

## Joint Notice of Privacy Breach – UHN and University of Toronto

On June 19, 2024, UHN reported a privacy breach to the Information and Privacy Commissioner of Ontario. The breach concerned approximately 3500 limited patient records that are approximately 20-50 years old. The records were imaging records and associated clinical notes transferred from UHN to the University of Toronto in 2005 by two orthopedic surgeons for use for research purposes. Unfortunately, UHN became aware that the records were only partially de-identified at the time of their transfer in 2005. The records should have been entirely de-identified at that time.

Despite these circumstances, however, there is no indication that any identifiable patient records were ever disclosed after transfer. The records have been kept in a locked research laboratory at the University of Toronto since 2005. During that time, the records were only accessed by authorized researchers and research students participating in approved research studies. Since discovery that the records were only partially de-identified access has been fully restricted and the records have not been used. Information from the records was only used in three research studies published in journals and three graduate theses. While the records themselves should have been fully deidentified in 2005, the studies only used anonymous data and none of the published studies or theses contained any personal health information or personal identifiers.

Under Ontario's Personal Health Information Protection Act, 2004 (PHIPA), custodians are required to notify individuals of breaches of personal health information. The fact that these records were not appropriately deidentified is such a breach. This communication serves as a joint notification from both UHN and the University of Toronto to potentially affected patients. The records have been secured so that they can no longer be used for research purposes and the intention is that they will be securely destroyed. No further use of the records will be made in any form. Both UHN and the University of Toronto have updated their practices such that this type of incident would be prevented from occurring again. If you require further information, please contact UHN's Privacy Office at [privacy@uhn.ca](mailto:privacy@uhn.ca) or the University of Toronto privacy office at [privacy@utoronto.ca](mailto:privacy@utoronto.ca). You may also file a complaint with the Information and Privacy Commissioner/Ontario at [ipc.on.ca](http://ipc.on.ca).

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