent withdrawal (when not complete withdrawal), and the reasons for withdrawal. Note, however, that in accordance with the *Medical Act, 2011* membership in the NLMA is compulsory to practice medicine in the Province of Newfoundland and Labrador. Thus, supplying certain contact and demographic information to the NLMA is mandatory. Also note that withdrawal of consent to the disclosure of some information may mean that the NLMA is unable to continue to provide those withdrawing with some products or services. It is the responsibility of the person withdrawing consent to contact the NLMA in order to determine how such withdrawal of consent to the collection, use, disclosure or retention of personal information might affect the products or services provided. To withdraw consent, a member is requested to contact the NLMA in writing at the address or email noted below.

Principle 4 Limiting Collection of Personal Information

The NLMA will limit the collection of personal information to that which is reasonably necessary for the purposes identified by the NLMA. The NLMA will collect personal information by fair and lawful means. The NLMA only collects, uses, discloses and retains personal information for purposes that would be considered reasonable in the circumstances and only such information as is required for the purposes outlined above. NLMA usage of personal information is limited to the purposes described in this *Privacy Policy*.

Principle 5 Limiting Use, Disclosure and Retention of Personal Information

The NLMA will not use, disclose or retain personal information for purposes other than those for which it was collected, except with the consent of the individual, or as required or as authorized by law. The NLMA will retain personal information only as long as is necessary for the fulfillment of those purposes.

The NLMA holds personal information in confidence and, except in limited circumstances, personal information is not revealed to anyone unless expressly or implicitly authorized by the individual to whom the personal information relates. The NLMA does release the name, address, telephone number and e-mail address of members (“NLMA membership information”) to affiliated organizations, reputable suppliers and other organizations when in the opinion of the NLMA such usage constitutes a service relevant to members, and the NLMA has the written

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agreement of such organizations to adhere to specific requirements with respect to usage of that information.

The NLMA might also disclose personal information to third parties that are not NLMA-affiliated if those third parties have contracted with the NLMA to help the NLMA provide products and services. In such cases, the NLMA will take contractual precautions to ensure that personal information is protected by those third parties at a level comparable to that of the NLMA.

There are circumstances when the NLMA is required to disclose personal information without consent. Such circumstances include: where required by law or by order of a court, administrative agency or other governmental tribunal; where the NLMA believes, upon reasonable grounds, that it is necessary to protect the rights, safety or property of an identifiable person or group; where it necessary to establish or collect fees; where it is necessary to permit the NLMA to pursue available remedies or limit any damages that the NLMA may sustain; or where the information is already in the public domain. In such situations, the NLMA will not disclose more information than is required.

Principle 6 Keeping Personal Information Accurate

It is the responsibility of the person supplying information to inform the NLMA of any changes in the information supplied.

The NLMA endeavours to ensure that personal information provided by its members and in its possession is as accurate, current and complete as necessary for the purposes for which the NLMA uses such information. Should the NLMA become aware that personal information is inaccurate, the NLMA will revise the personal information and, if necessary, use its best efforts to inform third parties provided with inaccurate information so that those third parties may also correct their records.

Some updating of contact information is done automatically if a person is both a NLMA member and a CMA member. It is the responsibility of the person to inform the NLMA if such automatic information sharing is not to be performed.

The NLMA does not regularly update information about former NLMA members unless the former member initiates contact regarding updated information. Personal information is kept only as long as it is required for the reason(s) it was collected. When a member's personal information is no longer required, the NLMA has procedures to destroy, delete, erase or convert it into an anonymous form.

The NLMA will retain personal information that is the subject of an access request for as long as is necessary to allow an individual to exhaust any legal remedy that is provided for in applicable federal or provincial privacy legislation.

Currently, the principal place in which the NLMA holds personal information is the City of St. John's.

Principle 7 Safeguarding Personal Information

The NLMA makes reasonable efforts to protect personal information with security safeguards appropriate to the sensitivity of the information. The NLMA endeavours to maintain appropriate physical, procedural and technical safeguards with respect to its offices and information storage facilities so as to prevent any loss, misuse, unauthorized access, disclosure, or modification of personal information. This also applies to the NLMA's disposal or destruction of personal information.

The NLMA ensures that NLMA employees are aware of the importance of maintaining the confidentiality of personal information. The NLMA further protects personal information by restricting access to it to those NLMA employees that the management of the NLMA has determined need to know that information in order for the NLMA to provide products, services or information.

If any third-party individual or organization misuses personal information provided for the purpose of providing services to or for the NLMA, this will be considered a serious issue for which action may be taken, up to and including termination of any agreement between the NLMA and the offending party.

Principle 8 Being Open about Policies and Procedures Concerning Personal Information

Primarily, the NLMA collects and uses personal information about its members. The NLMA may also collect and use personal information about individuals who attend NLMA sponsored events or submit manuscripts to NLMA publications.

The NLMA assigns a personal identifier called an "NLMA Number" to each NLMA member. This number is intended for use by the member when contacting the NLMA or when logging into the NLMA website.

The NLMA collects personal information directly from individuals, or receives it from the College of Physicians and Surgeons of Newfoundland and Labrador (CPSNL), the Canadian Medical Association (CMA) and its subsidiaries, or one of the provincial or territorial medical associations.

The NLMA will make readily available to NLMA members specific information about its policies and procedures relating to the management of personal information.

Principle 9 Providing Access to Personal Information

On written request to the attention of the NLMA Chief Privacy Officer (see contact information below), and subject to exemptions stipulated by law, the NLMA will inform an individual of the existence, use, disclosure and retention of his or her personal information and will provide reasonable right of access to and review of that individual's personal information. Such requests will be fulfilled within a reasonable time and no later than 30 days following the request.

The person to whom it relates may challenge the accuracy and completeness of personal information that is maintained by the NLMA. If an individual identifies and demonstrates inaccurate or incomplete personal information in the NLMA's possession, the NLMA will correct or delete that information in accordance with the individual's direction.

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Where information will not or cannot be disclosed by the NLMA, such as where the release of such information is legally prohibited, the individual making the request will be provided with the reason(s) for non-disclosure.

The NLMA will not charge a NLMA member for verifying or correcting his or her personal information. In the event of questions about this policy or any matters related to the collection, use, disclosure or retention of personal information, please contact:

- Chief Privacy Officer
Newfoundland and Labrador Medical Association
164 MacDonald Dr.
St. John's, NL, Canada, A1A 4B3

Principle 10 Challenging Compliance

A member of the NLMA is entitled to address a challenge concerning compliance with the above principles to the NLMA's Chief Privacy Officer. Questions, concerns, objections, or challenges to this *Privacy Policy* or to compliance with this *Privacy Policy*, or to NLMA privacy practices should be addressed to:

- Chief Privacy Officer
Newfoundland and Labrador Medical Association
164 MacDonald Dr.
St. John's, NL, Canada, A1A 4B3