

## **Resident Wellness Confidentiality Policy and Procedure**

Approval Authority: Postgraduate Medical Education Committee

Established On: 2021 09 02

Amendments: 2022 06 09

Category: B

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### **1.0 POLICY STATEMENT**

The NOSM University Resident Wellness Program is committed to providing NOSM University residents with support for their occupational, physical, mental and emotional well-being. In order to best support residents, there are specific circumstances in which sensitive and confidential information must be collected, shared and stored. As such, this document aims to describe policies and procedures related to the collection, sharing and storage of confidential information by the Resident Wellness Program.

### **2.0 SCOPE**

This Policy and Procedure document applies to all NOSM University residents who share information with the Resident Wellness Program, and to members of the Resident Wellness Program who have access to confidential information.

### **3.0 DEFINITIONS**

3.1 Accommodations: Accommodations are adjustments to the learning and working environment that permit people with disabilities to have equal opportunities to succeed, and to access equal benefits of education and employment. Accommodations serve to remove the barriers to achievement brought on by disability but do not change or lower the standards that a resident is required to meet. "Regardless of disability, all residents must meet educational standards for certification and independent practice which are determined by the Royal College of Physicians and Surgeons of Canada or the College of Family Physicians of Canada." (PARO suggestion)

3.2 Personal Health Information: Personal health information refers to any descriptors of the resident's health, wellness or physical condition. This may include, but is not limited to information on medical or mental health diagnoses, disabilities, medical histories, test and laboratory results.

## **4.0 PROCEDURES**

### **4.1 Collection of Confidential Information**

The resident's first point of contact for any wellness issue should be the Learner Affairs Officer or Assistant Dean Resident Affairs([residentwellness@nosm.ca](mailto:residentwellness@nosm.ca)). Any information shared with the Assistant Dean Resident Affairs or Learner Affairs Officer will be handled in a confidential manner and will not be disclosed outside of the Resident Wellness Program.

Examples of information that may be received by the Learner Affairs Officer or the Assistant Dean Resident Affairs include personal health information, accommodation needs, doctor's notes, Clinical Psychologist referral requests, and Functional Ability Forms. Residents should be comfortable discussing issues of a sensitive nature with Resident Wellness Program personnel, for example health issues, workplace conflicts, incidents of harassment, or academic difficulties without fear of disclosure beyond the Wellness Program.

### **4.2 Sharing of Confidential Information**

Personal health information will not be disclosed by the Assistant Dean Resident Affairs or the Learner Affairs Officer without the resident's explicit consent. In order to best meet residents' needs, the Assistant Dean Resident Affairs and Learner Affairs Officer are authorized to share information between them without the explicit consent of the resident.

If a referral is requested by the resident to the NOSM University clinical psychologist and is made by the Wellness Program on their behalf, appropriate details summarising the reasons for the referral and any specific concerns by the Wellness Program will be shared in confidence with the office of the clinical psychologist. Residents have the option to self-refer to the NOSM University clinical psychologist.

The Resident Support Network is an extension of the Wellness Program and the Assistant Dean Resident Affairs. Members of the Resident Support Network can share information about residents including names at their discretion with the Assistant Dean Resident Affairs within the boundaries of the Wellness Program.

Accommodation recommendations may require consultation with the Program Director, Associate Dean PGME and in some cases other experts as required to support the Assistant Dean Resident Affairs in making accommodation recommendations for residents. Accommodation recommendations current process require approval by the resident, the Assistant Dean Resident Affairs, the Program Director and the Associate Dean PGME. Information regarding accommodations can be disclosed to relevant individuals (e.g., Program Director, Site Directors, Program Coordinators, schedulers, clinical supervisors/preceptors) on a need-to-know basis. For example, schedulers must be aware of a resident's call restrictions, and a faculty supervisor must be aware of the procedures a resident is restricted from performing. The formal accommodations letter that is forwarded to these individuals will only contain information describing the required accommodations. There will not be any disclosure of the resident's personal health information.

The Resident Wellness Program operates at arms length from the Postgraduate Education Office. There is no disclosure of personal health information to the Associate Dean of Postgraduate Education or other personnel within PGME without the resident's explicit consent. Similarly, resident personal health information is not shared with Program Directors, members of the faculty, colleagues, or other training program personnel. The Wellness Program does however operate in consultation to the Postgraduate Education Office and the Academic Programs. The Wellness Program is a resource to programs and program directors who may seek advice, support or share information to the Wellness Program about wellness or academic concerns especially given that academic challenges and wellness are often interconnected. Sometimes residents are referred by a program or other individuals to the PGME Wellness Program which reserves the right to confirm with the referring individual that we have connected with the learner in order to assure that the safety concerns regarding the learner have been addressed.

#### **4.3 Exceptions to Confidentiality**

Confidential information may be shared without the resident's consent under the following circumstances:

- a) If information is subpoenaed by a court of law
- b) If there is credible reason to suspect that harm will come to the resident or others
- c) If there is reason to suspect that a child is being abused or neglected
- d) If reported incidents of intimidation and harassment are of a sexual nature
- e) If information must be reported to the College of Physicians and Surgeons of Ontario (e.g., suspensions, dismissals, restrictions, leaves of absence due to professional misconduct, incompetence, or incapacity)

#### **4.4 Storage of Confidential Information**

Confidential information provided by the resident may be stored in two places: a private Resident Wellness folder on SharePoint and a private Resident Wellness network drive. Both the folder and drive can only be accessed by specific Resident Wellness personnel including the Assistant Dean Resident Affairs the Learner Affairs Officer or designate from the Postgraduate Education Unit.

There are specific pieces of information that are stored by the Resident Wellness Program. Information that may be stored in each resident's file may include accommodations letters, meeting notes, doctor's notes, return-to-work letters, functional abilities forms, meeting notes with program director with resident concerns or others who are bringing resident concerns forward to the Wellness Program, meeting notes with supporting parties such as the Physician Health Program or PARO, and records of referrals to the Clinical Psychologist.

When a resident no longer requires support from the Resident Wellness Program, their file will be designated as "inactive" and will be stored for three years following completion of their residency program. At this time, the resident's confidential file will be destroyed by the Learner Affairs Officer or designate. Upon destroying a resident's file, the Resident Wellness Program will keep a record detailing who destroyed the file, the date the file was destroyed, the date the file was deemed inactive, the reason the file was destroyed, and how many documents the file contained.

#### **5.0 ROLES AND RESPONSIBILITIES**

The Responsible Officers (i.e., Assistant Dean Resident Affairs, Learner Affairs Officer) will share responsibility for ensuring that the policy and procedures outlined in this document are followed. Both Responsible Officers will also ensure that this document is reviewed annually, or as required, for accuracy.

#### **6.0 RELATED DOCUMENTS**

In support of this policy and procedure, the following related documents are included:

- [Academic Accommodations including in the Clinical Environment Policy](#)
- [Postgraduate Education Resident Leaves Procedure](#)

### **AUTHORITIES AND OFFICERS**

The following is a list of authorities and officers for this policy:

- a. Approving Authority: Associate Dean, PGME & HS
- b. Responsible Officer: Associate Dean, PGME & HS
- c. Procedural Authority: Senior Director, PGME & HS
- d. Procedural Officer: Senior Director, PGME & HS

### **Review and Revision History**

**Review Period:** 3 years

**Date for Next Review:** 2025 06 10