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August 30, 2018

Office of the Information & Privacy Commissioner
5690 Spring Garden Road, Suite 509
Post Office Box 181
Halifax, NS B3J 2M4

Attention: Ms. Catherine Tully, Information & Privacy Commissioner for Nova Scotia

Dear Ms. Tully,

Sobeys National Pharmacy considers the privacy of our patients and customers to be top priority and places high value on ensuring our customers can trust our staff and our processes. We appreciate the investigation and report that you and your team have completed.

First, I would like to thank your team for meeting with us on August 9th to review the recommendations. As per our discussions in that meeting, we will implement the recommendations contained in your report dated August 1st, 2018, with minor revisions to recommendations four and seven that we believe are necessary in order to practically meet the spirit of the recommendation. I have included a summary below:

Recommendation #1: Breach Management Protocol

We agree to make revisions to Sobeys' privacy breach management protocol with the guidance of OIPC's *Key Steps in Responding to Privacy Breaches* within six months and provide training.

Recommendation #2: Breach Notification

Notification has been sent to the 28 affected individuals along with a confidential hardcopy of their profile.

Recommendation #3: Delete False Local PPMS System Profiles

The profiles for the above mentioned 28 individuals have been permanently deleted from the Pharmacy Management System Software.

Recommendation #4: Apply Provincial Health Privacy Law

As previously identified, literature printing timelines exceed 45 days. However, as an interim measure, all Nova Scotia pharmacies will update existing patient privacy brochures and materials with a label specifying the Nova Scotia Personal Health Information Act and OIPC's contact information. As confirmed during our meeting, our pharmacy staff are trained to verbally communicate information to patients for whom written material is not appropriate.

Recommendation #5: Document Reasons for DIS Access

We can confirm that our Privacy Operations Standards were previously updated to make clearer the requirement to document DIS access. Annual pharmacy staff policy acknowledgement activities, which included this updated version of the Privacy Operational Standards, occurred in June and July 2018.



Recommendation #6: Build Employee Confidence in the Workplace

We agree to implement this recommendation and have already started with in-person education of our pharmacy managers.

Recommendation #7: Strengthening the Continuous Quality Improvement Audit

We agree with the spirit of this recommendation. Increasing the interaction between staff and management with the goal of highlighting possible privacy concerns is important. While the recommendation is to increase the number of Continuous Quality Improvement audits to three per year, as discussed in our meeting, the Continuous Quality Improvement audit is a multifaceted audit that encompasses much more than privacy. As a result, Sobeys Pharmacy will conduct audits with non-management personnel to ensure all staff members are aware of the process and are involved in providing feedback.

We will introduce privacy questions in our quarterly pharmacy manager checklist for all staff. We will also educate and remind all staff of our Ethics Hotline and post information about this in a prominent location within each department.

Recommendation #8: Strengthening Technical Auditing

Automatic technical auditing to conduct proactive user activity audits is an important avenue through which pharmacies can protect patient privacy. Sobeys Pharmacy's pharmacy management software is the most used pharmacy software application in Canada. We are working diligently with our third-party pharmacy software provider on your audit recommendations. In the meantime, we have increased the number of manual audits and will continue as we work to implement a more technical solution.

Yours very truly,

Jedd Wood
Vice President & General Manager
Sobeys National Pharmacy

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