




THE COLLEGE OF MEDICAL LABORATORY TECHNOLOGISTS OF ONTARIO (CMLTO)

ICRC # 08

Privacy Breaches

Inquiries, Complaints & Reports Committee

DATE APPROVED BY COMMITTEE	:	October 23, 2025
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DATE REVIEWED	:	
DATE REVISED	:	
NEXT REVIEW DATE	:	October 23, 2028
REVIEW FREQUENCY	:	3 years
KEY WORDS	:	
LEGISLATIVE REFERENCES	:	<i>Regulated Health Professions Act, 1991</i>
REFERENCE MATERIALS	:	
APPENDICES	:	
COLLEGE CONTACT	:	Megan MacQuarrie Senior Director, Regulatory Programs John Tzountzouris Registrar & CEO
COMMITTEE CHAIR SIGNATURE		 Walter Hewus October 23, 2025



1.0 INTRODUCTION

Medical Laboratory Technologists (MLTs) obligation to maintain patient privacy and confidentiality is a Standard of Practice. Failure to do so is considered professional misconduct. Privacy breaches involve Registrants accessing personal health information about a patient when the Registrant is not within the Circle of Care for that patient. Privacy breaches, intentional or not, diminish patient trust in the profession and jeopardize the College's mandate of public protection. The Inquiries, Complaints and Reports Committee has no tolerance for Registrants who commit privacy breaches and recognizes the need for immediate intervention to address such conduct.

2.0 BACKGROUND

3.0 THE POLICY

Reports, inquiries, or complaints that relate to privacy breaches will be acknowledged and the Registrant will be provided with the opportunity to make written submissions in alignment with legislative timelines. Upon receipt of the available information, the Registrar will consider the following when determining next steps in the process:

1. The nature of the breach (e.g., intentional, unintentional)
2. The type of information and with whom the information was shared (e.g., name, information about health conditions, diagnoses, procedures)
3. The breadth of the breach (e.g., how many files were accessed, how many times did the access occur)
4. The Registrant's response (e.g., did they self-disclose to the College, have they expressed remorse or insight)
5. All other information (e.g., impact on patient, Registrant learnings, employer responses including workplace improvement plans or discipline)

The Registrar will determine next steps in alignment with legislation, which may include referral to the Inquiries, Complaints and Reports Committee for the appointment of an investigator. Where the Registrar is of the opinion that voluntary remediation (i.e., by way of an undertaking) may appropriately address the conduct, the



Registrant will be required to enter into an Acknowledgement and Undertaking with the College that includes the following:

1. Acknowledging, among other things, that the Registrant's conduct could be seen as an act of professional misconduct;
2. Reviewing CMLTO resources, as deemed appropriate by the Registrar, related to privacy;
3. Completing and submitting an essay, acceptable to the Registrar, regarding the Registrant's learnings related to privacy which demonstrate insight into their privacy breach; and
4. Participating in a 60-minute mentorship session, at the Registrant's expense, regarding confidentiality of patient information.

If the Registrant declines to enter into such an Undertaking, then the Registrar will refer the matter to the ICRC for its consideration.

4.0 PURPOSE *(Intent)*

5.0 SCOPE *(The policy applies to)*

This policy applies to the Inquires, Complaints and Reports Committee which provides direction to the Registrar regarding confidentiality breaches by Registrants.

6.0 COMMITTEE PROCESS AND PROCEDURES *(If applicable)*

- Inquiries, Complaints and Reports Committee Terms of Reference and Mandate
- *Regulated Health Professions Act, 1991*
- Health Professions Procedural Code

7.0 PRINCIPLES

8.0 DEFINITIONS

Circle of Care is defined as those who are providing an authorized service to a patient and may require access to a patient's personal health information in order to do so.

9.0 EXCEPTIONS
