

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX;](#)
Subject: FW: MEDIA REQUEST: investigation
Date: Monday, September 23, 2013 10:22:43 AM

Wendy Taylor

250 952 6161 Office
s.17 Cell

-----Original Message-----

From: Whitmarsh, Graham HLTH:EX
Sent: Friday, September 7, 2012 12:57 PM
To: Jabs, Ryan GCPE:EX; Carroll, Sandra HLTH:EX; Walman, Barbara J. HLTH:EX; Taylor, Wendy E LCTZ:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: MEDIA REQUEST: investigation

No we cannot and will not release due to the investigation. The "get back" is that we cannot release.

-----Original Message-----

From: Jabs, Ryan GCPE:EX
Sent: Friday, September 07, 2012 12:56 PM
To: Whitmarsh, Graham HLTH:EX; Carroll, Sandra HLTH:EX; Walman, Barbara J. HLTH:EX; Taylor, Wendy E LCTZ:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: MEDIA REQUEST: investigation

Regarding his first question... minister said we'd "definitely" get back to him on that. CBC has also called for this list. Can we release the list of contracts to them or advice on response?

Reporter: So are other drugs asides from Alzheimer s drugs affected?
MacDiarmid: I can't tell you at this point. I'm not aware of which particular drug or which particular studies have been suspended. We can definitely get back to you about that.

Ryan Jabs

Manager, Media Relations and Issues Management Ministry of Health
Communications Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

-----Original Message-----

From: Whitmarsh, Graham HLTH:EX
Sent: Friday, September 7, 2012 12:52 PM
To: Jabs, Ryan GCPE:EX; Carroll, Sandra HLTH:EX; Walman, Barbara J. HLTH:EX; Taylor, Wendy E LCTZ:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: MEDIA REQUEST: investigation

s.13

-----Original Message-----

From: Jabs, Ryan GCPE:EX
Sent: Friday, September 07, 2012 12:51 PM
To: Carroll, Sandra HLTH:EX; Whitmarsh, Graham HLTH:EX; Walman, Barbara J. HLTH:EX; Taylor, Wendy E LCTZ:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: MEDIA REQUEST: investigation

s.15, s.22

Ryan Jabs
Manager, Media Relations and Issues Management Ministry of Health
Communications Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

-----Original Message-----

From: Carroll, Sandra HLTH:EX
Sent: Friday, September 7, 2012 12:45 PM
To: Whitmarsh, Graham HLTH:EX; Walman, Barbara J. HLTH:EX; Jabs, Ryan GCPE:EX; Taylor, Wendy E LCTZ:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: MEDIA REQUEST: investigation

s.22

-----Original Message-----

From: Whitmarsh, Graham HLTH:EX
Sent: Friday, September 7, 2012 12:40 PM
To: Walman, Barbara J. HLTH:EX; Jabs, Ryan GCPE:EX; Taylor, Wendy E LCTZ:EX; Carroll, Sandra HLTH:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: MEDIA REQUEST: investigation

s.13

-----Original Message-----

From: Walman, Barbara J. HLTH:EX
Sent: Friday, September 07, 2012 12:33 PM
To: Walman, Barbara J. HLTH:EX; Jabs, Ryan GCPE:EX; Whitmarsh, Graham HLTH:EX; Taylor, Wendy E LCTZ:EX; Carroll, Sandra HLTH:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: MEDIA REQUEST: investigation

Sorry,

s.22

Barbara Walman
Assistant Deputy Minister
Pharmaceutical Services
Ministry of Health
Phone: (250) 952-1705

-----Original Message-----

From: Walman, Barbara J. HLTH:EX
Sent: Friday, September 7, 2012 12:31 PM
To: Jabs, Ryan GCPE:EX; Whitmarsh, Graham HLTH:EX; Taylor, Wendy E LCTZ:EX; Carroll, Sandra HLTH:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: MEDIA REQUEST: investigation

s.22

Barbara Walman
Assistant Deputy Minister
Pharmaceutical Services

Ministry of Health
Phone: (250) 952-1705

-----Original Message-----

From: Jabs, Ryan GCPE:EX
Sent: Friday, September 7, 2012 12:24 PM
To: Whitmarsh, Graham HLTH:EX; Walman, Barbara J. HLTH:EX; Taylor, Wendy E LCTZ:EX; Carroll, Sandra HLTH:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: MEDIA REQUEST: investigation
Importance: High

Anybody know what his second question means before I call him?

On his first, okay to let him know it's the subject of the investigation and we can't provide details at this time?

Ryan Jabs
Manager, Media Relations and Issues Management Ministry of Health
Communications Government Communications and Public Engagement
(250) 952-3387
Cell: ^{s.17}
Ryan.Jabs@gov.bc.ca

-----Original Message-----

From: Andrew MacLeod [<mailto:amacleod@thetyee.ca>]
Sent: Friday, September 7, 2012 12:23 PM
To: Jabs, Ryan GCPE:EX
Subject: investigation

Hi Ryan--

Nice to meet you in person and put a fact to the name yesterday. The minister said you guys would get back to me about which specific drugs and studies are affected. Is there anything you can tell me?

Also, she said no elected person at any political level is involved. I understand that's incorrect. Did she misspeak or not know?

Thanks . . .

All the best,
Andrew

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX;](#)
Subject: FW: MEDIA REQUEST: investigation
Date: Monday, September 23, 2013 10:22:57 AM

Wendy Taylor

250 952 6161 Office
s.17 Cell

-----Original Message-----

From: Whitmarsh, Graham HLTH:EX
Sent: Friday, September 7, 2012 1:01 PM
To: Jabs, Ryan GCPE:EX; Carroll, Sandra HLTH:EX; Walman, Barbara J. HLTH:EX; Taylor, Wendy E LCTZ:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: MEDIA REQUEST: investigation

s.13

-----Original Message-----

From: Jabs, Ryan GCPE:EX
Sent: Friday, September 07, 2012 12:56 PM
To: Whitmarsh, Graham HLTH:EX; Carroll, Sandra HLTH:EX; Walman, Barbara J. HLTH:EX; Taylor, Wendy E LCTZ:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: MEDIA REQUEST: investigation

Regarding his first question... minister said we'd "definitely" get back to him on that. CBC has also called for this list. Can we release the list of contracts to them or advice on response?

Reporter: So are other drugs asides from Alzheimer s drugs affected?

MacDiarmid: I can't tell you at this point. I'm not aware of which particular drug or which particular studies have been suspended. We can definitely get back to you about that.

Ryan Jabs
Manager, Media Relations and Issues Management Ministry of Health

Communications Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

-----Original Message-----

From: Whitmarsh, Graham HLTH:EX
Sent: Friday, September 7, 2012 12:52 PM
To: Jabs, Ryan GCPE:EX; Carroll, Sandra HLTH:EX; Walman, Barbara J. HLTH:EX; Taylor, Wendy E LCTZ:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: MEDIA REQUEST: investigation

s.13

-----Original Message-----

From: Jabs, Ryan GCPE:EX
Sent: Friday, September 07, 2012 12:51 PM
To: Carroll, Sandra HLTH:EX; Whitmarsh, Graham HLTH:EX; Walman, Barbara J. HLTH:EX; Taylor, Wendy E LCTZ:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: MEDIA REQUEST: investigation

s.15, s.22

Ryan Jabs
Manager, Media Relations and Issues Management Ministry of Health
Communications Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

-----Original Message-----

From: Carroll, Sandra HLTH:EX
Sent: Friday, September 7, 2012 12:45 PM
To: Whitmarsh, Graham HLTH:EX; Walman, Barbara J. HLTH:EX; Jabs, Ryan GCPE:EX; Taylor, Wendy E LCTZ:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: MEDIA REQUEST: investigation

s.22

-----Original Message-----

From: Whitmarsh, Graham HLTH:EX

Sent: Friday, September 7, 2012 12:40 PM

To: Walman, Barbara J. HLTH:EX; Jabs, Ryan GCPE:EX; Taylor, Wendy E LCTZ:EX; Carroll, Sandra HLTH:EX

Cc: Hagerman, Shannon GCPE:EX

Subject: RE: MEDIA REQUEST: investigation

s.13

-----Original Message-----

From: Walman, Barbara J. HLTH:EX

Sent: Friday, September 07, 2012 12:33 PM

To: Walman, Barbara J. HLTH:EX; Jabs, Ryan GCPE:EX; Whitmarsh, Graham HLTH:EX; Taylor, Wendy E LCTZ:EX; Carroll, Sandra HLTH:EX

Cc: Hagerman, Shannon GCPE:EX

Subject: RE: MEDIA REQUEST: investigation

Sorry, s.22

Barbara Walman
Assistant Deputy Minister
Pharmaceutical Services
Ministry of Health
Phone: (250) 952-1705

-----Original Message-----

From: Walman, Barbara J. HLTH:EX

Sent: Friday, September 7, 2012 12:31 PM

To: Jabs, Ryan GCPE:EX; Whitmarsh, Graham HLTH:EX; Taylor, Wendy E LCTZ:EX; Carroll, Sandra HLTH:EX

Cc: Hagerman, Shannon GCPE:EX

Subject: RE: MEDIA REQUEST: investigation

s.22

Barbara Walman
Assistant Deputy Minister
Pharmaceutical Services
Ministry of Health
Phone: (250) 952-1705

-----Original Message-----

From: Jabs, Ryan GCPE:EX

Sent: Friday, September 7, 2012 12:24 PM

To: Whitmarsh, Graham HLTH:EX; Walman, Barbara J. HLTH:EX; Taylor, Wendy E LCTZ:EX; Carroll, Sandra HLTH:EX

Cc: Hagerman, Shannon GCPE:EX

Subject: MEDIA REQUEST: investigation

Importance: High

Anybody know what his second question means before I call him?

On his first, okay to let him know it's the subject of the investigation and we can't provide details at this time?

Ryan Jabs

Manager, Media Relations and Issues Management Ministry of Health
Communications Government Communications and Public Engagement
(250) 952-3387

Cell: s.17

Ryan.Jabs@gov.bc.ca

-----Original Message-----

From: Andrew MacLeod [<mailto:amacleod@thetyee.ca>]

Sent: Friday, September 7, 2012 12:23 PM

To: Jabs, Ryan GCPE:EX

Subject: investigation

Hi Ryan--

Nice to meet you in person and put a fact to the name yesterday. The minister said you guys would get back to me about which specific drugs and studies are affected. Is there anything you can tell me?

Also, she said no elected person at any political level is involved. I understand that's incorrect. Did she misspeak or not know?

Thanks . . .

All the best,
Andrew

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX;](#)
Subject: FW: Harnett - note on privacy breach tip
Date: Monday, September 23, 2013 10:29:17 AM

Wendy Taylor

250 952 6161 Office
s.17 Cell

-----Original Message-----

From: Jabs, Ryan GCPE:EX
Sent: Friday, September 28, 2012 4:13 PM
To: Whitmarsh, Graham HLTH:EX
Cc: Sidhu, Manjit HLTH:EX; Hagerman, Shannon GCPE:EX; Taylor, Wendy E LCTZ:EX; Kislock, Lindsay M HLTH:EX; May, Stephen GCPE:EX
Subject: RE: Harnett - note on privacy breach tip

Will do.

Ryan Jabs

Manager, Media Relations and Issues Management Ministry of Health
Communications Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

-----Original Message-----

From: Whitmarsh, Graham HLTH:EX
Sent: Friday, September 28, 2012 4:11 PM
To: Jabs, Ryan GCPE:EX
Cc: Sidhu, Manjit HLTH:EX; Hagerman, Shannon GCPE:EX; Taylor, Wendy E LCTZ:EX; Kislock, Lindsay M HLTH:EX; May, Stephen GCPE:EX
Subject: Re: Harnett - note on privacy breach tip

s.13

Sent from my iPhone

On 2012-09-28, at 4:06 PM, "Jabs, Ryan GCPE:EX" <Ryan.Jabs@gov.bc.ca> wrote:

>
> Ryan Jabs
> Manager, Media Relations and Issues Management Ministry of Health
> Communications Government Communications and Public Engagement
> (250) 952-3387
> Cell: s.17
> Ryan.Jabs@gov.bc.ca
>
>
> -----Original Message-----
> From: Whitmarsh, Graham HLTH:EX
> Sent: Friday, September 28, 2012 4:06 PM
> To: Sidhu, Manjit HLTH:EX
> Cc: Hagerman, Shannon GCPE:EX; Jabs, Ryan GCPE:EX; Taylor, Wendy E
LCTZ:EX; Kislock, Lindsay M HLTH:EX; May, Stephen GCPE:EX
> Subject: Re: Harnett - note on privacy breach tip
>
> I may have mentioned this in my background broef, can Ryan check transcript
>
> Sent from my iPhone
>
> On 2012-09-28, at 3:35 PM, "Sidhu, Manjit HLTH:EX" <Manjit.Sidhu@gov.bc.ca> wrote:
>
>> All we have said previously is that it was an anonymous tip.
>>
>> -----Original Message-----
>> From: Hagerman, Shannon GCPE:EX
>> Sent: Friday, September 28, 2012 3:27 PM
>> To: Jabs, Ryan GCPE:EX; Whitmarsh, Graham HLTH:EX; Taylor, Wendy E
LCTZ:EX; Kislock, Lindsay M HLTH:EX; Sidhu, Manjit HLTH:EX
>> Cc: May, Stephen GCPE:EX
>> Subject: Re: Harnett - note on privacy breach tip
>>

>>
>> ----- Original Message -----
>> From: Jabs, Ryan GCPE:EX

>> Sent: Friday, September 28, 2012 03:24 PM
>> To: Whitmarsh, Graham HLTH:EX; Taylor, Wendy E LCTZ:EX; Kislock,
Lindsay M HLTH:EX; Sidhu, Manjit HLTH:EX
>> Cc: May, Stephen GCPE:EX; Hagerman, Shannon GCPE:EX
>> Subject: Harnett - note on privacy breach tip

>>

>> s.13

>>

>> Ryan Jabs

>> Manager, Media Relations and Issues Management Ministry of Health
Communications Government Communications and Public Engagement

>> (250) 952-3387

>> Cell: s.17

>> Ryan.Jabs@gov.bc.ca

>>

>>

>> -----Original Message-----

>> From: Harnett, Cindy (Times-Colonist) [<mailto:CHarnett@timescolonist.com>]

>> Sent: Friday, September 28, 2012 3:06 PM

>> To: Jabs, Ryan GCPE:EX

>> Subject: <no subject>

>>

s.15

>>

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX;](#)
Subject: FW: CCHS privacy breach
Date: Monday, September 23, 2013 10:31:35 AM

Wendy Taylor

250 952 6161 Office
s.17 Cell

From: Paton, Arlene HLTH:EX
Sent: Tuesday, October 16, 2012 12:53 PM
To: Taylor, Wendy E LCTZ:EX
Subject: CCHS privacy breach

s.15, s.22

s.15, s.22

s.15, s.22

any clarity you can provide on this!

Thanks for

Regards,

Arlene Paton
Assistant Deputy Minister
Population and Public Health
Ministry of Health
Tel: 250-952-1731

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX;](#)
Subject: FW: Final Notification_3 DRAFT October 15 2012.docx
Date: Monday, September 23, 2013 10:31:54 AM
Attachments: [Final Notification_3 DRAFT October 15 2012.docx](#)

Wendy Taylor

250 952 6161 Office
s.17 Cell

From: Murdock, Melissa HLTH:EX
Sent: Wednesday, October 17, 2012 11:04 AM
To: Wong, Shirley M HLTH:EX; Taylor, Wendy E LCTZ:EX
Subject: Final Notification_3 DRAFT October 15 2012.docx

Good Morning,

Revised Notification of Breach letter, attached.
Population Data BC has agreed to issue the final letter of notification per the existing terms of our service agreement. Kindly confirm the revisions, and I shall pass on to Popdata accordingly.

Many thanks,
Melissa.

Melissa Murdock, MA | A/Director, Data Research | Office of the Chief Data Steward | Information Management and Knowledge Services | Ministry of Health | Ph: 250 952 2280; Fax: 250 952 2002 | 2-1 1515 Blanshard St. Victoria BC V8W 3C8

 Please consider the environment before printing

This e-mail is intended solely for the person or entity to which it is addressed and may contain confidential and/or privileged information. Any review, dissemination, copying, printing or other use of this e-mail by persons or entities other than the addressee is prohibited. If you have received this e-mail in error, please contact the sender immediately and delete the material from any computer.

SERVICE ACCOUNTABILITY TEAMWORK CURIOSITY PASSION COURAGE
I N T E G R I T Y

<DATE>

<Title> <First Name> <Last Name>
<Organization Name>
<Address>
<City>, <Province> <Postal Code>

<Project #> - <Project Title>

Dear Dr. <Last Name>,

Our records indicate that you are currently in breach of your Research Agreement with the Ministry of Health (the Ministry) dated >>>>. We require your immediate attention to this matter.

Our attempts to contact you by email, telephone, and mail in late 2011 and early 2012 have been unsuccessful.

Please provide your contact information and the best available time to discuss this matter with a Population Data BC representative to >>>> as soon as possible.

If Population Data BC does not hear from you within **30 calendar days from the date of this letter**, the following organizations may be contacted to inform of the breach:

1. The Chief Data Steward, Ministry of Health, for having approved the original disclosure;
2. The Deans and/or Vice Presidents of Research at your respective research institution;
3. The grant funding agency on record for having sponsored the above project;
4. The Research Ethics Board on record for having issued ethics approval for the above project.

In addition to the above, you may no longer qualify, either now or in the future, for data access via Population Data BC.

Please note that as per your Research Agreement, a representative may conduct on-site visits, inspections, or investigations as deemed necessary to ensure compliance with privacy legislation.

Thank you in advance for your cooperation. We look forward to hearing from you.

Sincerely,

Population Data BC

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX;](#)
Subject: FW: MEDIA REQUEST: URGENT
Date: Monday, September 23, 2013 10:48:30 AM

Wendy Taylor

250 952 6161 Office
s.17 Cell

From: Kislock, Lindsay M HLTH:EX
Sent: Tuesday, December 4, 2012 12:39 PM
To: Taylor, Wendy E CITZ:EX
Subject: FW: MEDIA REQUEST: URGENT

URGENT – will the OIPC be ok with “consult”?

From: Jabs, Ryan GCPE:EX
Sent: Tuesday, December 4, 2012 12:36 PM
To: Whitmarsh, Graham HLTH:EX; Kislock, Lindsay M HLTH:EX; Carroll, Sandra HLTH:EX; Walman, Barbara J. HLTH:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: MEDIA REQUEST: Tyee - Privacy notification / arbitration dates - DL ASAP

Okay to provide?

We continue to review the potential privacy implications of the investigation we announced in September, and we are continuing to share information and consult with the Office of the Information and Privacy Commissioner about this matter. At this time, we don't have anything further to provide, but we remain committed to keeping the public informed.

Regarding the arbitration dates: The ministry is not solely responsible for scheduling these sessions, and we have not intentionally delayed them in any way. They are scheduled by the BCGEU, the employer, legal counsel, the arbitrator and the key witnesses, based on the availability of all parties – particularly the arbitrators who are booked months in advance. You could contact the Labour Relations Board for an explanation of how these sessions are booked.

Ryan Jabs
Manager, Media Relations and Issues Management
Ministry of Health Communications
Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

From: Jabs, Ryan GCPE:EX
Sent: Tuesday, December 4, 2012 11:21 AM
To: Whitmarsh, Graham HLTH:EX; Kislock, Lindsay M HLTH:EX; Carroll, Sandra HLTH:EX; Walman, Barbara J. HLTH:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: MEDIA REQUEST: Tyee - Privacy notification / arbitration dates - DL ASAP
Importance: High

I just spoke to Andrew MacLeod about the news conference who asked me a couple things:

He's heard that we were planning to "lay it all out" in the next little while and wanted to know if this is the case. I said we'll provide more info as soon as we can, but we may not for a while be able to provide a full update on what happened, because of the court issues and other issues surrounding this.

He also would like to know "why we delayed sending out notifications about the privacy breach to the public"? And "how many people were we supposed to notify"? I told him I'd look into it, but we're still sifting through the privacy piece and consulting with the commissioner to determine who, if anyone, we would need to notify...

He also asked about us delaying the dates for the arbitration hearing... I said this did not happen, but I'd get him something if he needs it. All parties set these dates... I think he's dropped this piece.

Reporter: Andrew MacLeod
Media Outlet: Tyee
Telephone:
Call received:
Deadline:
Topic/request:

He had three questions

Ryan Jabs
Manager, Media Relations and Issues Management
Ministry of Health Communications
Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

Page 18 redacted for the following reason:

s.13

Ministry of Health Communications
Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

From: May, Stephen GCPE:EX
Sent: Thursday, October 18, 2012 8:04 AM
To: Jabs, Ryan GCPE:EX; Anderson, Kristy GCPE:EX; Hagerman, Shannon GCPE:EX; Belanger, Matthew GCPE:EX
Subject: Signed-off IN_StatsCan_Data Sharing Agreement cancellation_Oct 17_12_FINAL

Signed off by Wendy Taylor and Lindsay Kislock. Not for wide distribution.

Stephen May | Government Communications and Public Engagement
Ministry of Health
P: 250-952-3401
C: s.17
F: 250-952-1883

Pages 20 through 21 redacted for the following reasons:

s.13

From: Jabs, Ryan GCPE:EX
Sent: Wednesday, October 24, 2012 9:45 AM
To: HLTH, MMM HLTH:EX; Coburn, Lindsay HLTH:EX; Manning, John HLTH:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: RE: Calls - Cindy Harnett called - s.22

Hi Margaret,

Cindy called me back... she would love to chat with you if you have time after your morning meetings to discuss the "seriousness" of the investigation leading to this termination and whether it's expanding or narrowing (similar to her question yesterday on magnitude in government investigations).

Recommended response:

- This is a complex investigation into a serious matter, and our investigation continues.
- While I won't speculate on where it fits in with other investigations, the circumstances here are clearly unusual and extra-ordinary.
- This is why we've taken the steps we have.
- At this point, we have terminated s.22 reflecting the evidence we've gathered.
- I will not speculate on any further actions -- other than to say we will take whatever steps necessary to ensure that our processes and rules are followed.

She also is fishing for info on who the s.22 terminated person is and why they would be terminated s.13, s.22

s.13, s.22

Recommended response:

- We can only confirm that based on findings from our investigation we have terminated s.22 ministry employee.
- We must respect each person's right to privacy and the investigation process that continues.
- At no time have we mentioned or confirmed who any of the individuals are.
- We will not be able to comment on, confirm or deny any additional personnel information related to employees, including names, employment status, or particular rationale for termination or suspension.
- However, each individual who has been terminated received a letter clearly outlining the reasons for termination.

She hasn't asked about the privacy angle, but if she does, recommended response:

- We are continuing our investigation.
- I have committed to be transparent and open with the public about this, and when we have more information to communicate, we will provide an update.

Ryan Jabs
Manager, Media Relations and Issues Management
Ministry of Health Communications
Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

-----Original Message-----

From: HLTH, MMM HLTH:EX

Sent: Wednesday, October 24, 2012 8:19 AM

To: Coburn, Lindsay HLTH:EX; Manning, John HLTH:EX; Jabs, Ryan GCPE:EX

Subject: Calls

Made the calls to Cindy and Andrew.. Unfortunately neither answered but I left detailed voice mails. I said there is not much more that I can say, but if they have either questions to contact the ministry. I said I am available after 12 pm. Hopefully they have what they need.

Thanks,
Margaret

Sent from my iPad

Armstrong, Wendy HLTH:EX

From: Taylor, Wendy E CITZ:EX
Sent: Wednesday, September 18, 2013 10:44 AM
To: Armstrong, Wendy HLTH:EX
Subject: FW: TNO: Jonathan Fowlie - Health ministry suspends workers over privacy breach - Vancouver Sun

Wendy Taylor

250 952 6161 Office
s.17 Cell

From: Kislock, Lindsay M HLTH:EX
Sent: Thursday, September 6, 2012 1:46 PM
To: Taylor, Wendy E LCTZ:EX
Subject: Re: TNO: Jonathan Fowlie - Health ministry suspends workers over privacy breach - Vancouver Sun

Let's try for 3 pm - it will be midnight but I could possibly stay awake.

From: Taylor, Wendy E LCTZ:EX
Sent: Thursday, September 06, 2012 12:28 PM
To: Kislock, Lindsay M HLTH:EX
Subject: RE: TNO: Jonathan Fowlie - Health ministry suspends workers over privacy breach - Vancouver Sun

I am in meetings till 3 12 now.

Wendy Taylor

250 952 6161 Office
s.17 Cell
240 350 1182 Fax

From: Kislock, Lindsay M HLTH:EX
Sent: Thursday, September 6, 2012 12:28 PM
To: Taylor, Wendy E LCTZ:EX
Subject: Re: TNO: Jonathan Fowlie - Health ministry suspends workers over privacy breach - Vancouver Sun

s.22 out anytime after 45 min from now

From: Taylor, Wendy E LCTZ:EX
Sent: Thursday, September 06, 2012 07:29 AM
To: Kislock, Lindsay M HLTH:EX
Subject: Re: TNO: Jonathan Fowlie - Health ministry suspends workers over privacy breach - Vancouver Sun

Are u able to skype

Sent from my iPhone

On 2012-09-06, at 7:07 AM, "Kislock, Lindsay M HLTH:EX" <Lindsay.Kislock@gov.bc.ca> wrote:

Any idea where the tip came from?

Sent from my iPad

On 2012-09-06, at 4:05 PM, "Taylor, Wendy E LCTZ:EX" <Wendy.Taylor@gov.bc.ca> wrote:

No. The sun contacted the ministry ministry responding today.

Sent from my iPhone

On 2012-09-06, at 6:50 AM, "Kislock, Lindsay M HLTH:EX" <Lindsay.Kislock@gov.bc.ca> wrote:

Where did this article come from -NR?

From: Taylor, Wendy E LCTZ:EX
Sent: Thursday, September 06, 2012 06:16 AM
To: Kislock, Lindsay M HLTH:EX
Subject: Fwd: TNO: Jonathan Fowlie - Health ministry suspends workers over privacy breach - Vancouver Sun

Hi today graham is going to do news conf with new minister here is the sun story.

Sent from my iPhone

Begin forwarded message:

From: "Hagerman, Shannon GCPE:EX" <Shannon.Hagerman@gov.bc.ca>
Date: 6 September, 2012 6:01:28 AM PDT
To: "Whitmarsh, Graham HLTH:EX" <Graham.Whitmarsh@gov.bc.ca>, "Walman, Barbara J. HLTH:EX" <Barbara.Walman@gov.bc.ca>, "Carroll, Sandra HLTH:EX" <Sandra.Carroll@gov.bc.ca>, "Sidhu, Manjit HLTH:EX" <Manjit.Sidhu@gov.bc.ca>, "Taylor, Wendy E LCTZ:EX" <Wendy.Taylor@gov.bc.ca>, "Samsonoff, Dale J HLTH:EX" <Dale.Samsonoff@gov.bc.ca>, "Foran, Grace E HLTH:EX" <Grace.Foran@gov.bc.ca>
Cc: "Jabs, Ryan GCPE:EX" <Ryan.Jabs@gov.bc.ca>
Subject: Fw: TNO: Jonathan Fowlie - Health ministry suspends workers over privacy breach - Vancouver Sun

Here is the Sun story.

Pages 26 through 27 redacted for the following reasons:

s.3

Armstrong, Wendy HLTH:EX

From: Taylor, Wendy E CITZ:EX
Sent: Wednesday, September 18, 2013 10:42 AM
To: Armstrong, Wendy HLTH:EX
Subject: FW: TNO: Jonathan Fowlie - Health ministry suspends workers over privacy breach - Vancouver Sun

Wendy Taylor

250 952 6161 Office
s.17 Cell

From: Hagerman, Shannon GCPE:EX
Sent: Thursday, September 6, 2012 6:52 AM
To: Jabs, Ryan GCPE:EX; Whitmarsh, Graham HLTH:EX; Walman, Barbara J. HLTH:EX; Carroll, Sandra HLTH:EX; Sidhu, Manjit HLTH:EX; Taylor, Wendy E LCTZ:EX; Samsonoff, Dale J HLTH:EX; Foran, Grace E HLTH:EX
Subject: Re: TNO: Jonathan Fowlie - Health ministry suspends workers over privacy breach - Vancouver Sun

I think story overall is good framing of matter.

From: Jabs, Ryan GCPE:EX
Sent: Thursday, September 06, 2012 06:30 AM
To: Hagerman, Shannon GCPE:EX; Whitmarsh, Graham HLTH:EX; Walman, Barbara J. HLTH:EX; Carroll, Sandra HLTH:EX; Sidhu, Manjit HLTH:EX; Taylor, Wendy E LCTZ:EX; Samsonoff, Dale J HLTH:EX; Foran, Grace E HLTH:EX
Subject: Re: TNO: Jonathan Fowlie - Health ministry suspends workers over privacy breach - Vancouver Sun

s.13

From: Hagerman, Shannon GCPE:EX
Sent: Thursday, September 06, 2012 06:01 AM
To: Whitmarsh, Graham HLTH:EX; Walman, Barbara J. HLTH:EX; Carroll, Sandra HLTH:EX; Sidhu, Manjit HLTH:EX; Taylor, Wendy E LCTZ:EX; Samsonoff, Dale J HLTH:EX; Foran, Grace E HLTH:EX
Cc: Jabs, Ryan GCPE:EX
Subject: Fw: TNO: Jonathan Fowlie - Health ministry suspends workers over privacy breach - Vancouver Sun

Here is the Sun story.

From: tno@gov.bc.ca [mailto:tno@gov.bc.ca]
Sent: Thursday, September 06, 2012 05:25 AM
Subject: TNO: Jonathan Fowlie - Health ministry suspends workers over privacy breach - Vancouver Sun

s.3

Page 29 redacted for the following reason:

s.3

Armstrong, Wendy HLTH:EX

From: Taylor, Wendy E CITZ:EX
Sent: Wednesday, September 18, 2013 10:44 AM
To: Armstrong, Wendy HLTH:EX
Subject: FW: In the News: Health ministry suspends workers over privacy breach

Wendy Taylor

250 952 6161 Office
s.17 Cell

From: Swiatlowski, Alan HLTH:EX
Sent: Thursday, September 6, 2012 2:57 PM
To: Taylor, Wendy E LCTZ:EX
Cc: Rintoul, Don B HLTH:EX
Subject: RE: In the News: Health ministry suspends workers over privacy breach

I got pulled away for a couple hours today, on another matter, but am back on this project. At this time, Roy has now provided me and Don with all of the e-mail files, so I am working on that task right now.

Thanks,
Alan

From: Taylor, Wendy E LCTZ:EX
Sent: Thursday, September 6, 2012 12:54 PM
To: Swiatlowski, Alan HLTH:EX
Subject: Re: In the News: Health ministry suspends workers over privacy breach

Thanks I am working on it. How is the review going?

Sent from my iPhone

On 2012-09-06, at 9:45 AM, "Swiatlowski, Alan HLTH:EX" <Alan.Swiatlowski@gov.bc.ca> wrote:

Fyi, (If you don't already know...)

Subject: In the News: Health ministry suspends workers over privacy breach

s.3

Pages 31 through 41 redacted for the following reasons:

s.14

s.3

Armstrong, Wendy HLTH:EX

From: Taylor, Wendy E CITZ:EX
Sent: Wednesday, September 18, 2013 10:40 AM
To: Armstrong, Wendy HLTH:EX
Subject: FW: Confidential materials - HR / PSD
Attachments: SN_de Jong_Research_v1.docx; 2012.09.05_Research_NR_DRAFT_v3.doc; 2012.09.05_Research_Statement_DRAFT_v2.doc; IN_UPDATE_DRAFT_data access investigation_Sep 5 2012 revision.docx; SN_Whitmarsh_Research_v3_Sept 5 2012.docx; 2012 09_05_QA_Research_v3 doc.docx; 2012.08.30_rollout_Research_v1.doc

Wendy Taylor

250-952-6161 Office

s.17 Cell

From: Walman, Barbara J. HLTH:EX
Sent: Wednesday, September 5, 2012 1:03 PM
To: Whitmarsh, Graham HLTH:EX; Carroll, Sandra HLTH:EX; Sidhu, Manjit HLTH:EX; Taylor, Wendy E LCTZ:EX
Cc: Hagerman, Shannon GCPE:EX; Jabs, Ryan GCPE:EX
Subject: FW: Confidential materials - HR / PSD

Hi, the one area we didn't talk about is the internal communication plan...perhaps we can add that to the next meeting agenda, thanks

Barbara Walman
Assistant Deputy Minister
Pharmaceutical Services
Ministry of Health
Phone: (250) 952-1705

From: Jabs, Ryan GCPE:EX
Sent: Wednesday, September 5, 2012 8:50 AM
To: Whitmarsh, Graham HLTH:EX; Walman, Barbara J. HLTH:EX; Sidhu, Manjit HLTH:EX; Taylor, Wendy E LCTZ:EX; Samsonoff, Dale J HLTH:EX; Carroll, Sandra HLTH:EX
Cc: Hagerman, Shannon GCPE:EX; Belanger, Matthew GCPE:EX
Subject: Confidential materials - HR / PSD

**Please do not forward.

Hi folks,

Here's the most recent material. We've made the changes that Graham, Wendy and Barbara requested. Please let me know if you have any others at this point. Still looking for confirmation on a couple details related to number and amount of contracts and when the formal investigation began (May or June) and a timeline.

Changes in these versions also include:

- We revised Graham's speaking notes and included more concrete specifics
- We added two new next steps in the news release on steps we'll be taking to shore up data access and security.
- We added a new question 12 on privacy and edited question 11 also on privacy.

- We changed Wendy's title from lead "researcher" to lead "investigator."

We'll bring copies of this package to the meeting.

Thanks,

Ryan Jabs
Manager, Media Relations and Issues Management
Ministry of Health Communications
Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

Pages 44 through 47 redacted for the following reasons:

s.14

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX;](#)
Subject: FW: Priority 2 - QA review - ADM Kislock
Date: Monday, September 23, 2013 11:01:22 AM
Attachments: [QA_Investigation update _dec 12 2012_DRAFT.docx](#)

Wendy Taylor

250 952 6161 Office
s.17 ell

From: Hagerman, Shannon GCPE:EX
Sent: Wednesday, December 12, 2012 2:25 PM
To: Taylor, Wendy E CITZ:EX
Cc: Kislock, Lindsay M HLTH:EX; Jabs, Ryan GCPE:EX; MacDougall, Cindy GCPE:EX
Subject: Priority 2 - QA review - ADM Kislock
Importance: High

Wendy, would it be possible for you to review the attached QA document and provide your feedbacks by this Friday, Dec. 14 at 10AM?

I would like to share with Lindsay, Barb and Sandi on Friday AM, and then onto legal review/DM review. If I should send to another member of your team, please advise and I will do so.

You'll note that that a few questions are blank, as we're not confident enough in the correct answer to try to craft one.

Thanks in advance,
Shannon.

Armstrong, Wendy HLTH:EX

From: Taylor, Wendy E CITZ:EX
Sent: Wednesday, September 4, 2013 12:08 PM
To: Armstrong, Wendy HLTH:EX
Subject: FW: Take 2 - draft materials for Thursday Jan. 10th announcement - for 4PM briefing discussion
Attachments: News Release - Jan7draft_Justiceedits.doc; Minister's Speaking Points- JAN7_incJAGedits.doc; KM_investigation update jan 7 2013_DRAFT.docx; QA_Investigation update_Jan72013_JAGedits_untracked.doc; Public QAs (for web) Jan 7 -draft - incJAG edits.doc; MA_Investigation update_Jan7_2pm.docx; Direct notification letter 03Jan13 (3) (4).doc; 2012-0601-June 7, 2012 breach.tif; 2012-0601-June 28, 2012 breach.tif; 2012-0601-October 4, 2010 breach.tif; F12-49909 Graham Whitmarsh Letter_Final (23Oct2012).pdf; 947538 DM_Ltr_EDenham (121129).pdf; F12-49909 Graham Whitmarsh Letter_Final (13Dec2012) (4).pdf; Jan2 957551 - Denham.pdf

Importance: High

Please print all of these attachments for me pls.

Wendy Taylor

250.952.6161 Office
s.17 Cell

From: Manning, John HLTH:EX
Sent: Monday, January 7, 2013 2:25 PM
To: HLTH, MMM HLTH:EX
Cc: Coburn, Lindsay HLTH:EX; O'Brien, Kellie HLTH:EX; Briggs, Taylor HLTH:EX
Subject: Fw: Take 2 - draft materials for Thursday Jan. 10th announcement - for 4PM briefing discussion
Importance: High

Finals...

John Manning
Ministerial Assistant
Office of the Hon. Margaret MacDiarmid
Minister of Health
Province of British Columbia

T: 250.953.3547
F: 250.356.9587

From: Hagerman, Shannon GCPE:EX
Sent: Monday, January 07, 2013 02:20 PM
To: Manning, John HLTH:EX; Coburn, Lindsay HLTH:EX; O'Brien, Kellie HLTH:EX; Briggs, Taylor HLTH:EX
Cc: Whitmarsh, Graham HLTH:EX; Walman, Barbara J. HLTH:EX; Kislock, Lindsay M HLTH:EX; Carroll, Sandra HLTH:EX; Taylor, Wendy E CITZ:EX; MacKinnon, Mark HLBC:EX; Boomer, Joanne HLTH:EX; Jabs, Ryan GCPE:EX; Porter, Rodney GCPE:EX; MacDougall, Cindy GCPE:EX; Belanger, Matthew GCPE:EX
Subject: Take 2 - draft materials for Thursday Jan. 10th announcement - for 4PM briefing discussion

Please see attached for discussion during Monday's briefing the latest version of materials to support Thursday's announcement. These versions include new edits from JAG which we've incorporated.

As there are a number of attachments here – I've numbered them below, as follows:

1. News release
2. News Conference Speaking Notes
3. Key messages
4. Internal QA (for minister's media responses)
5. Public QA (for web posting)
6. Media advisory

Also attached for reference:

7. Draft copy of the letter being sent to an estimated 36,000 individuals (we do not have latest edits back from Justice yet).
8. Mock-up versions of the 3 data files s.14

s.14

And, written correspondence between MOH and OIPC.

9. Letter dated October 23 – to DM from OIPC
10. Letter dated November 29 – from DM to OIPC
11. Letter dated Dec. 13 – to DM from OIPC
12. Letter dated Jan. 2 – from DM to OIPC

-30-

Shannon Hagerman

Director of Communications, Ministry of Health
 Government Communications & Public Engagement
 Government of British Columbia | 1515 Blanshard St.
 T: 250-952-1889 | C: s.17 | E: shannon.hagerman@gov.bc.ca

Taylor, Wendy E CITZ:EX

From: Briggs, Taylor HLTH:EX
Sent: Thursday, December 6, 2012 4:51 PM
To: HLTH, MMM HLTH:EX
Subject: Fw: Draft news release and communications option document
Attachments: CP_investigation update_Dec5_DRAFT.doc; NR_investigation update_draft_Dec5.doc

Importance: High

As discussed

From: Manning, John HLTH:EX
Sent: Thursday, December 06, 2012 12:48 PM
To: HLTH, MMM HLTH:EX
Cc: Briggs, Taylor HLTH:EX; Coburn, Lindsay HLTH:EX; O'Brien, Kellie HLTH:EX
Subject: FW: Draft news release and communications option document

Hi Minister,

Attached is a first draft from our comm shop – for discussion/consideration.

Maybe Taylor can print off for you.

Thanks

John

John Manning | Ministerial Assistant
Office of the Honourable Margaret MacDiarmid
Minister of Health
Province of British Columbia
T: 250.953.3547 | F: 250.356.9587

From: Hagerman, Shannon GCPE:EX
Sent: Thursday, December 6, 2012 9:44 AM
To: Manning, John HLTH:EX; Coburn, Lindsay HLTH:EX
Cc: Jabs, Ryan GCPE:EX
Subject: Draft news release and communications option document
Importance: High

As requested, please see attached a draft news release and communications options document.

Important note: the news release still requires detailed review/approval; including legal review, and will need some additional updates/context around patient notification after we have heard back response from OPIC.

Please let me know your thoughts on this one.

Shannon Hagerman
Director of Communications, Ministry of Health
Government Communications & Public Engagement
Government of British Columbia | 1515 Blanshard St.
T: 250-952-1889 | C s.17 | E: shannon.hagerman@gov.bc.ca

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX;](#)
Subject: FW: NR_Investigation update_jan 2 2013_GW edits1253PM
Date: Monday, September 23, 2013 2:07:45 PM
Attachments: [2012-0601-June 7, 2012 breach.tif](#)
[2012-0601-June 28, 2012 breach.tif](#)
[2012-0601-October 4, 2010 breach.tif](#)
[NR_Investigation update_jan 2 2013_GW edits1253PM.doc](#)

Wendy Taylor

250 952 6161 Office
s.17 Cell

From: Taylor, Wendy E CITZ:EX
Sent: Thursday, January 3, 2013 2:48 PM
To: Hagerman, Shannon GCPE:EX; Jabs, Ryan GCPE:EX
Subject: FW: NR_Investigation update_jan 2 2013_GW edits1253PM

From: Rintoul, Don B HLTH:EX
Sent: Wednesday, January 2, 2013 6:14 PM
To: Taylor, Wendy E CITZ:EX
Subject: RE: NR_Investigation update_jan 2 2013_GW edits1253PM

Hi Wendy,

Here are the screens for the three incidences described in the update. For the plain-text October 4, 2010 file PHNs have been replaced with dummy data.

Don Rintoul
Director, Informatics
Information Management and Knowledge Services Branch
Ministry of Health
2-1, 1515 Blanshard St Victoria BC V8W 3C8
ph 250-952-1244/250-952-2002 fx/email Don.Rintoul@gov.bc.ca

P Please consider the environment before printing this email

From:

Sent: Wednesday, January 2, 2013 1:15 PM

To: Rintoul, Don B HLTH:EX

Subject: NR_Investigation update_jan 2 2013_GW edits1253PM

Can you read thru for accuracy for me pls.

Thanks

Wendy

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX;](#)
Subject: FW: Confidential draft -
Date: Monday, September 23, 2013 10:42:38 AM
Attachments: [NR_data_privacy_commissioner_oct 31 2012_added BGer_RJ edit.doc](#)

Wendy Taylor

250 952 6161 Office
s.17 Cell

From: Hagerman, Shannon GCPE:EX
Sent: Wednesday, October 31, 2012 3:31 PM
To: Taylor, Wendy E LCTZ:EX
Cc: Kislock, Lindsay M HLTH:EX; Carroll, Sandra HLTH:EX; MacKinnon, Mark HLBC:EX; Hagerman, Shannon GCPE:EX
Subject: Confidential draft -

Wendy, would you mind a read for fact-check purposes, and general thoughts? I've revised as per our discussion earlier this week and this is the revised version I was thinking I'd bring forward for signals check. Understand this one will likely have several changes/additions, etc.
Thanks.

Armstrong, Wendy HLTH:EX

From: Taylor, Wendy E CITZ:EX
Sent: Wednesday, September 18, 2013 1:06 PM
To: Armstrong, Wendy HLTH:EX
Subject: FW: For review: News release / Q&A deloitte and privacy
Attachments: NR_Investigation update_DRAFT_Sept 13_2012.docx; 2012 09_10_QA_Research_v8.doc

Wendy Taylor

250 952 6161 Office

s.17

From: Jabs, Ryan GCPE:EX
Sent: Thursday, September 13, 2012 12:43 PM
To: Kislock, Lindsay M HLTH:EX; Walman, Barbara J. HLTH:EX; Whitmarsh, Graham HLTH:EX; Carroll, Sandra HLTH:EX; Taylor, Wendy E LCTZ:EX; Sidhu, Manjit HLTH:EX
Cc: Porter, Rodney GCPE:EX; Hagerman, Shannon GCPE:EX; Foran, Grace E HLTH:EX
Subject: RE: For review: News release / Q&A deloitte and privacy

I've attached the most current version of the news release.

s.13

s.13

s.22

s.22

I've also attached an updated Q&A. It's getting quite long, so we've organized them into sections so they're easier to find. However, for ease of review, I've highlighted the new ones. Some of them – especially those around Deloitte and Touche – need answers.

Would you please review and get back to me by tomorrow morning at the latest? Please let me know if you'd prefer that I work with one of your staff members to get those answered.

Thank you,

Ryan Jabs
Manager, Media Relations and Issues Management
Ministry of Health Communications
Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

From: Kislock, Lindsay M HLTH:EX
Sent: Thursday, September 13, 2012 11:58 AM
To: Jabs, Ryan GCPE:EX; Walman, Barbara J. HLTH:EX; Whitmarsh, Graham HLTH:EX
Cc: Sidhu, Manjit HLTH:EX; Taylor, Wendy E LCTZ:EX; Carroll, Sandra HLTH:EX; Porter, Rodney GCPE:EX; Hagerman, Shannon GCPE:EX
Subject: RE: For review: News release on investigation update / deloitte and touche

I can confirm that as of a meeting I had this morning at the PSA, we are now officially at

s.22

LK

From: Jabs, Ryan GCPE:EX
Sent: Thursday, September 13, 2012 10:57 AM
To: Kislock, Lindsay M HLTH:EX; Walman, Barbara J. HLTH:EX; Whitmarsh, Graham HLTH:EX
Cc: Sidhu, Manjit HLTH:EX; Taylor, Wendy E LCTZ:EX; Carroll, Sandra HLTH:EX; Porter, Rodney GCPE:EX; Hagerman, Shannon GCPE:EX
Subject: RE: For review: News release on investigation update / deloitte and touche

Thank you. I'll adjust that comment.

We'll send through a revised version in a little while with a few additional questions for the availability or news conference we'll need some advice on answering.

Ryan Jabs
Manager, Media Relations and Issues Management
Ministry of Health Communications
Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

From: Kislock, Lindsay M HLTH:EX
Sent: Thursday, September 13, 2012 9:20 AM
To: Jabs, Ryan GCPE:EX; Walman, Barbara J. HLTH:EX; Whitmarsh, Graham HLTH:EX
Cc: Sidhu, Manjit HLTH:EX; Taylor, Wendy E LCTZ:EX; Carroll, Sandra HLTH:EX; Porter, Rodney GCPE:EX; Hagerman, Shannon GCPE:EX
Subject: RE: For review: News release on investigation update / deloitte and touche

Some suggested edits around the commissioner's review. I agree that getting approval from the Commissioner's office on the paragraph's related to her investigation is important.

LK

From: Jabs, Ryan GCPE:EX
Sent: Thursday, September 13, 2012 8:50 AM
To: Walman, Barbara J. HLTH:EX; Whitmarsh, Graham HLTH:EX
Cc: Sidhu, Manjit HLTH:EX; Kislock, Lindsay M HLTH:EX; Taylor, Wendy E LCTZ:EX; Carroll, Sandra HLTH:EX; Porter, Rodney GCPE:EX; Hagerman, Shannon GCPE:EX
Subject: RE: For review: News release on investigation update / deloitte and touche

I'll definitely revise. It's really just a holder to show where we'd include that info.

Here's the current version based on feedback from Graham.

Ryan Jabs
Manager, Media Relations and Issues Management
Ministry of Health Communications
Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

From: Walman, Barbara J. HLTH:EX
Sent: Thursday, September 13, 2012 8:45 AM
To: Whitmarsh, Graham HLTH:EX
Cc: Sidhu, Manjit HLTH:EX; Jabs, Ryan GCPE:EX; Kislock, Lindsay M HLTH:EX; Taylor, Wendy E LCTZ:EX; Carroll, Sandra HLTH:EX; Porter, Rodney GCPE:EX; Hagerman, Shannon GCPE:EX
Subject: Re: For review: News release on investigation update / deloitte and touche

s.13

Barbara Walman
ADM
Pharmaceutical Services

From iPad

On 2012-09-13, at 8:51 AM, "Whitmarsh, Graham HLTH:EX" <Graham.Whitmarsh@gov.bc.ca> wrote:

Just sent a version to ryan with that deleted.

From: Sidhu, Manjit HLTH:EX
Sent: Thursday, September 13, 2012 7:50 AM
To: Jabs, Ryan GCPE:EX; Whitmarsh, Graham HLTH:EX; Walman, Barbara J. HLTH:EX; Kislock, Lindsay M HLTH:EX; Taylor, Wendy E LCTZ:EX; Carroll, Sandra HLTH:EX
Cc: Porter, Rodney GCPE:EX; Hagerman, Shannon GCPE:EX
Subject: RE: For review: News release on investigation update / deloitte and touche

Do we have to include a date for the final Deloitte's report

s.17

s.17

From: Jabs, Ryan GCPE:EX
Sent: Thursday, September 13, 2012 7:43 AM
To: Whitmarsh, Graham HLTH:EX; Walman, Barbara J. HLTH:EX; Kislock, Lindsay M HLTH:EX; Taylor, Wendy E LCTZ:EX; Sidhu, Manjit HLTH:EX; Carroll, Sandra HLTH:EX
Cc: Porter, Rodney GCPE:EX; Hagerman, Shannon GCPE:EX
Subject: Fw: For review: News release on investigation update / deloitte and touche

It should be attached here.

From: Jabs, Ryan GCPE:EX
Sent: Wednesday, September 12, 2012 01:01 PM
To: Walman, Barbara J. HLTH:EX; Whitmarsh, Graham HLTH:EX; Kislock, Lindsay M HLTH:EX; Taylor, Wendy E LCTZ:EX; Sidhu, Manjit HLTH:EX
Cc: Hagerman, Shannon GCPE:EX; Porter, Rodney GCPE:EX
Subject: For review: News release on investigation update / deloitte and touche

Hi all,

Would you please review the attached and let me know if we need to include any more information or delete anything? I've included details that the Privacy Commissioner plans to start her own investigation, but this may now be appreciated by that office.

s.13

Please let me know what you think.

Once this is okay'd by you all, I'll run it through legal counsel.

Thanks,

Ryan Jabs
Manager, Media Relations and Issues Management
Ministry of Health Communications
Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

Armstrong, Wendy HLTH:EX

From: Taylor, Wendy E CITZ:EX
Sent: Wednesday, September 18, 2013 10:41 AM
To: Armstrong, Wendy HLTH:EX
Subject: FW: Final materials - Research and HR issue
Attachments: NR_Research_Sept 05, 2012_DRAFT_v4.doc; 2012 09_05_QA_Research_v3 doc.docx; SN_Whitmarsh_Research_v3_Sept 5 2012.docx; SN_minister_Research_Sep5.docx; IN_UPDATE_DRAFT_data access investigation_Sep 5 2012 revision.docx

Importance: High

Wendy Taylor

250.952.6161 Office
s.17 Cell

From: Jabs, Ryan GCPE:EX
Sent: Wednesday, September 5, 2012 7:44 PM
To: Whitmarsh, Graham HLTH:EX; Taylor, Wendy E LCTZ:EX; Walman, Barbara J. HLTH:EX; Boomer, Ted HLTH:EX; Sidhu, Manjit HLTH:EX; Samsonoff, Dale J HLTH:EX; Brownlee, Sara PSA:EX; Carroll, Sandra HLTH:EX
Cc: Foran, Grace E HLTH:EX; Hagerman, Shannon GCPE:EX; Porter, Rodney GCPE:EX
Subject: Final materials - Research and HR issue
Importance: High

Hi all,

Here's the final materials we're working with and includes edits made by legal. Please let me know if there is anything glaring that is missing or needs to be added.

Thank you,

Ryan Jabs
Manager, Media Relations and Issues Management
Ministry of Health Communications
Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

QUESTIONS AND ANSWERS

1. What types of personal information were shared inappropriately?

There were three sets of data involved – each containing different information. None of these information sets contained the names of individuals, social insurance numbers, or financial information.

- i. The first set of information contained provincial health numbers (CareCard numbers), genders, dates of birth and postal codes. It also contained information on hospital admissions and discharges, medication histories and Medical Services Plan (MSP) claims. Some of this information was taken from Statistics Canada's Canadian Community Health Survey results. This unauthorized sharing of information affects about 36,000 British Columbians.
- ii. The second contained the provincial health numbers (CareCard numbers), age group, gender, local health area and MSP costs for 2001/02 and 2010/11 of over four million British Columbians. Dates of birth, addresses and other general demographic data were not included.
- iii. The third set of data contained the provincial health numbers (CareCard numbers), ages and medication histories for specific medications for an estimated 21,000 British Columbians.

2. Who was this information shared with?

- Contrary to established protocols, and the terms of the Canadian Community Health Survey ^{s.22} shared information to be used in research outside the Ministry of Health. There is no evidence that the information was shared any further, or that it was used for purposes other than health research.

3. Will I get a letter about this in the mail?

- The Privacy Commissioner for B.C. has recommended that we directly notify the approximately 36,000 British Columbians in the first information set whose Canadian Community Health Survey information was inappropriately shared. This is because these people consented to participate in the Statistics Canada Community Health Survey with the understanding that their information would be shared according to the terms stated in the survey – and

information from the survey was shared in a way that was contrary to those terms.

- The Ministry will also be publishing information on both the government's main website and the Ministry of Health website.

4. How do you know whose specific information has been shared?

- Ministry investigators were able to track down the files involved in the incident through detailed reviews of computer use.
- Then, through various computer forensic investigation techniques, they were able to recreate the information that had been inappropriately accessed.

5. Has this information been used for identity theft?

- We believe this information was improperly shared for health research in a way that was contrary to the terms of the Canadian Community Health Survey and the extensive rules and policies in place. However, there has been no evidence that the data has been used for purposes other than health research. Our investigation into this incident is ongoing.

6. What is the risk to me right now and what should I do?

- The information was contained in a format that would not be easily understood by an individual who does not possess expertise in data analysis.
- As well, there is no evidence to suggest that the health information was accessed for purposes other than health research.
- For these reasons, it is the opinion of the ministry that there is minimal, if any risk of inappropriate use of personal information that would result in harm to individuals.
- However, all British Columbians are always encouraged to remain vigilant in monitoring their personal information, which includes monitoring their financial records and other personal records.

7. Why did it take so long for you to notify the public of this?

- The investigation in respect to this matter has been complex, and involved a detailed examination of electronic records. It did take some time to determine the full extent of the incidents and confirm the specific information that was inappropriately accessed. The ministry is committed to continuing to consult with the Office of the Information and Privacy Commissioner of B.C. and keeping the public informed of new developments.

8. What is the government doing to make sure this doesn't happen again?

- British Columbia has strong laws in place around freedom of information and protection of privacy.

- As a result of this incident, the Ministry of Health has contracted with external consultant Deloitte and Touche to ensure our processes are as secure as possible.

9. What are the ministry's rules on handling and sharing health data?

- There are a number of websites that provide information on the handling and sharing of information. Some of these are:
 - Office of Chief Information Officer: Policy and Legislation Framework
 - http://www.cio.gov.bc.ca/cio/leg_graphic.page?
 - Core Policy and Procedures Manual – Chapter 12
 - http://www.fin.gov.bc.ca/ocg/fmb/manuals/CPM/12_Info_Mgmt_and_Info_Tech.htm
 - Information Security Policy
 - <http://www.cio.gov.bc.ca/cio/informationsecurity/policy/informationsecuritypolicy.page?>
 - *Freedom of Information and Protection of Privacy Act*: Policy and Procedures Manual
 - http://www.cio.gov.bc.ca/cio/priv_leg/manual/index.page?
 - Other privacy-related policies and guidelines
 - http://www.cio.gov.bc.ca/cio/priv_leg/foipppa/guides_forms/guide_index.page?

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QUESTIONS AND ANSWERS

PharmaCare Review

Ministry of Health
Sept 2012

Key messages:

- The ministry acted immediately to investigate and respond to this matter. We take allegations of this nature very seriously.
- British Columbia has strong regulations and rules in place. When individuals work together to side-step these processes, it is more than disappointing – it will not be tolerated.
- We asked the RCMP to investigate after we found evidence of inappropriate conduct, contracting and data-management practices in the area of drug research.
- I am personally disappointed something like this could happen. I am satisfied, however, that the ministry has acted with integrity to quickly and thoroughly respond to this matter.
- We must ensure confidence in the public service is maintained - and that all civil servants execute their duties in a manner that meets the high standards of conduct expected of them.

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QUESTIONS AND ANSWERS

PharmaCare Review

Ministry of Health

Sept 2012

Revised Sept. 13, 2012

Key messages:

- The ministry acted immediately to investigate and respond to this matter. We take allegations of this nature very seriously.
- British Columbia has strong regulations and rules in place. When individuals work together to side-step these processes, it is more than disappointing – it will not be tolerated.
- We asked the RCMP to investigate after we found evidence of inappropriate conduct, contracting and data-management practices in the area of drug research.
- I am personally disappointed something like this could happen. I am satisfied, however, that the ministry has acted with integrity to quickly and thoroughly respond to this matter.
- We must ensure confidence in the public service is maintained - and that all civil servants execute their duties in a manner that meets the high standards of conduct expected of them.

Draft: Sept. 13, 2012, 10:30 am

QUESTIONS AND ANSWERS

Investigation update

Ministry of Health

Date of announcement / event / topic

Draft: December 12, 2:00 P.m.

Key messages:

- As stewards of British Columbians' personal information, we take this responsibility seriously.
- The investigation has confirmed three instances where health data was inappropriately accessed, saved on portable storage devices (USB sticks) and shared with researchers and/or contractors without required permissions and protocols being adhered to.
- British Columbia has rules and regulations in place which govern who can access and share personal health information. In these three instances, those protocols were not followed.
- We are informing the public out of an abundance of caution. The risks to the public are very low.
- There is no evidence information was accessed for purposes other than research.
- All the parties involved have signed, or have committed to sign, declarations they are no longer in possession of ministry data, information or property.
- The ministry has shared its investigation findings with the Office of the Information and Privacy Commissioner, and we will continue to consult with the OIPC on this matter.
- The ministry has hired the private consulting firm Deloitte and Touche to review the ministry's data security measures.
- The ministry is also introducing a mandatory privacy and data-security training program for employees, on top of training already required for public servants.

Top questions

1. How did this happen?

- A lead investigator from the Ministry of Citizen Services and Open Government has spent several months overseeing a team of analysts conducting a forensic investigation into data access issues at the ministry.

QUESTIONS AND ANSWERS

- As part of this investigation, the team discovered three specific instances of unauthorized access of health data for research purposes.
- Health data was inappropriately accessed, saved on portable storage devices (USB sticks) and shared with researchers and/or contractors without required permissions and protocols being adhered to.
- British Columbia has strong regulations, rules and laws in place. In these instances, they were not followed.
- There is no evidence information was accessed for purposes other than research.
- All the parties involved have signed, or have committed to sign, declarations they are no longer in possession of ministry data, information or property.

2. If the info was used for health research, and you feel the risk is low, what's the big deal? Why is this even an issue?

- As stewards of British Columbians' personal information, we take this responsibility seriously.
- Our protocols and procedures are in place to make sure we are abiding by privacy legislation – and respecting the privacy and security of British Columbians' personal information.
- We do believe the risk is low, and there's no evidence this information was used for anything other than health research.
- However, the purpose or intent does not negate the fact that these actions violated our protocols and procedures – and those rules are important and necessary safeguards.

3. Why are we just finding out about it now?

- In September, the ministry announced our investigation into data access issues at the ministry.
- At that time, we were still looking into the situation, and did not yet have a sense of the scope of the issue.
- As the lead investigator and her team worked over the past few months, we learned more about these instances and their scope.
- The investigation has contacted employees and contractors, who have signed, or have committed to sign, declarations they are no longer in possession of ministry data, information or property.

QUESTIONS AND ANSWERS

- The ministry has shared its investigation findings with the Office of the Information and Privacy Commissioner, and we will continue to consult with the OIPC on this matter.

4. What are you doing to make sure it won't happen again?

- We are working hard to ensure our standards are as stringent as possible.
- After this incident we contracted Deloitte and Touche to ensure our processes are as secure as possible. Their work continues.
- We have strengthened our administrative policies and procedures on data access and technology safeguards.
- The ministry is also introducing a mandatory privacy and data-security training program for employees, on top of training already required for public servants.

5. What is the risk to the public?

- Frankly, we believe the risk to be low.
- In the end, we do not believe anyone will be directly affected by this issue. This information was used by researchers for health research purposes.
- There is no evidence the information was accessed for any purposes other than health research.

6. What does the privacy commissioner have to say about this?

- The ministry has shared its investigation findings with the Office of the Information and Privacy Commissioner, and we will continue to consult with the OIPC on this matter.

The unauthorized data access:

7. Can you explain the details of the three incidents, and what types of personal information were on the USB drives?

- There are details of all three instances in the backgrounder appended to the news release.
- In brief, there were three instances where health data was inappropriately accessed, saved on portable storage devices (USB sticks) and shared with researchers and/or contractors without required permissions and protocols being adhered to.
- The information did not contain names or addresses.
- It's important to note there is no evidence any of this information was used for anything other than research purposes.

QUESTIONS AND ANSWERS

8. Who did this?

- We are not going into the details of which employees or contractors were involved in these instances.

9. Has this information been used for identify theft? Has it been sold to pharmaceutical companies?

- In the end, we do not believe anyone will be directly affected by this issue. This information was used by researchers for health research purposes.
- There is no evidence this information was accessed for purposes other than research.
- All the parties involved have signed, or have committed to sign, declarations they are no longer in possession of ministry data, information or property.

10. You announced the suspensions and investigation on September 6th and said there was likely a privacy breach then. Why did it take three months to notify the public?

- In September, the ministry announced our investigation into data access issues at the ministry.
- At that time, we were still looking into the situation, and did not yet have a sense of the scope of the issue.
- As the lead investigator and her team worked over the past few months, we learned more about these instances and their scope.
- The investigation has contacted employees and contractors, who have signed, or have committed to sign, declarations they are no longer in possession of ministry data, information or property.
- The ministry has shared its investigation findings with the Office of the Information and Privacy Commissioner, and we will continue to consult with the OIPC on this matter.

11. If not for financial gain through identity theft or by selling information to third parties – why would these staff members and contractors use this data inappropriately?

- There is no evidence this information was accessed for purposes other than research. The issue here is how the information was accessed.
- British Columbia has rules and regulations in place which govern who can access and share personal health information. In these three instances, those protocols were not followed.
- All the parties involved have signed, or have committed to sign, declarations they are no longer in possession of ministry data, information or property.

QUESTIONS AND ANSWERS

12. Is there any evidence any of this data was shared out of the country?

- (NEED ANSWER FROM STAFF)

13

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- I won't comment on particular individuals or specifics.
- However, I appreciate that someone may want to suggest to you they took this data to do good. But these standards and rules are in place to protect the information of British Columbians.
- There are processes in place for researchers to properly access data for their work. These people did not follow those processes, and as a result have delayed the work of a number of researchers in B.C.

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- (NEED STAFF TO ANSWER.)

15. Two of these breaches happened a month after your original investigation into employee behaviour started. How could that happen?

- When we began our investigation, some employees had their access to data suspended, but others did not.
- These later releases of information happened as we were only beginning to dig into data access issues within the division affected.
- We uncovered them as we investigated what had happened.

16. One of these data files go back to 2010. How was it that this was able to go on for so long?

- There's no evidence this information was shared for anything other than health research.
- British Columbia has rules and regulations in place which govern who can access and share personal health information. However, in these instances, people chose to circumvent them, and that's disappointing.
- The ministry has hired the private consulting firm Deloitte and Touche to review the ministry's data security measures.
- The ministry is also introducing a mandatory privacy and data-security training program for employees, on top of training already required for public servants.

QUESTIONS AND ANSWERS

17. What specific actions are you taking to make sure this doesn't happen again?

-

s.22

- Two contractors had their contracts and data access suspended.
- Ministry data sharing with some drug and evidence development researchers is still temporarily suspended, while most has been restored.
- Some work on contracts related to drug and evidence development are still suspended, while most have been restored.
- All spending for the pharmaceutical services division now requires approval by the assistant deputy minister.
- The ministry has tightened its policy regarding awards of contracts to universities. All contracts entered into by the ministry are now reviewed by the ministry's contract management branch.
- All of the ministry's managers, directors and executive directors are now required to undergo extra privacy and data security training.
- The ministry has engaged the independent consultant, Deloitte and Touche, to review and enhance the ministry's data security measures. That work is still ongoing.
- In addition, the ministry continues to work with the RCMP, the BC Public Service Agency, the Ministry of Citizen's Services and Open Government, the Office of the Information and Privacy Commissioner, the University of Victoria, and the University of B.C.

18. What information came from Statistics Canada and how does data sharing from Stats Canada work?

- All provinces receive survey data from Statistics Canada, which includes detailed information (names, addresses, health status) about the population to help government improve services.
- This information is shared under strict data sharing arrangements guided by legislation between Statistics Canada and the Ministry of Health.

19. Have you informed Statistics Canada?

- Yes, we have.

The overarching investigation

20. Does this announcement mean the investigation is over – has everything been turned over to the RCMP?

QUESTIONS AND ANSWERS

- The internal investigation is still continuing.
- We continue to share information with the RCMP.
- We will not be commenting further on that.

21. UVic and UBC have both said in the past they are also investigating. Do you have an update on those investigations?

- (NEED ANSWER FROM STAFF.)

22. Are there other breaches we don't know about yet?

- The internal investigation is still continuing.
- If we discover more unauthorized data access, we will consult with the OIPC.

23. Where is Deloitte and Touche with their work and when do you expect results?

- Deloitte and Touche has nearly completed the first phase of their work determining how the ministry secures, releases and tracks data that is provided to researchers.
- Phase two will include a thorough assessment of how the ministry secures, tracks and releases data and will make short and long term recommendations to help the ministry protect public data while allowing valuable research to proceed.
- We expect phase two of this work to be finished in early 2013.

24. When do you expect to release the rest of the contracts – particularly the work the Therapeutics Initiative is doing and that of the Alzheimers Drug Therapy Initiative?

- We have released all of the contracts we can until our investigation is complete. The contracts that remain suspended are caught up in our ongoing investigation into the overall situation.

25. Isn't the work that the Therapeutics Initiative too important to leave on hold?

- The decision to temporarily suspend drug research that will benefit British Columbians was difficult but necessary.
- Our investigation has indicated some research data may have been obtained inappropriately, so it is essential that we either assure ourselves that this is not the case, or if it is the case, that we do everything possible to make sure that it does not happen again.
- The only way to do that has been to suspend some research projects until our investigation can provide conclusive evidence one way or the other.

QUESTIONS AND ANSWERS

- While some contracts remain suspended because of our investigation, we have restored a number of contracts, including some that provide drug review services to the Drug Benefit Council, which we rely on for advice to make drug listing decisions.
- Our investigation is ongoing so we cannot provide further comment at this time.

Trust/privacy rules

26. How can people ever trust that the government is treating their personal data safely?

- Civil servants are expected to maintain a high standard of conduct – and I am proud to say that these few cases are the exception to the rule.
- British Columbia has strong regulations, rules and laws in place. When individuals work together to side-step these processes, it is more than disappointing – it will not be tolerated.
- After this incident we contracted Deloitte and Touche to ensure our processes are as secure as possible.

27. What are the ministry's rules about sharing and handling data securely, anyway?

- Ministry policies dictate that USB keys must be password-protected and encrypted if they are to be used to carry personal information, and that information should only be shared with individuals who have ministry authorization.
- The three instances involved USB keys that were not encrypted or password-protected which were shared without ministry authorization.

28. Can you guarantee there will never be an incident such as this again?

- We are working hard to ensure our standards are as stringent as possible.
- After this incident we contracted Deloitte and Touche to ensure our processes are as secure as possible. Their work continues.
- We have strengthened our administrative policies and procedures on data access and technology safeguards.
- The ministry is also introducing a mandatory privacy and data-security training program for employees, on top of training already required for public servants.

29. Many members of the government have been in favour of opening up more personal medical data to researchers. Some have called it a “treasure trove”. Don't these recent events end that idea?

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QUESTIONS AND ANSWERS

- We believe, if accessed properly, using the accepted and secure protocols, that medical researchers can use this data – without risking privacy – and can benefit all British Columbians with their research.
- One of the most disappointing things about this whole issue is that the actions of a few have delayed important research into chronic conditions.
- We will continue to work with stakeholders to ensure the protection of privacy is paramount in any research endeavour.
- We must ensure that privacy is protected, proper contract procurement processes are being followed and proper data management is being used with all of these contracts.
- We have ongoing concerns about inappropriate actions with some individuals involved in the contracts that remain suspended.

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QUESTIONS AND ANSWERS

Investigation update

Ministry of Health

Date of announcement / event / topic

Key messages:

- As stewards of British Columbians' personal information, we take this responsibility seriously.
- Three instances of health data being inappropriately accessed have been confirmed which we feel should be shared with the public.
- In these three cases health data was inappropriately accessed, saved on portable storage devices and shared without required permissions and protocols being followed.
- British Columbia has policies and protocols in place which govern who can access and share personal health information. In these three instances, these were not followed.
- We are informing the public out of an abundance of caution. We believe there is minimal, if any, risk of any inappropriate use of personal information.
- There is no evidence information was accessed for purposes other than health research.
- The ministry has been in communication with the parties involved, or their legal representatives, as applicable, concerning the return of ministry data.
- The ministry has shared its investigation findings with the OIPC, and we will continue to consult with the OIPC on this matter.
- The ministry has hired the private consulting firm Deloitte and Touche to review the ministry's data security measures.
- The ministry is also introducing a mandatory privacy and data security training program for employees, on top of training already required for public servants.
- More information is available online and can be accessed from the Ministry of Health's home page. Members of the public can also call 1-866-736-9156 between 8:00 a.m. and 4:30 p.m. on weekdays.

Top questions

1. How did this happen?

- A lead investigator from the Ministry of Citizen Services and Open Government has spent several months overseeing a team of analysts conducting a forensic investigation into data access issues at the ministry.

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QUESTIONS AND ANSWERS

- As part of this process, the ministry has confirmed details about three specific instances of inappropriate and unauthorized data access or use for research purposes, where required permissions and protocols were not followed.
- Public notification has been determined to be appropriate in these cases, on the recommendation of the OIPC.
- Health data was inappropriately accessed, saved on portable storage devices (USB sticks) and shared with researchers and/or contractors without required permissions and protocols being adhered to.
- British Columbia has strong laws in place. In these instances, existing ministry protocols were not followed.
- There is no evidence information was accessed for purposes other than research.
- The ministry has been in communication with the parties involved, or their legal representatives, as applicable, concerning the return of ministry data.
- Details about these instances have been shared with the Office of the Information and Privacy Commissioner.

2. If the info was used for health research, and you feel the risk is low, what's the big deal? Why is this even an issue?

- Our protocols and procedures are in place to make sure we are abiding by privacy legislation – and respecting the privacy and security of British Columbians' personal information.
- We do believe there is minimal, if any, risk of any inappropriate use of personal information, and there's no evidence this information was used for anything other than health research.
- However, the purpose of the research or the intent of the parties involved does not negate the fact that these actions violated the ministry's rules– and those rules are important and necessary safeguards.

3. Why are we just finding out about it now?

- In September, the ministry announced our investigation into data access issues at the ministry.
- At that time, we were still looking into the situation, and did not yet have a full sense of the scope of the situation.

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- As the lead investigator and her team worked over the past few months, we learned more about these instances and their scope. The investigation is still ongoing.
- The ministry has shared its investigation findings with the Office of the Information and Privacy Commissioner, and we will continue to consult with the OIPC on this matter.

4. What are you doing to make sure it won't happen again?

- We are working hard to ensure our standards are as stringent as possible.
- After this incident we contracted Deloitte and Touche to ensure our processes are as secure as possible. Their work continues.
- The ministry is also introducing a mandatory privacy and data-security training program for employees, on top of training already required for public servants.

5. What is the risk to the public?

- Frankly, we believe the risk to be low.
- In the end, we do not believe anyone will be directly affected by this issue. This information was used by researchers for health research purposes.
- There is no evidence the information was accessed for any purposes other than health research.

6. What does the privacy commissioner have to say about this?

- The ministry has shared its investigation findings with the Office of the Information and Privacy Commissioner, and we are following her recommendations in this area.
- I encourage you to speak to the commissioner to get her thoughts.

7. Is this why you fired all these people?

- I won't speculate or comment on any specifics, but I can say that our investigation is broader than just these breaches.
- We can confirm that all the dismissed employees have been made aware in writing the reasons for their dismissal.

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- And as you're aware, two former employees have filed claims in Court and other former employees have filed grievances through their Union.
- Given that there are these pending legal proceedings it is not appropriate for me to comment on the reasons why individuals were fired by the Ministry.

8. Why are you only directly notifying individuals whose data was connected to Stats Canada data? Isn't the data on the other drives similar in nature?

- I would not want to speak for the privacy commissioner, but I committed to following her advice when we first announced our investigation into the allegations of inappropriate conduct, contracting and data-management practices.
- The commissioner advised that we should notify the public broadly about the three cases of unauthorized access and directly about the case involving Stats Canada data, because of the specific assurances Stats Canada made to the public when collecting this information.
- The people who participated in the Statistics Canada survey signed consents for the use of their personal information and data, and this investigation revealed uses not included on those consents.
- I agree it is appropriate to inform the public of these incidents and our investigation. We've tried to share as much information as we possibly can, without compromising the privacy of the former ministry employees involved.

9. Can I get a copy of the investigation report?

- The investigation continues and at this point there is no final report.
- However, we've tried to include as much detail as possible in our news release and backgrounder, without compromising privacy.

The unauthorized data access:

10. Can you explain the details of the three incidents, and what types of personal information were on the USB drives?

- There are details of all three instances in the backgrounder appended to the news release.
- In brief, there were three instances where health data was inappropriately accessed, saved on portable storage devices (USB sticks) and shared with

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QUESTIONS AND ANSWERS

researchers and/or contractors without required permissions and protocols being adhered to.

- The information that was released did not contain names, financial information, social insurance numbers or full addresses.
- It's important to note there is no evidence any of this information was used for anything other than research purposes.

11. Who did this?

- We are not going into the details of which employees or contractors were involved in these instances, in compliance with the Freedom of Information and Protection of Privacy Act.
- Also, given the pending legal proceedings that the ministry is engaged in with various individuals, it is not appropriate for me to comment on specifics.

12. Has this information been used for identify theft? Has it been sold to pharmaceutical companies?

- In the end, we believe there is minimal, if any, risk of any inappropriate use of personal information. This information was used by researchers for health research purposes.
- There is no evidence this information was accessed for purposes other than health research.

13. You announced the suspensions and investigation on September 6th and said there was likely a privacy breach then. Why did it take four months to notify the public?

- In September, the ministry announced our investigation into inappropriate conduct, contracting and data management practices involving ministry employees and drug researchers.
- At that time, we said we would be working in consultation and following the advice of the OIPC in respect to notifying the public regarding specific privacy aspects of the investigation. And that's what we are doing.
- It's important to understand that this is a very complex investigation.
- With the data aspect of this investigation, a lead investigator and a team of analysts are conducting a full forensic investigation, which involves locating,

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rebuilding and sifting through hundreds of gigabytes of data and thousands of emails.

14. The privacy commissioner recommended you notify the public and individuals on Oct. 23. What took you so long?

- If you look through the correspondence package, you will notice the ministry put a lot of work into both reducing and mitigating the risk and potential harms from these three incidents since October.
- The ministry has been in communication with the parties involved, or their legal representatives, as applicable, concerning the return of ministry data.
- The investigators were able to identify the personal information that was inappropriately accessed through the forensic investigation.
- The ministry also conducted a risk analysis.
- After this work, we went back to the OIPC with a clearer picture of the situation than anyone had in October, and asked her advice again.
- She has advised we notify the public, despite these actions – and we are doing so today.

15. There were about 38,000 people affected by the unauthorized access to the StatsCan data – but you're only notifying about 36,000. Why?

- Since the StatsCan survey was conducted, and the information collected, some people have died, and that accounts for the discrepancy.

16. What is a “forensic” data investigation?

- The forensic investigation involves a team of analysts that are conducting a detailed and comprehensive review of ministry electronic records, databases and portable storage devices.
- The investigation involves painstakingly locating, rebuilding and sifting through hundreds of gigabytes of data and thousands of emails, as well as paper documents – looking both at what was there and who had accessed it.
- This involves data and computing experts combing, sifting and brushing through computer files as archaeologists do during a dig – but electronically.

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QUESTIONS AND ANSWERS

17. If not for financial gain through identity theft or by selling information to third parties – why would these staff members and contractors use this data inappropriately?

- There is no evidence this information was accessed for purposes other than research. The issue here is how the information was accessed.
- British Columbia has regulations and policies in place which govern who can access and share personal health information. In these three instances, these were not followed.

18. Is there any evidence any of this data was shared out of the country?

- No evidence has yet been found to identify inappropriately obtained data was shared out of the country and this is still under review.

19. I have spoken to one of the fired employees and they tell me that they were only using the data to get a better understanding of conditions like Alzheimer's – and they would never have used it for nefarious purposes.

- I won't comment on particular individuals or specifics.
- However, I appreciate that someone may want to suggest to you they took this data to do good. But these standards and rules are in place to protect the information of British Columbians.
- There are processes in place for researchers to properly access data for their work. These people did not follow those processes, and as a result have delayed the work of a number of researchers in B.C.

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- I will not comment on specific allegations. The Ministry has responded to legal claims brought against it through the appropriate legal processes.

21. Two of these breaches happened a month after your original investigation into employee behaviour started. How could that happen?

- When we began our investigation, some employees had their access to data suspended, but others did not.

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- These later releases of information happened as we were only beginning to dig into data access issues within the division affected.
- We uncovered them as we investigated what had happened.

22. One of these data files goes back to 2010. How was it that this was able to go on for so long?

- The Ministry has rules and policies in place which govern who can access and share personal health information. However, in these instances, people chose to circumvent them, and that's disappointing.
- The ministry has hired the private consulting firm Deloitte and Touche to review the ministry's data security measures.
- The ministry is also introducing a mandatory privacy and data security training program for employees, on top of training already required for public servants.

23. What years was the Statistics Canada survey information from?

- From the years 2000 to 2010.

24. What specific actions are you taking to make sure this doesn't happen again?

- Employees have been terminated and contractors have had their contracts ended.
- Ministry data sharing with some drug and evidence development researchers is still temporarily suspended, while most has been restored.
- Some work on contracts related to drug and evidence development are still suspended, while most have been restored.
- All spending for the pharmaceutical services division now requires approval by the assistant deputy minister.
- The ministry has tightened its policy regarding awards of contracts to universities. All contracts entered into by the ministry are now reviewed by the ministry's contract management branch.
- All of the ministry's managers, directors and executive directors are now required to undergo extra privacy and data security training.

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QUESTIONS AND ANSWERS

- The ministry has engaged an independent consultant, Deloitte and Touche, to review and enhance the ministry's data security measures. That work is still ongoing.
- In addition, the ministry continues to work with the BC Public Service Agency, the Ministry of Citizen's Services and Open Government, the Office of the Information and Privacy Commissioner, the RCMP, the University of Victoria, and the University of British Columbia.

25. What information came from Statistics Canada and how does data sharing from Stats Canada work?

- All provinces receive survey data from Statistics Canada, which includes detailed information (names, addresses, health status) about the population to help government improve services.
- This information is shared under strict data sharing arrangements entered into by Statistics Canada and the Ministry of Health.
- The information that was released did not contain names, financial information, social insurance numbers or full addresses.

26. Have you informed Statistics Canada?

- Yes, we have.

The overarching investigation

27. Does this announcement mean the investigation is over – has everything been turned over to the RCMP?

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- We will not be commenting further on that.

28. What is the total cost of the investigation?

- Most of the work of this investigation, and therefore most of the costs, are within the ministry itself.

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QUESTIONS AND ANSWERS

- However, there are expenses connected to hiring counsel in regards to the investigation and the associated litigation.
- Since the investigation is ongoing, we don't yet have a sense of its total cost.
- That information will be easier to compile once the investigation is complete.

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30. Are there other breaches we don't know about yet?

- The internal investigation is still continuing.
- If we discover more unauthorized data access which may require public notification we will consult with the OIPC.

31. Where is Deloitte and Touche with their work and when do you expect results?

- Deloitte and Touche has nearly completed the first phase of their work determining how the ministry secures, releases and tracks data that is provided to researchers.
- Phase two will include a thorough assessment of how the ministry secures, releases and tracks data and will make short and long term recommendations to help the ministry protect public data while allowing valuable research to proceed.
- We expect phase two of this work to be finished in early 2013.

32. Will the Deloitte and Touche report be made public?

- We will provide an update on Deloitte and Touche's work once it is complete.

33. When do you expect to release the rest of the contracts – particularly the work the Therapeutics Initiative is doing and that of the Alzheimers' Drug Therapy Initiative?

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QUESTIONS AND ANSWERS

- We have released all of the contracts we can until our investigation is complete. The contracts that remain suspended are caught up in our ongoing investigation into the overall situation.

34. Isn't the work that the Therapeutics Initiative does too important to leave on hold?

- The decision to temporarily suspend drug research that will benefit British Columbians was difficult but necessary.
- Our investigation has indicated some research data may have been obtained inappropriately, so it is essential that we either assure ourselves that this is not the case, or if it is the case, that we do everything possible to make sure that it does not happen again.
- The only way to do that has been to suspend some research projects until our investigation can provide conclusive evidence one way or the other.
- While some contracts remain suspended because of our investigation, we have restored a number of contracts, including some that provide drug review services to the Drug Benefit Council, which we rely on for advice to make drug listing decisions.
- Our investigation is ongoing so we cannot provide further comment at this time.

35. What is the total value of the research that has been delayed because of this?

- The current remaining value of the contracts that continue to be suspended due to the overarching investigation is estimated at around \$2.5 million.

36. Have any more staff being terminated? Or will any more staff be terminated?

- At this point, we have terminated the employment of a number of employees.
- We will not speculate; however, we do believe we have identified all those involved.
- The investigation is ongoing.

Trust/privacy rules

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QUESTIONS AND ANSWERS

37. How can people ever trust that the government is treating their personal data safely?

- Civil servants are expected to maintain a high standard of conduct – and I am proud to say that these few cases are the exception to the rule.
- British Columbia has policies and protocols in place. When individuals work together to side-step these processes, it is more than disappointing – it will not be tolerated.
- After this incident we contracted Deloitte and Touche to ensure our processes are as secure as possible.

38. What are the ministry's rules about sharing and handling data securely, anyway?

- Ministry policies dictate that storage devices must be password-protected and encrypted if they are to be used to carry personal information, and that information should only be shared with individuals who have ministry authorization.
- The three instances involved portable storage devices that was not encrypted or password-protected, contrary to Ministry policy or which were shared without ministry authorization.

39. Can you guarantee there will never be an incident such as this again?

- We are working hard to ensure our standards are as stringent as possible.
- After this incident we contracted Deloitte and Touche to ensure our processes are as secure as possible. Their work continues.
- We have strengthened our administrative policies and procedures on data access and technology safeguards.
- The ministry is also introducing a mandatory privacy and data-security training program for employees, on top of training already required for public servants.

40. It seems like every month we hear another story about a privacy breach, and there have already been major problems with e-Health in other provinces. Is e-Health all just a really bad idea?

FOR INTERNAL USE ONLY

QUESTIONS AND ANSWERS

- When the world stored and used information and data on paper records, privacy situations and unauthorized access also happened, but it was very difficult, if not impossible, to track them.
- The great strength of e-Health, when it comes to privacy, is that we can now discover and track privacy issues much more easily and efficiently.
- If this same situation had happened with paper records and a photocopier, we would never have been able to discover it in the same manner and track it the way we have. We may never have known.

41. How can you feel confident proceeding with the BC Services Card with this hanging over your head?

- This incident in fact highlights the need for a more secure BC Services Card, which we are currently in the process of rolling out.
- The new BC Services Card will offer more security benefits than a current CareCard, including a photograph of the beneficiary, anti-forgery features, high-level identity proofing – as well as a security chip.
- It will be more effective in preventing fraud and identity theft than the CareCard.

42. Many members of the government have been in favour of opening up more personal medical data to researchers. Some have called it a “treasure trove”. Don’t these recent events end that idea?

- We believe, if accessed properly and in compliance with the relevant legislation and Ministry policies, using the accepted and secure protocols, that medical researchers can use this data – without risking privacy – and can benefit all British Columbians with their research.
- We will continue to work with stakeholders to ensure the protection of privacy is paramount in any research endeavour.
- We must ensure that privacy is protected, proper contract procurement processes are being followed and proper data management is being used with all of these contracts.

Potential Q

Why can we not get the letters you exchanged with the OIPC and her advice to your ministry?

FOR INTERNAL USE ONLY

QUESTIONS AND ANSWERS

- *These records are exempt from the access provisions in the Freedom of Information and Protection of Privacy Act.*
- *For that reason and in order to respect the role of the commissioner as an officer of the Legislature, it is important that the commissioner determine whether she is willing to agree to the release of the letters we have exchanged with her office.*

s.13

- *I encourage you to contact the commissioner if you have any further questions about these letters and the advice she gave the ministry in these matters.*

The provincial investigation/RCMP investigation:

1. What have you asked the RCMP to investigate? What branch of the RCMP have you contacted?

- We have been in contact with the Corporate Crime Section of the RCMP. We have provided the information we have gathered through our investigation for their review and action as appropriate.

2. What evidence did you find that warrants further investigation?

- Because this could be the subject of a police investigation, I cannot speak to specific evidence.
- Suffice it to say that the allegations were serious enough to ask the RCMP to investigate.

3. Do you have an update on the RCMP's involvement? ?????

4. How much money is involved?

- Again, as this could be the subject of a criminal investigation we cannot comment at this time.

5. How long has this been going on – in terms of the issues identified in the ministry investigation?

- This is part of the investigation that is ongoing.
- We can confirm that some of our investigation relates to employees who have been with the ministry a short time and some for quite a while.

6. Who alerted the Auditor-General to these concerns?

- The auditor-general received an allegation regarding contracting irregularities.
- I want to publicly thank this person and encourage this commitment to a public service that functions with integrity.
- However, we will not disclose the identity of individual who has brought this matter to our attention because that would not be appropriate.

7. Why did you take so long to make this public?

- These were serious allegations, and deserved a fulsome review to determine whether they could be substantiated.

- As the review progressed, it became obvious that not only were the allegations serious, they were complex.
- We felt it was now appropriate to release what level of information we could to the public now that this matter has been referred to the RCMP.

8. How long will the review take?

- Until we've got all the answers we need. I cannot speculate as to how long that investigation will take.

9. Why is the Auditor-General not involved in this investigation?

- The Auditor-General received the original allegation related to this and asked the ministry to investigate.
- We would welcome a review by the Auditor General if that office feels one is necessary.
- The Ministry has followed-up and has brought in appropriate reviewers from the Ministry, the Ministry of Labour, Citizen's Services and Open Government and the office of the Comptroller General.
- We have also shared information with the RCMP and asked them to investigate.

10. The Auditor General was alerted to these concerns in March. Why has it taken so long to move on this?

- These were serious allegations, and deserved a fulsome review.
- As the review progressed, it became obvious that not only were the allegations serious, they were complex and needed a formal investigation, led by a lead investigator from Labour and Citizen Services. This investigation began in May.
- The ministry has responded appropriately and decisively to this situation. These things take time, but I can assure you that as soon as we determined that there appeared to be substance to the allegations, we froze these individuals' data accounts and their purchasing authority.
- I am satisfied that the ministry has acted with integrity to quickly and thoroughly respond to this matter.

11. Are you aware of the full extent of this?

- This is an ongoing investigation.
- As minister, I have instructed the ministry to take whatever steps are necessary to respond to this in a thorough manner and engage outside parties to ensure this is done properly.

12. How will you ensure that this does not happen again?

- We understand that public confidence must be maintained in all members of the public service to execute their duties in a manner that meets the high standards of conduct expected of them.
- The ministry acted immediately to investigate and respond to this matter. We take allegations of this nature very seriously.
- British Columbia has strong regulations and rules in place. When individuals work together to side-step these processes, it is more than disappointing – it will not be tolerated.
- We will, however, act to implement any, and all, measures necessary and recommended as a result of this review.
- The Ministry has taken a number of interim measures, which we've outlined today, and we are committed to taking further actions that may be required as the investigation progresses. These include:

s.15, s.22

S

13. Why were there not checks and balances in the contract procurement process to prevent this type of event from happening?

- The Government of B.C. has created an open and accountable procedure for procuring contracts.

s.17

- When individuals work together to side-step these processes, it is more than disappointing – it will not be tolerated.
- We will, however, act to implement any, and all, measures necessary to ensure our processes are strong.

14. Is there a problem with the culture of the ministry that has allowed this to happen?

- We take all matters of this nature seriously.
- It is important to be clear that the Ministry of Health has hundreds of workers who work with integrity and uphold the public's trust every day.

15. We saw the Ministry of Health go through a similar issue in 2007 with contracts for eHealth and former ADM Ron Danderfer. Has nothing changed?

- There was an issue with eHealth contracts awarded by the former ADM. When that problem was discovered, it was dealt with appropriately – both internally and through the justice system.
- The Comptroller-General has since done a follow-up report on contract procurement within the Ministry of Health and found that the Ministry is doing a good job in ensuring fair contract procurement.
- British Columbia has strong regulations and rules in place. When individuals work together to side-step these processes, it is more than disappointing – it will not be tolerated.
- I am very disappointed and saddened by this. We expect better from those who serve British Columbians.
- We will act to implement any, and all, measures necessary to ensure our processes are strong.

16. How many people work for the Pharmaceutical Services Division? Where are they located?

- About 113 people work for this division, with its main office in Victoria and a secondary office in Vancouver.

17. Would this issue have happened if you didn't let drug reviews under the Therapeutics Initiative go out to tender?

- No. This has nothing to do with that decision, nor is what occurred related to that decision.

18. Was this information given to large pharmaceutical companies?

- The investigation is ongoing, but at this time it does not appear that any data has been supplied to any pharmaceutical companies.

19. How much does the ministry spend on these contracts? What is the scope of the current investigation?

- Our investigation continues, but the current remaining value of the contracts that have been suspended is approximately \$4 million.
- If pressed:
- These were multi-year contracts that began between 2004 and 2010, with a total value of \$17 million.

20. Can you explain what is meant by inappropriate employee/contractor relationships?

- This is the subject of our investigation and a potential RCMP investigation.

21. When will we have any new info for the public?

- I am still committed to making information publicly available when and if appropriate. I will be guided by the right to privacy for those involved and the needs of the investigation, as well as by legal advice.

22. Why are you being so vague and mysterious with this information?

- We are committed to providing as many details as we possibly can, without influencing our investigation or an RCMP investigation, if they choose to conduct one.
- At this point, our investigation continues, but we felt it was at a stage where we were able to share some information in the interest of openness and transparency, while recognizing that our investigation continues.
- Until this is complete, we cannot provide any more specifics to ensure that we do not further influence our investigation.

23. MLA Routley has asked why it took an anonymous tip to bring this to the ministry's attention?

- We take all matters of this nature seriously and act on any concern brought to our attention, and we encourage individuals to come forward with these concerns – whether anonymously or not.

24. Did Minister de Jong leave the portfolio because of this investigation?

- I can say that this is 100 per cent false. Minister de Jong's appointment to Finance and mine to Health was not at all related to this investigation.

- The ministry has informed me that they were preparing a public release of this information this week, as a result of the RCMP involvement and the status of our investigation.

25. Why did the minister say that no elected individuals at any level were involved in the government's investigation? We understand one of the individuals is an

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- I was asked that question in the context of the former minister's knowledge of this investigation and other provincially elected officials being involved or implicated.

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s.22

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HR/employee identity questions:

26. How many staff members have been suspended? How many with pay? How many terminated?

-

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27. Who are the two outside contractors you are referring to?

- We will not name names until our investigation is complete. However, I can assure you that all contracts with these individuals have been terminated. During the investigation, all contracts with universities on related research were also suspended.

28. How long have these employees worked for the ministry?

- While these are allegations only and we must respect the privacy of these employees, some of them are relatively new and some have worked for a number of years with the ministry.

29. Who are the employees you have suspended – what are their titles?

- We will not discuss HR matters publicly and we have a legal obligation under the Freedom of Information and Protection of Privacy Act not to disclose personal information.
- We have turned our information over to the RCMP, so we cannot confirm specifics of our investigation at this time.

30. When will government make a determination on the other suspended individuals?

- Our investigation continues, and it would not be appropriate to comment further at this time.
- However, and as I committed when we made the first announcement on this, we will provide additional details when we can.

s.15, s.22

32. How long until we finish our HR investigation?

- I cannot speculate as to how long that investigation will take.
- But it will continue until we've got all the answers we need.

33. Lawyers of some of the excluded employees have said that suspending excluded employees without pay doesn't ever happen. What do we say to that?

- This is an unusual and disappointing set of circumstances that we are in, and we acted on the evidence that we had available.
- We believe the actions we took were appropriate to the evidence we had gathered.

34. What's happening in regards to the BCGEU filing grievances for these employees?

- We're aware of the BCGEU's decision.
- I've been told that it isn't unusual for the union to grieve certain HR decision.
- I'd suggest you'd direct your questions to the union on why they filed their grievance.

Deloitte and Touche:

35. Why are you bringing in Deloitte and Touche?

- The ministry has hired Deloitte and Touche to review the security of the ministry's data-management practices and help the ministry restart its pharmaceutical research work with the University of British Columbia and University of Victoria.

36. What will the firm be doing?

- Deloitte and Touche will conduct a detailed assessment of how the ministry secures, releases and tracks data that is provided to drug researchers.
- Once its assessment is complete, the company will make short and long term recommendations to help the ministry provide its data to researchers more securely.

37. How much is this costing?

- ?????

38. What's next when the review is complete?

- ?????

39. How is this going to help this situation at all?

- This review will give us recommendations on how to provide its data to researchers in a more secure way.
- In the end, this is about making very sure such a situation will not happen again.

40. How will this speed up access to data for researchers?

- ??????

41. When will they be finished their work?

- ??????

The privacy aspect:

42. Is the Information and Privacy Commissioner looking into this?

- The Information and Privacy Commissioner, Elizabeth Denham, notified the ministry that she would investigate the inappropriate access and use of ministry data for research.
- We welcome Commissioner Denham's review.
- Based on what we know today, we believe that this data was only used for drug research and not to harm individuals.
- However, we will fully cooperate with the privacy commissioner as she investigates this incident, and we will move forward if she recommends that we need to notify affected patients.

43. You committed to get us an update on the privacy information available. Do you have any more information on what private information is out there and how it has been jeopardized?

- (Possibly same as the above...)
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44. The Vancouver Sun reports this was a privacy breach. Is that true?

- The majority of the information used for research involved trends in the use of pharmaceuticals, prescription trends and reactions to medications.

- We believe that some researchers had inappropriate access and use of information.
- But at this point, we don't have evidence that the data has been used in a way that is a detriment, or harm to the public.
- We have notified the Office of the Information and Privacy Commissioner in respect to this matter. The Ministry will cooperate with any work of this office and follow up on all findings (recommendations) that the Office of the Information, Access and Privacy Commissioner may provide.
- I want to make clear, however, that British Columbia has strong regulations and rules in place under the Freedom of Information and Protection of Privacy Act to protect the public's privacy.
- When individuals work together to side-step these processes and rules that are in place, it is more than disappointing – it will not be tolerated.

45. Have you notified patients that their privacy could have been breached?

- Our investigation is still underway to determine the scope of the data that was inappropriately accessed.
- The Ministry is in contact with the Office of the Information and Privacy Commissioner and will follow up on all findings that may be issued by that office. This may include notifying patients.

46. Why was personal information allowed to be given to researchers?

- Personal information is allowed to be used, under strict conditions, by certain Ministry staff and contractors.
- Anyone with that access is expected to act in accordance with their Oath of Employment – to act with integrity, to safeguard confidential information and conduct oneself honestly and ethically.

It is alleged that these employees and contractors failed to follow those rules and broke their trust with British Columbians.

47. Why did the ministry say that private data was released when fired employee s.22 says s.22 didn't release any data?

- We recognize the significant public interest in the ministry's investigation into allegations of inappropriate conduct, contracting and data-management practices involving ministry employees and drug researchers.
- We respect the right of any individual to contact the media on their own behalf.
- However, we have not, cannot and will not be able to comment on, confirm or deny any personnel matters, including names, employment status, or rationale for termination or suspension.
- We must respect each person's right to privacy and the investigation process that continues.

48. Why aren't you releasing more details about what level of privacy information was breached, and whether government is going to notify the public?

- The majority of the information used for research involved trends in the use of pharmaceuticals, prescription trends and reactions to medications.
- We believe that some researchers had inappropriate access and use of information.
- But at this point, we don't have evidence that the data has been used in a way that is a detriment, or harm to the public.
- We have notified the Office of the Information and Privacy Commissioner in respect to this matter. The ministry will cooperate with the work of this office and follow up on all findings that the Office of the Information, Access and Privacy Commissioner may provide.
- I want to make clear, however, that British Columbia has strong regulations and rules in place under the Freedom of Information and Protection of Privacy Act to protect the public's privacy.
- When individuals work together to side-step these processes and rules that are in place, it is more than disappointing – it will not be tolerated.

Data access/research:

49. What kind of research was done in the division? How were these research contracts provided, and for what purpose?

- The Pharmaceutical Services Division sets out pharmaceutical research priorities for the ministry, with the goal to improve prescribing practices, develop evidence on drug coverage decisions, and support the expanded scope of practice for pharmacists.

50. How much does the ministry spend each year on drug research at the universities?

- In the last two years, the ministry has spent approximately \$2.5 million in drug research at the universities. Approximately 10% of that each year has gone to the University of Victoria.

51. How does the ministry award drug research contracts to researchers and other entities?

- Universities are considered government entities, and the ministry contracts with government bodies differently than with external agencies.
- This may include issuing contracts through tendering or through direct awards and would depend on the circumstances of each contract
- At this time, we can't get into any more details because it's part of our investigation, other than to say we will tighten our policy regarding awards of contracts to universities as part of our work.

52. What do we have to say about the Therapeutics Initiative researcher who claims that the data suspension is holding up valuable research?

- One of the unfortunate byproducts of this matter is that we have had to suspend drug research contracts to investigate these concerns.
- Our goal is to ensure that valid research, using properly sourced and valid data continues.
- However, the ends do not justify the means and it is absolutely vital – and I expect that British Columbians would agree – that we ensure that privacy is protected and proper data management is being used.

53. What type of health research is continuing and what research has stopped?

- ??????

54. Do we have a quicker timeline to get the data access back online?

- We are working as quickly as possible to restore university drug research with the appropriate data security measures in place
- We are hiring an independent consultant to review and enhance the ministry's data security measures and to help the ministry restart our drug research program in the most secure and quickest way possible.
- We will make more details available as soon as we have them.

55. What will be the affect on drug approvals and will there be delays in valuable and potentially lifesaving research?

- Our goal is to ensure that valid research, using properly sourced and valid data continues.
- We are trusted stewards of the public's information. At the end of the day, it is vital to ensure that privacy is protected and proper data management is followed.
- This is why we temporarily suspended data sharing with drug and evidence development researchers at the universities.
- Drug research is long term research, and these delays, which will likely be no longer than a matter of a few months, should not have a significant impact on any research being done into drug effectiveness and use.
- We are working as quickly as possible to restore university drug research with the appropriate data security measures in place.
- We will hire an independent consultant to review and enhance the ministry's data security measures and to help the ministry restart our drug research program in the most secure and quickest way possible.
- While this work is going on, the Drug Benefit Council will continue to operate and continue to review the vast amounts of other research out there on new drugs to make decisions on whether to cover them through PharmaCare.
- More on the Drug Benefit Council, which makes evidence based drug listing decisions for PharmaCare:
http://www.health.gov.bc.ca/pharmacare/formulary/dbc_info.html

56. Is valid research being held up by this investigation?

- One of the unfortunate by products of this matter is that we have had to suspend drug research contracts to investigate these concerns.
- Our goal is to ensure that valid research, using properly sourced and valid data continues.
- However, it is vital to ensure that privacy and proper data management is being used, and we will complete our review before reinstating these contracts.

57. What kind of money does a drug company make when the ministry decides to cover a drug? How big of a financial boon is it?

- We have tight and strict controls around pharmaceutical companies and our interactions with them.
- Our focus is for British Columbians to have access to the best drug therapies – at the best price for taxpayers.
- Our focus in drug coverage decisions is on a rigorous review of clinical evidence – to ensure we are consistently covering the most beneficial drugs for our patients.
- Our focus in price negotiations is getting the best possible price for taxpayers.
- PharmaCare is one of the fastest growing areas of the health care budget. Since 2001, the PharmaCare budget has increased by approximately 74 per cent – from \$654 million to more than \$1.1 billion for 2011/12.

58. What is the total annual budget for drug research?

- The ministry transferred approximately \$115M to UBC and \$3M to UVIC last year. Most of this funding went to support the medical school, training physicians and other health care staff.
- The drug research contracts that have been suspended are relatively small compared to this - a total of \$4M between now and 2017..

Health Gov't Transfers

THE UNIVERSITY OF BRITISH COLUMBIA	032458	Health	C50	115,477,835.12
UNIVERSITY OF VICTORIA	599837	Health	C50	2,687,572.00

Payments to Suppliers

THE UNIVERSITY OF BRITISH COLUMBIA	032458	Universities	618,905.96
UNIVERSITY OF VICTORIA	599837	Universities	305,495.02

59. How much does the ministry spend on total health research each year?

- The ministry spends approximately \$6 million each year on health research, including approximately \$2.5 million on drug research with the University of BC and University of Victoria.
- In addition, the ministry provides a number of grants each year to research institutions. The largest of these goes to the Michael Smith Foundation, which receives approximately \$20-25 million each year for health research..

1. What have you asked the RCMP to investigate? What branch of the RCMP have you contacted?

- We have been in contact with the Corporate Crime Section of the RCMP. We have provided the information we have gathered through our investigation for their review and action as appropriate.

2. What evidence did you find that warrants further investigation?

- Because this is an ongoing police matter, I cannot speak to specific evidence.
- Suffice it to say that the allegations were serious enough to ask the RCMP to investigate.

3. How much money is involved?

- Again, as this is a criminal investigation we cannot comment at this time.

4. When did you become aware of this situation Minister?

- I was made aware on August 3rd and directed my deputy minister to take any necessary step to further the investigation as quickly as possible.
- I asked for recommendations to improve contracting, granting and data access practices in the Pharmaceutical Services Division.
- We will take any and all steps necessary to make sure confidence in the public service is maintained.

5. Why did you take so long to make this public?

- These were serious allegations, and deserved a fulsome review to determine whether they could be substantiated.
- As the review progressed, it became obvious that not only were the allegations serious, they were complex.
- We felt it was now appropriate to release what level of information we could to the public now that this matter has been referred to the RCMP.

6. Can you explain what you mean by inappropriate employee/contractor relationships?

- This is the subject of our investigation and the RCMP investigation.

7. What kind of research was done in the division? How were these research contracts provided, and for what purpose?

- PSD needs to provide specific details

8. Who are the two outside contractors you are referring to?

- We will not name names until our investigation is complete. However, I can assure you that all contracts with these individuals have been terminated. During the investigation, all contracts with universities on related research were also suspended.

9. Who are the employees you have suspended – what are their titles?

- We will not discuss HR matters publicly and we have a legal obligation under the Freedom of Information and Protection of Privacy Act not to disclose personal information.
- More importantly, we have turned our information over to the RCMP, so we cannot confirm specifics of our investigation at this time.

10. How long has this been going on – in terms of the issues identified in the ministry investigation?

- This is part of the investigation that is ongoing.
- We can confirm that some of our investigation relates to employees who have been with the ministry a short time and some for quite a while.

11. Has there been an issue in respect to privacy? Has personal privacy been breached?

- The majority of the information used for research involved trends in the use of pharmaceuticals, prescription trends and reactions to medications.
- We believe that some researchers had inappropriate access and use of information.
- We have notified the Office of the Information and Privacy Commissioner in respect to this matter. The Ministry will follow up on all findings that the Office of the Information, Access and Privacy Commissioner may provide.
- I want to make clear, however, that British Columbia has strong regulations and rules in place under the Freedom of Information and Protection of Privacy Act to protect the public's privacy.
- When individuals who may have worked together to side-step these processes, it is more than disappointing – it will not be tolerated.

12. Have you notified patients that their privacy could have been breached?

- Our investigation is still underway to determine the scope of the data that was inappropriately accessed.
- The Ministry is in contact with the Office of the Information and Privacy Commissioner and will follow up on all findings that may be issued by that office. This may include notifying patients.

13. How many staff have been suspended? How many with pay? How many terminated?

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14. How will you ensure that this does not happen again?

- We understand that public confidence must be maintained in all members of the public service to execute their duties in a manner that meets the high standards of conduct expected of them.
- The ministry acted immediately to investigate and respond to this matter. We take allegations of this nature very seriously.
- British Columbia has strong regulations and rules in place. When individuals work together to side-step these processes, it is more than disappointing – it will not be tolerated.
- We will, however, act to implement any, and all, measures necessary and recommended as a result of this review.
- The Ministry has taken a number of interim measures, which we've outlined today, and we are committed to taking further actions that may be required as the investigation progresses.

15. Why were there not checks and balances in the contract procurement process to prevent this type of event from happening?

- The Government of B.C. has created an open and accountable procedure for procuring contracts.

s.13

- When individuals work together to side-step these processes, it is more than disappointing – it will not be tolerated.
- We will, however, act to implement any, and all, measures necessary to ensure our processes are strong.

16. How much does the ministry spend on these contracts? What is the scope of the current investigation

- Our investigation continues; but the current remaining value of the contracts that have been suspended is approximately \$4 million.
- If pressed:
- These were multi-year contracts that began between 2004 and 2010, with a total value of \$17 million.

17. Why is the Auditor-General not involved in this investigation?

- The Auditor-General received the original allegation related to this and asked the ministry to investigate.
- We would welcome a review by the Auditor General if that office feels one is necessary.
- The Ministry has followed-up and has brought in appropriate reviewers from the Ministry, the Ministry of Labour, Citizen's Services and Open Government and the office of the Comptroller General.
- We have also shared information with the RCMP to help them with their investigation.

18. Would this issue have happened if you didn't let drug reviews under the Therapeutics Initiative go out to tender?

- This is a complicated investigation that involves a number of bodies.
- We must allow the RCMP to conduct its work before commenting any further.

19. The Auditor General was alerted to these concerns in March. Why has it taken so long to move on this?

- These were serious allegations, and deserved a fulsome review.
- As the review progressed, it became obvious that not only were the allegations serious, they were complex and needed a formal investigation, led by a lead investigator from Labour and Citizen Services. This investigation began in May.
- The ministry has responded appropriately and decisively to this situation. These things take time, but I can assure you that as soon as we determined that there appeared to be substance to the allegations, we froze these individuals' data accounts and their purchasing authority.
- I am satisfied that the ministry has acted with integrity to quickly and thoroughly respond to this matter.

20. Why was personal information allowed to be given to researchers?

- Personal information is allowed to be used, under strict conditions, by certain Ministry staff and contractors.
- Anyone with that access is expected to act in accordance with their Oath of Employment – to act with integrity, to safeguard confidential information and conduct oneself honestly and ethically.

- It is alleged that these employees and contractors failed to follow those rules and broke their trust with British Columbians.

21. How many contracts are involved?

- We have suspended or terminated 10 contracts related to our investigation.

22. Is valid research being held up by this investigation?

- One of the unfortunate byproducts of this matter is that we have had to suspend drug research contracts to investigate these concerns.
- Our goal is to ensure that valid research, using properly sourced and valid data continues.
- However, it is vital to ensure that privacy and proper data management is being used, and we will complete our review before reinstating these contracts.

23. Was this information given to large pharmaceutical companies?

- The investigation is ongoing, but at this time it does not appear that any data has been supplied to any pharmaceutical companies.

24. How long have these employees worked for the Ministry?

- While these are allegations only and we must respect the privacy of these employees, some of them are relatively new and some have worked for a number of years with the ministry.

25. Are you aware of the full extent of this?

- This is an ongoing investigation.
- As Minister, I have instructed the ministry to take whatever steps are necessary to respond to this in a thorough manner and engage outside parties to ensure this is done properly.

26. How long will the review take?

- Until we've got all the answers we need. I cannot speculate as to how long that investigation will take.

27. Did Minister de Jong leave the portfolio because of this investigation?

- I can say that this is 100% false. Minister de Jong's appointment to Finance and mine to Health was not at all related to this investigation.
- The ministry has informed me that they were preparing a public release of this information this week, as a result of the RCMP involvement.

28. Did Jonathan Fowlie's piece this morning prompt you to go out today?

- As we have confirmed, our investigation into this matter began in May. We needed to follow due process to ensure that our investigation was not hindered before releasing information to the public.
- It was our intention to release information publicly this week.

29. Is there a problem with the culture of the Ministry that has allowed this to happen?

- We take all matters of this nature seriously.
- It is important to be clear that the Ministry of Health has hundreds of workers who work with integrity and uphold the public's trust every day.

30. Who alerted the Auditor-General to these concerns?

- The auditor-general received an allegation regarding contracting irregularities.
- I want to publicly thank this person and encourage this commitment to a public service that functions with integrity.
- However, we will not disclose the identity of individual who has brought this matter to our attention because we must protect the anonymity of the whistle blower.

31. We saw the Ministry of Health go through a similar issue in 2007 with contracts for eHealth and former ADM Ron Danderfer. Has nothing changed?

- There was an issue with eHealth contracts awarded by the former ADM. When that problem was discovered, it was dealt with appropriately – both internally and through the justice system.
- The Comptroller-General has since done a follow-up report on contract procurement within the Ministry of Health and found that the Ministry is doing a good job in ensuring fair contract procurement.
- British Columbia has strong regulations and rules in place. When individuals work together to side-step these processes, it is more than disappointing – it will not be tolerated.

- I am very disappointed and saddened by this. We expect better from those who serve British Columbians.
- We will act to implement any, and all, measures necessary to ensure our processes are strong.

Key Messages – health data investigation update

January 2013

- As stewards of British Columbians' personal information, we take this responsibility seriously.
- Three instances of health data being inappropriately accessed have been confirmed which we feel should be shared with the public.
- In these three cases health data was inappropriately accessed, saved on portable storage devices and shared without required permissions and protocols being followed.
- British Columbia has policies and protocols in place which govern who can access and share personal health information. In these three instances, these were not followed.
- We are informing the public out of an abundance of caution. We believe there is minimal, if any, risk of any inappropriate use of personal information.
- There is no evidence information was accessed for purposes other than health research.
- The ministry has been in communication with the parties involved, or their legal representatives, as applicable, concerning the return of ministry data.
- The ministry has shared its investigation findings with the OIPC, and we will continue to consult with the OIPC on this matter.
- The ministry has hired the private consulting firm Deloitte and Touche to review the ministry's data security measures.
- The ministry is also introducing a mandatory privacy and data security training program for employees, on top of training already required for public servants.
- More information is available online and can be accessed from the Ministry of Health's home page. Members of the public can also call 1-866-736-9156 between 8:00 a.m. and 4:30 p.m. on weekdays.

COMMUNICATIONS PLAN

Data Access Investigation

Ministry of Health / Government Communications and Public Engagement

Subject:

Ministry of Health to provide an update on data-access investigation

Background:

On March 28, 2012, the Office of the Auditor General contacted the Ministry of Health about an anonymous allegation about contracting irregularities and research grant practices in the research and evidence development program area of the pharmaceutical services division (PSD). The Ministry of Health started to investigate these allegations immediately, and commenced a formal investigation in May 2012. A lead investigator from the Office of the Chief Information Officer, Ministry of Citizen Services and Open Government was engaged to support this process.

On September 6, 2012 - details of the investigation were publicly released by Health Minister Margaret MacDiarmid. The minister announced that a number of employees had been terminated and suspended without pay, that the RCMP had been contacted, and that the ministry was continuing to investigate.

Following this announcement, and as part of its investigation, a data-access investigation has continued and has found specific instances of inappropriate access of health data. The minister has previously committed to make public findings of this investigation when appropriate/possible.

Key Messages:

- We take our responsibilities to safeguard British Columbians' health information very seriously.
- This is why a comprehensive investigation was undertaken involving a team of doing what can only be described as a forensic investigation of electronic records to identify what information was accessed, how it was accessed and for what purpose.
- There are rules and regulations in place that govern access to health data for approved purposes, including research.
- There is no evidence information was accessed for purposes other than health research, but rules and regulations were not adhered to in specific instances identified as part of this investigation.
- We have provided the results of this investigation to the Office of the Information and Privacy Commissioner (OIPC), and will continue to consult the OIPC.

Options:

Option 1: A news release providing a detailed update on findings from a data-access investigation and steps ministry has taken in respect to enhancing data-access policies and procedures be released, followed by minister availability via a telephone conference call.

Option 2: The Minister of Health could hold a news conference to update the media/public of investigation findings and follow-up actions. A technical briefing may also be warranted/considered should this option be selected. It is recommended that consideration be given to staging this news conference in Victoria.

Pages 110 through 114 redacted for the following reasons:

s.13

MINISTRY OF HEALTH

HEALTH INFORMATION RELEASE

As stewards of British Columbians' health information, the Ministry of Health takes its responsibility for privacy protection very seriously.

British Columbia has statutes and rules in place which govern how personal health information is stored, who can access it, and when and how it can be shared.

An ongoing data-access investigation has revealed a number of specific instances of unauthorized access of health data for research purposes. The investigation team has spent several months conducting a detailed and comprehensive review of electronic records, databases and portable storage devices.

In consultation with the Office of the Information and Privacy Commissioner, the investigation found three specific instances of health data being inappropriately accessed which require public disclosure.

In all three cases, information was saved on portable storage devices (USB sticks) and shared with researchers and/or contractors without adhering to required permissions and protocols.

Government policies dictate USB keys must be password protected and encrypted if they are to be used to carry personal health information and that health data should only be shared with individuals who have authorization to access it for approved purposes.

In one of those instances, the information of some citizens who participated in Statistics Canada's *Canadian Community Health Survey (CCHS)* was shared in a way that was contrary to the agreement stated in the survey. Participants in the survey were told their information would only be shared with a small number of government organizations. In British Columbia, this organization is the Ministry of Health. When Statistics Canada shared the survey information with the Ministry of Health, we agreed that we would not share the information any further. We are sorry to tell you that an employee in the Ministry has broken this agreement.

The Ministry began an investigation as soon as this was discovered. It is now clear that, contrary to established protocols, the Ministry employee shared this information to be used in research outside the Ministry of Health. As a result of this employee's actions, the Ministry of Health shared survey information in a way that we said we would not.

We are following the advice of the Office of the Information and Privacy Commissioner of B.C. and sending notification letters to all individuals whose CCHS information was shared inappropriately.

None of the information accessed inappropriately included personal names, social insurance numbers (SIN), or any financial information about individuals.

The Ministry of Health sets a high standard for information management and privacy protection. We treat any breach of established protocols in this area very seriously and have taken measures to ensure it does not happen again, including working closely with the Office of the Information and Privacy Commissioner on this matter. An independent consulting firm has also been engaged by the Ministry to undertake a comprehensive review of the ministry's data-security protocols.

Members of the public who have further questions or concerns can call 1-866-736-9156, or in the Lower Mainland 604-435-0963, between 8:00 a.m. and 4:30 p.m., weekdays.

NEWS RELEASE

For Immediate Release

Ministry of Health

Ministry of Health taking steps to respond to investigation findings

VICTORIA – The Ministry of Health has asked the RCMP to investigate allegations of inappropriate conduct, contracting and data-management practices involving ministry employees and drug researchers.

Health Minister Margaret MacDiarmid said today that the ministry has provided the RCMP with interim results of an internal investigation, which was supported by a lead investigator from the Office of the Chief Information Officer, Ministry of Labour and Citizen Services. It examined contracting and research grant practices between ministry employees and researchers at the University of British Columbia and the University of Victoria.

“We take all allegations of this nature very seriously,” she said. “I have instructed the ministry to continue to take whatever steps are necessary to respond to these matters thoroughly. We must ensure confidence is maintained in the integrity of the public service to execute its responsibilities in a manner that meets the high standards of conduct expected by the public.”

The formal investigation, which commenced in May 2012, examined financial controls, contracting, data management and employee/contractor relationships and produced evidence of potential conflict of interest, and inappropriate contract management and data access with external drug researchers.

As an immediate response, the ministry took the following steps, pending the completion of an ongoing formal investigation into this matter:

- Four employees have been terminated and three have been suspended without pay – and their access to ministry-data and government assets have been frozen.
- Two outside contractors had their contracts and data access suspended.
- All ministry data-sharing with drug and evidence development researchers has been temporarily suspended.
- All work on contracts related to drug and evidence development has been suspended;
- All spending for the pharmaceutical services division now requires approval by the assistant deputy minister.
- The ministry will tighten its policy regarding awards of contracts to universities. All contracts entered into by the ministry will now be reviewed by the ministry’s contract management branch.
- The ministry has retained an independent consultant to review and enhance the ministry’s data security measures

In addition to the RCMP, the ministry has been in contact with the Public Service Agency, the Office of the Comptroller General, the Office of the Auditor General, the Office of the Information and Privacy Commissioner, and the University of British Columbia and the University of Victoria.

A backgrounder follows:

Contact:

Ryan Jabs
Media Relations Manager
Ministry of Health
250 952-1887 (media line)

BACKGROUND

March 28th, 2012 - The Office of the Auditor General contacted the Ministry of Health to advise that someone had made an allegation about contracting irregularities and inappropriate research grant practices in the Pharmaceutical Services Division.

March 2012 – The ministry's Financial and Corporate Services Division conducted staff interviews and looked at the contracts involved in the complaint. As a result of this examination, the ministry decided a formal and in depth investigation was warranted.

May 2012 – The ministry began its formal investigation. A lead investigator from the Office of the Chief Information Officer, Ministry of Labour and Citizen Services, was engaged to support this process.

June 2012 – Based on information uncovered by the formal investigation, the ministry suspended data access for a number of employees. These employees were subsequently suspended in July and August.

July 2012 – Results of the interim review were provided to the Deputy Minister.

August 2012 – The matter was referred to the RCMP based on the results of the interim investigation.

September 2012 – Four of the seven employees were terminated.

Contact:

Ryan Jabs
Media Relations Manager
Ministry of Health
250 952-1887 (media line)



NEWS RELEASE

For Immediate Release
[release number]

Ministry of Health

Further details released in data access investigation

VICTORIA – Health Minister Margaret MacDiarmid provided an update today on the ministry's data investigation that has confirmed a number of instances where personal health data was accessed for research purposes without authorization.

The minister announced three specific instances where health data was inappropriately accessed, saved on portable storage devices (USB sticks) and shared with researchers and/or contractors without required permissions and protocols being followed. The ministry has taken measures to mitigate risks associated with the incidents, as well as steps to review and enhance its data security procedures. None of the information accessed inappropriately included personal names, social insurance numbers (SIN), or any financial information about individuals.

At the present time, the ministry's investigation has concluded that there is minimal, if any, risk of inappropriate use of personal information.

"There continues to be no evidence that information was accessed or used for purposes other than health research," said Health Minister Margaret MacDiarmid. "However, the ministry takes its responsibility to safeguard British Columbians' health information extremely seriously and that is why a comprehensive investigation of electronic records was undertaken, including computer databases, storage devices and email records going back several years. I remain very concerned that rules were not followed in these specific instances."

In consultation with the Office of the Information and Privacy Commissioner (OIPC), the ministry determined that it would be appropriate to provide the public with details about three instances of health data being inappropriately accessed. The ministry is also following the recommendation of the OIPC to directly contact approximately 36,000 individuals affected in one of the three cases.

This particular case involved data both from the ministry and data compiled from responses to Statistics Canada's Canadian Community Health Survey. This information was collected by Statistics Canada and shared with the ministry under the understanding that personally identifiable information for research would not be disclosed outside of the ministry. Disclosure of the information breached the consent that was given by individuals who participated in the survey and the agreement between the ministry and Statistics Canada.

In September, the ministry first announced an investigation into allegations of inappropriate conduct, contracting and data-management practices involving former ministry employees, researchers and contractors. The ministry has been in communication with the parties involved, or their legal representatives, as applicable, concerning the return of ministry data.

The private consulting firm Deloitte and Touche has also been hired to review the ministry's data security measures, including ways to enhance data governance, compliance and monitoring, security and information management practices, as well as technological infrastructure requirements. The ministry is also introducing a mandatory privacy and data-security training program for all employees, in addition to training already required of all public service employees.

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Members of the public who have questions or concerns can visit www.health.gov.bc.ca/cpa/mediasite/healthdata.html, or call 1-866-736-9156 between 8:00 a.m. and 4:30 p.m., weekdays.

A backgrounder follows.

Backgrounder

In September 2012, the Ministry of Health announced that it was investigating allegations of inappropriate conduct, contracting and data-management practices involving former ministry employees and drug researchers.

A lead investigator from the Ministry of Citizen Services and Open Government has spent several months overseeing a team of analysts who are conducting a detailed and comprehensive review of Ministry of Health electronic records, databases and portable storage devices. The forensic data investigation involves locating, rebuilding and sifting through hundreds of gigabytes of data and thousands of emails.

Government policies dictate USB keys must be password-protected and encrypted if they are to be used to carry personal health information, and that health data should only be shared with individuals who have authorization to access it for approved purposes.

As part of this process, the ministry has identified details about three specific instances of inappropriate and unauthorized data access and use for research purposes, where required permissions and protocols were not followed, which require public notification. Details about these instances have been shared with the OIPC.

First case: Portable storage device (USB stick) containing Statistics Canada health survey information - June, 2012.

Personal Notification will occur in this case.

Summary: Health data of 38,486 individuals was shared with an individual for research authorized by the Ministry. The file included personal health numbers, gender, date of birth and postal codes, as well as information linked from Statistics Canada's Canadian Community Health Survey. Personal names, SIN, street addresses and financial information were never

NEWS RELEASE

For Immediate Release
[release number]

Ministry of Health

Further details released in data access investigation

VICTORIA – Health Minister Margaret MacDiarmid provided an update today on the ministry's data investigation that has confirmed a number of instances where personal health data was accessed for research purposes without authorization.

The minister announced three specific instances where health data was inappropriately accessed, saved on portable storage devices (USB sticks) and shared with researchers and/or contractors without required permissions and protocols being followed. The ministry has taken measures to mitigate risks associated with the incidents, as well as steps to review and enhance its data security procedures. None of the information accessed inappropriately included personal names, social insurance numbers (SIN), or any financial information about individuals.

At the present time, the ministry's investigation has concluded that there is minimal, if any, risk of inappropriate use of personal information.

"There continues to be no evidence that information was accessed or used for purposes other than health research," said Health Minister Margaret MacDiarmid. "However, the ministry takes its responsibility to safeguard British Columbians' health information extremely seriously and that is why a comprehensive investigation of electronic records was undertaken, including computer databases, storage devices and email records going back several years. I remain very concerned that rules were not followed in these specific instances."

In consultation with the Office of the Information and Privacy Commissioner (OIPC), the ministry determined that it would be appropriate to provide the public with details about three instances of health data being inappropriately accessed. The ministry is also following the recommendation of the OIPC to directly contact approximately 36,000 individuals affected in one of the three cases.

This particular case involved data both from the ministry and data compiled from responses to Statistics Canada's Canadian Community Health Survey. This information was collected by Statistics Canada and shared with the ministry under the understanding that personally identifiable information for research would not be disclosed outside of the ministry. Disclosure of the information breached the consent that was given by individuals who participated in the survey and the agreement between the ministry and Statistics Canada.

In September, the ministry first announced an investigation into allegations of inappropriate conduct, contracting and data-management practices involving former ministry employees, researchers and contractors. The ministry has been in communication with the parties involved, or their legal representatives, as applicable, concerning the return of ministry data.

The private consulting firm Deloitte and Touche has also been hired to review the ministry's data security measures, including ways to enhance data governance, compliance and monitoring, security and information management practices, as well as technological infrastructure requirements. The ministry is also introducing a mandatory privacy and data-security training program for all employees, in addition to training already required of all public service employees.

s.17

Members of the public who have questions or concerns can visit www.health.gov.bc.ca/cpa/mediasite/healthdata.html, or call 1-866-736-9156 between 8:00 a.m. and 4:30 p.m., weekdays.

A backgrounder follows.

Backgrounder

In September 2012, the Ministry of Health announced that it was investigating allegations of inappropriate conduct, contracting and data-management practices involving former ministry employees and drug researchers.

A lead investigator from the Ministry of Citizen Services and Open Government has spent several months overseeing a team of analysts who are conducting a detailed and comprehensive review of Ministry of Health electronic records, databases and portable storage devices. The forensic data investigation involves locating, rebuilding and sifting through hundreds of gigabytes of data and thousands of emails.

Government policies dictate USB keys must be password-protected and encrypted if they are to be used to carry personal health information, and that health data should only be shared with individuals who have authorization to access it for approved purposes.

As part of this process, the ministry has identified details about three specific instances of inappropriate and unauthorized data access and use for research purposes, where required permissions and protocols were not followed, which require public notification. Details about these instances have been shared with the OIPC.

First case: Portable storage device (USB stick) containing Statistics Canada health survey information - June, 2012.

Personal Notification will occur in this case.

Summary: Health data of 38,486 individuals was shared with an individual for research authorized by the Ministry. The file included personal health numbers, gender, date of birth and postal codes, as well as information linked from Statistics Canada's Canadian Community Health Survey. Personal names, SIN, street addresses and financial information were never

included in the file, however, the data did include hospital admissions, discharges, medication history, medical services plan claims, and survey information about individuals' health status and use of health services

The researcher submitted an academic research proposal to an academic institution to use the data to support academic research. The data being accessed for this purpose breached the consent of individuals who participated in Statistics Canada's Survey. Ministry policies require personal health information to be used only for authorized purposes and require data access agreements to be in place when personal information is accessed. There is no evidence the ministry authorized the use of data for this additional purpose. The data was in a binary data format which requires specialized software to decode.

Second case: Portable storage device (USB stick containing unencrypted ministry data - June, 2012:

Summary: A USB stick containing a plain text file of 19 types of health data, including personal health numbers, gender, age group, length of hospital stay and amounts spent on various categories of health care for over 5 million individuals was provided to a ministry contractor. This information did not include personal names, social insurance numbers (SIN), financial information or addresses of individuals. The contractor was authorized to receive non-identifiable and/or encrypted data from the ministry, but received unencrypted data instead. When the contractor discovered this error, the contractor promptly returned the unencrypted data to the ministry employee who supplied it.

Third case: Ministry data shared on a USB stick without authorization - October, 2010:

Summary: Ministry data containing the personal health numbers of an estimated 21,000 people and detailing 262 variables of diagnostic information, including prescription history for certain drugs, was created and shared with a researcher without a data request being approved, in contravention of Ministry policies. This information did not include names, SIN, addresses or any financial information. All data was contained in a binary file that requires specialized software tools to access it and sophisticated analytical skills to decode it.

Members of the public who have questions or concerns can visit www.health.gov.bc.ca/cpa/mediasite/healthdata.html, or call 1-866-736-9156 between 8:00 a.m. and 4:30 p.m., weekdays.

Contact:
Ministry of Health
250 952-1887 (media line)

NEWS RELEASE

For Immediate Release
[release number]

Ministry of Health

Investigation finds unauthorized data access

VICTORIA – Health Minister Margaret MacDiarmid announced today results of a forensic data-access investigation which has revealed a number of specific instances of unauthorized access of health data for research purposes.

A lead investigator from the Ministry of Citizen Services and Open Government has spent several months overseeing a team of analysts that conducted a detailed and comprehensive review of Ministry of Health electronic records, databases and portable storage devices.

The investigation involved locating, rebuilding and sifting through hundreds of gigabytes of data and thousands of emails. In collaboration with the Office of the Information Privacy Commissioner (OIPC), three specific instances of health data being inappropriately accessed require public disclosure.

In all three cases, information was saved on portable storage devices (USB sticks) and shared with researchers and/or contractors without adhering to required permissions and protocols.

“The ministry takes its responsibility to safeguard British Columbians health information very seriously and that is why a comprehensive investigation of electronic records was undertaken, including computer databases, storage devices and email records going back several years,” said the minister. “There is no evidence information was accessed or used for purposes other than health research, but it remains very disappointing that rules and regulations were not followed in these specific instances.”

The ministry is also following the advice of the OIPC to directly contact an estimated 38,000 individuals affected in one of the three cases.

This case involved data both from the ministry and data compiled from responses to Statistics Canada’s Canadian Community Health Survey. This information was collected by Statistics Canada and shared with the ministry under the understanding that personally identifiable information would not be disclosed. Disclosure of the information breached the consent that was given by individuals who participated in the survey.

Ministry policies dictate USB keys must be password-protected and encrypted if they are to be used to carry personal health information, and that health data should only be shared with individuals who have authorization to access it for approved purposes.

None of the information accessed inappropriately included personal names, social insurance numbers (SIN), or any financial information about individuals.

In September, the ministry first announced an investigation into allegations of inappropriate conduct, contracting and data-management practices involving former ministry employees, researchers and contractors. Those involved have now signed and/or committed to sign declarations that they are no longer in possession of ministry data, information or property.

The private consulting firm Deloitte and Touche has also been hired to review the ministry's data security measures, including ways to enhance data governance, compliance and monitoring, security and information management practices, as well as technological infrastructure requirements. The ministry is also introducing a mandatory privacy and data-security training program for all employees, in addition to training already required of all public service employees.

s.17

Members of the public who have questions or concerns can visit www.gov.bc.ca/xxxxxxx, or call 1-866-736-9156 between 8:00 a.m. and 4:30 p.m., weekdays.

A backgrounder follows.

Backgrounder

In September 2012, the Ministry of Health announced that it was investigating allegations of inappropriate conduct, contracting and data-management practices involving former ministry employees and drug researchers.

A lead investigator from the Ministry of Citizen Services and Open Government was engaged to support this investigation, which included a detailed examination of computer records by a team of analysts.

As part of this process, the ministry has confirmed details about three specific instances of inappropriate and unauthorized data access and use for research purposes, without adhering to required permissions and protocols. Details about these instances have been shared with the OIPC.

First case: Portable storage device (USB stick) containing Statistics Canada health survey information supplied to a researcher on June 28, 2012.

Personal Notification will occur

Summary: A flash drive containing health data of 38,486 individuals was created and shared with s.22 The file included personal health numbers, gender, date of birth and postal codes, as well as information linked from Statistics Canada's Canadian Community Health Survey. Personal names, SIN, street addresses and financial information were never included in

the file. An example of what this file would look like in its binary format is available (link) _____.

s.13, s.22

Second case: Portable storage device (USB stick) supplied to a contracted s.22 on June 7, 2012:

Summary: A USB stick containing a plain text file of 19 types of health data, including personal health numbers, gender, age group, length of hospital stay and amounts spent on various categories of health care for over 4 million individuals was provided to a contracted s.22 s.22 This information did not include personal names, social insurance numbers (SIN), financial information or addresses of individuals. A mock-up of what this file would look like is available at (link) _____.

Details: The contractor had an agreement with the ministry to develop a data-analysis software tool - with the goal of improving the ministry's ability to summarize and analyse data to make well informed policy decisions. To support this development work, the contractor requested non-identifiable and/or encrypted data. However, the data that was provided by a s.22 s.22 included unencrypted personal health numbers in a plain text data file. A day after receipt of the USB stick, the contractor noticed the information was unencrypted, deleted the file stored on the computer, and removed the unencrypted personal health numbers from the data field. The contractor advises that the file was returned to s.22 s.22 who supplied it. All parties involved have signed declarations that they no longer have any ministry data in their possession.

Third case: Portable storage device (USB key) supplied to contracted researcher on October 4, 2010:

Summary: A portable storage device containing the personal health numbers of an estimated 21,000 people and detailing 262 variables of diagnostic information, including prescription history for certain drugs, was created and shared with an external contractor. This information did not include names, SIN, addresses or any financial information. All information was contained within an application that cannot be readily accessed without supported software.

An example of what this would look like in its binary file format is available
(link)_____.

s.13, s.22

Members of the public who have questions or concerns can visit www.gov.bc.ca/xxxxxxx, or call
1-866-736-9156 between 8:00 a.m. and 4:30 p.m., weekdays.

Contact:
Ministry of Health
250 952-1887 (media line)



NEWS RELEASE

For Immediate Release
[release number]

Ministry of Health

Investigation finds unauthorized data access

VICTORIA – Health Minister Margaret MacDiarmid announced today results of a forensic data-access investigation which has revealed specific instances of unauthorized access of health data for research purposes.

A lead investigator from the Ministry of Citizen Services and Open Government has spent several months overseeing a team of analysts that conducted a detailed and comprehensive review of Ministry of Health electronic records, databases and portable storage devices.

This investigation has confirmed three specific instances of health data being inappropriately accessed, saved on portable storage devices (USB sticks) and shared with researchers and/or contractors without required permissions and protocols being adhered to.

Ministry policies dictate USB keys must be password-protected and encrypted if they are to be used to carry personal health information, and that health data should only be shared with individuals who have authorization to access it for approved purposes.

"The ministry takes its responsibility to safeguard British Columbians health information very seriously and that is why a comprehensive investigation of electronic records was undertaken, including computer databases, storage devices and email records going back several years," said the minister. "There is no evidence information was accessed or used for purposes other than health research, but it remains very disappointing that rules and regulations were not followed in these specific instances."

The ministry has shared its investigation findings with the Office of the Information and Privacy Commissioner (OIPC), and will continue to consult with the OIPC in respect to this matter.

In September, the ministry first announced an investigation into allegations of inappropriate conduct, contracting and data-management practices involving former ministry employees, researchers and contractors. Those involved have signed and/or committed to sign declarations that they are no longer in possession of ministry data, information or property.

The private consulting firm Deloitte has also been hired to review the ministry's data security measures, including ways to enhance data governance, compliance and monitoring, security and information management practices, as well as technological infrastructure requirements. The ministry is also introducing a mandatory privacy and data-security training program for all employees, in addition to training already required of all public service employees.

A backgrounder follows.

Backgrounder

In September 2012, the Ministry of Health announced that it was investigating allegations of inappropriate conduct, contracting and data-management practices involving former ministry employees and drug researchers.

A lead investigator from the Ministry of Citizen Services and Open Government was engaged to support this investigation, which included a detailed examination of computer records by a team of analysts.

As part of this process, the ministry has confirmed details about three specific instances of inappropriate and unauthorized data access. Details about these instances have been shared with the OIPC.

First Case: Portable storage device (USB stick) supplied to a contracted software developer on June 7, 2012:

Summary: A USB stick containing a plain text file of 19 types of health data, including personal health numbers, gender, age group, length of hospital stay and amounts spent on various categories of health care for over 4 million individuals was provided to a contracted software developer. This information did not include names, or addresses of individuals. A mock-up of what this file would look like is available at (link) _____.

Details: The contractor had an agreement with the ministry to develop a data-analysis software tool - with the goal of improving the ministry's ability to summarize and analyse data to make well informed policy decisions. To support this development work, the contractor requested non-identifiable and/or encrypted data. However, the data that was provided by a s.22 s.22 included unencrypted personal health numbers in a plain text data file. A day after receipt of the USB stick, the contractor noticed the information was unencrypted, deleted the file stored on the computer, and removed the unencrypted personal health numbers from the data field. The file was returned to s.22 who supplied it.

Second Case: Portable storage device (USB key) supplied to contracted researcher on October 4, 2010:

Summary: A portable storage device containing the personal health numbers of an estimated 21,000 people and detailing 262 variables of diagnostic information, including prescription history for certain drugs, was created and shared with an external contractor. Names were never disclosed, nor were addresses, and all information was contained within an application that cannot be readily accessed without unsupported software. An example of what this would look like in its binary file format is available (link)_____.

Details: A contracted researcher submitted a request for access to health data to support research into specific medication use, in particular atypical and anti-psychotic medications. The information was gathered from chronic disease registries and pharmaceutical history data and was provided before a data request was formally approved, in contravention of established ministry policies in this regard. The data was contained in a binary file that requires specialized software tools and sophisticated analytical skills to decode the file.

s.13, s.22

Contact:
Ministry of Health
250 952-1887 (media line)

DATE

ACCOUNT #
CLIFF #

Individual or Representative Name
Address Line 1
Address Line 2
City, BC Postal Code

Dear *[Addressee Name of Account Holder]*:

I am writing to advise you of an incident regarding the Canadian Community Health Survey (CCHS) that you participated in through Statistics Canada.

When you participated in the CCHS survey you were advised by Statistics Canada that your information would only be shared with a small number of government organizations for research purposes. One of those government organizations was the British Columbia Ministry of Health (the "Ministry") for its research purposes.

The Ministry and Statistics Canada entered into a written information sharing agreement in relation to the CCHS data. That agreement contains various provisions that deal with the confidentiality of the survey information, including restrictions concerning the use and disclosure of such information.

I regret to advise you that an extensive Ministry investigation has revealed that one of its employees inappropriately and without authorization shared CCHS information with a researcher for research purposes outside of the Ministry. The sharing of that information was inconsistent with the agreement entered into by the Ministry and Statistics Canada, and the consent you provided that authorized sharing of the information with Provincial Ministries of Health for research purposes. It was also inconsistent with established Ministry rules. The employee who shared this information has since had their employment terminated.

The Ministry investigation gathered information concerning to whom the personal information was shared and how it was used. We want to assure you that this investigation did not uncover any evidence that information about you has been used for any purpose other than research. As such, the Ministry has no reason to believe that such information has been or could be used in a manner that could be harmful to you. The Ministry has taken measures to ensure that such an event does not happen again. We are working closely with the Office of the Information and Privacy Commissioner for British Columbia on this matter.

Please accept my sincere apologies for any distress this incident may have caused you. If you have any questions regarding this matter, we encourage you to first visit our website at www.health.gov.bc.ca/cpa/mediasite/healthdata.html, as the Question and Answer section may address your questions. If, after visiting the website, you still have a question or concern, please feel free to contact us at 1-866-736-9163, or in the Lower Mainland at 604-435-0963

Sincerely,

Lindsay Kislock
Assistant Deputy Minister

Jan. 9, 2012

Ministry of Health

MEDIA ADVISORY

VICTORIA – Health Minister Margaret MacDiarmid will make announcement about the Ministry of Health's investigation first announced in September. Media outside Victoria will be able to participate via teleconference.

Event Date: Thursday, Jan. 10, 2013

Time: 1 p.m.

Location:

Birch Room, Rm. 339

Third Floor

B.C. Legislature

Victoria

Dial in number:

Media pass cod

s.15

Media contact:

Ryan Jabs, Media Relations Manager

Ministry of Health

250 952-1887 (media line)



SPEAKING POINTS FOR

Margaret MacDiarmid

MINISTER OF HEALTH

PHARMACEUTICAL RESEARCH REVIEW

EVENT LOCATION - TBD

EVENT TIME - TBD

Please check against delivery

Event Profile:

Briefing for Media regarding claims of contract mis-management in the Pharmaceutical Services Division

Audience:

Media/public.

Key Messages:

- The ministry acted immediately to investigate and respond to this matter. We take allegations of this nature very seriously.
- British Columbia has strong regulations and rules in place. When individuals work together to side-step these processes, it is more than disappointing – it will not be tolerated.
- We asked the RCMP to investigate after we found evidence of inappropriate conduct, contracting and data-management practices in the area of drug research.
- We must ensure confidence in the public service is maintained - and that all civil servants execute their duties in a manner that meets the high standards of conduct expected of them.

Event Set-up:

Legislative Assembly common room.
Technical briefing

INTRODUCTION

- Good morning and thank you all for coming out.
- I would like to thank Deputy Minister Whitmarsh for his comments and explanations of this complex and disappointing matter.

ANNOUNCEMENT

- I would have preferred that my first announcement would have been on a much more positive note.
- But this is a serious matter, and we take allegations of this nature very seriously.
- We must ensure confidence in the public service is maintained - and that all civil servants execute

their duties in a manner that meets the high standards of conduct expected of them.

- I and my predecessor, Michael de Jong, have instructed the Ministry to take whatever steps necessary to respond to these matters thoroughly.
- That is why, after an initial investigation, the ministry has contacted the RCMP regarding these serious allegations.
- I am personally disappointed something like this could have happened.

- The deputy minister has assured me that the ministry acted immediately to investigate and respond to this matter.
- As the Deputy already mentioned, the ministry has taken steps to improve our data management and contract management processes related to drug research.
- We cannot and will not tolerate anyone who attempts to break the rules, standards and laws for any reason.
- We will be working closely with other agencies to ensure that this data is used appropriately and ethically.

- This is part of an ongoing RCMP investigation, so I cannot provide any more specifics at this time.

CONCLUSION

- I will say again that these allegations are very disappointing to me because I have experienced firsthand the ethical and dedicated efforts made by public servants every day.
- Thank you.

- 30 -



SPEAKING POINTS FOR

Margaret MacDiarmid

MINISTER OF HEALTH

Data investigation update

Birch Room, Parliament Building

Thursday, Jan. 10, 2012

1:00 p.m.

Please check against delivery

Event Profile:

This event is a formal news conference to update the media on the ministry's data investigation, and the discovery during that investigation of three unauthorized accesses and disclosures of health data, for research purposes.

Audience:

Media, the public.

What does the audience want to hear:

- These incidents are under control;
- There's no evidence the data was accessed for any purpose other than health research.
- The risk to the public, if any, is low.

Key Messages:

- As stewards of British Columbians' personal information, we take this responsibility seriously.
- Three instances of health data being inappropriately accessed have been confirmed which we feel should be shared with the public.
- In these three cases health data was inappropriately accessed, saved on portable storage devices and shared without required permissions and protocols being followed.
- British Columbia has policies and protocols in place which govern who can access and share personal health information. In these three instances, these were not followed.
- We are informing the public out of an abundance of caution. We believe there is minimal, if any, risk of any inappropriate use of personal information.
- There is no evidence information was accessed for purposes other than health research.
- The ministry has been in communication with the parties involved, or their legal representatives, as applicable, concerning the return of ministry data.

- The ministry has shared its investigation findings with the OIPC, and we will continue to consult with the OIPC on this matter.
- The ministry has hired the private consulting firm Deloitte and Touche to review the ministry's data security measures.
- The ministry is also introducing a mandatory privacy and data security training program for employees, on top of training already required for public servants.
- More information is available online and can be accessed from the Ministry of Health's home page. Members of the public can also call 1-866-736-9156 between 8:00 a.m. and 4:30 p.m. on weekdays.

Event Set-up:

Parliament Buildings, Birch Room

Podium, microphone, call-in line for regional media.

INTRODUCTION

- Good afternoon.
- Thank you for joining me today.

ANNOUNCEMENT

- I am here today to provide an update about an investigation I first announced last September.
- This involved an investigation into allegations of inappropriate conduct, contracting and data-management practices involving former ministry employees and researchers.

- Before I get into more details, I would like to reinforce once again that the Ministry of Health – and myself as Minister – take the responsibility to safeguard British Columbians' health information very seriously.
- British Columbia has strong policies and protocols in place which govern information access and disclosure.
- That is why these allegations have been so disappointing.
- An investigator from the Ministry of Citizen Services and Open Government has been leading

a team of analysts who have continued to investigate this situation.

- This has included reviewing computer databases, email records, storage devices and email records going back several years.
- The ministry has confirmed three instances of health data being inappropriately accessed that the public needs to be aware of, and has consulted with the Office of the Information and Privacy Commissioner about this.
- In all three cases, the health data was saved on portable storage devices – or so called USB sticks. It was then shared with individuals without

respecting the established permissions and protocols that are required by the ministry.

- Ministry policies require USB sticks to be password-protected and encrypted if they are to be used to carry personal health information.
- Health data should only be shared with those who have permission to access it for approved purposes.
- In these instances the policies were not followed.
- However, there is no evidence that any of this data was accessed or has been used for purposes other than health research.

- The Ministry has also taken a number of steps to mitigate risks associated with these instances that I will get into more detail about in a few minutes.
- Two of these situations happened in June 2012, and one happened in October 2010.
- These cases involve:
 - An instance of an unauthorized release of both ministry data, as well as data compiled from Canadian Community Health Surveys developed by Statistics Canada, to a researcher;

- An instance of an unauthorized release of ministry data to a ministry contractor to support the development of data analysis software;
- An instance of an unauthorized release of Ministry data which included information about anti-psychotic medication use.
- It is important to stress that individuals' names, Social Insurance Numbers and personal financial information were never included in any of these instances.
- However, in the first instance, the case that involved data drawn from Canadian Community Health Surveys developed by Statistics Canada,

the inappropriate access violated an established information sharing agreement between the Province and the federal government.

- It also violated the consent individuals gave to the federal government when they participated in this survey and authorized the information to be shared with provincial ministries of health for research purposes.
- In this case, the ministry is going to send personal letters to an estimated 36,000 individuals to inform them about what happened.
- This direct notification is consistent with the recommendations the ministry sought and

received from the Office of the Information and Privacy Commissioner of B.C.

- It important to stress that all of the information that was accessed was formatted in data tables – it did not include traditional medical files of individuals.
- In fact, the ministry has been able to confirm it was in a format that would not be easily understandable or accessible to individuals who do not have expertise in data analysis.
- In two cases, the information was saved in a format that would not be readily available to individuals without a specific software program.

- The ministry has also taken a number of further actions to further mitigate risks for the public.
- The ministry's Chief Information Officer has contacted all of the parties involved.
- The ministry has been in communication with the parties involved, or their legal representatives, as applicable, concerning the return of ministry data.
- And, as I mentioned, there is no evidence this information was accessed for purposes other than health research.
- For all of these reasons I have outlined, there is minimal - if any - risk that this information will be

used in a way that would result in harm to individuals.

- However, the public should be aware of what happened.
- The ministry has been in communication with the Office of the Information and Privacy Commissioner on this matter, and we will continue to consult with the OIPC on an ongoing basis.

CONCLUSION

- The vast majority of public servants at the Ministry of Health take very seriously their responsibility to protect the privacy of British Columbians.

- Our rules and laws already set a high standard for protecting privacy.
- The ministry has also taken a number of steps to enhance our data security procedures.
- We have also engaged a consulting firm, Deloitte and Touche, to review our information management practices, and recommend further ways we can to improve.
- And we have introduced mandatory privacy and data-security training program for all employees. This is in addition to the training that is already required of all public servants.

- The ministry remains committed to ensuring mechanisms are in place to support valid research, using properly and appropriately sourced data.
- And, I am also committed to ensuring that the ministry continues to take steps to ensure confidence in the public service is maintained.
- I will now take your questions.
- - 30 -



SPEAKING POINTS FOR
GRAHAM WHITMARSH
DEPUTY MINISTER OF HEALTH

PHARMACARE RESEARCH

EVENT LOCATION - TBD

EVENT TIME - TBD

Please check against delivery

Event Profile:

Briefing for Media regarding

Audience:

Media/public.

Key Messages:

- The ministry acted immediately to investigate and respond to this matter. We take allegations of this nature very seriously.
- British Columbia has strong regulations and rules in place. When individuals work together to side-step these processes, it is more than disappointing – it will not be tolerated.
- We asked the RCMP to investigate after we found evidence of inappropriate conduct, contracting and data-management practices in the area of drug research.
- We must ensure confidence in the public service is maintained - and that all civil servants execute their duties in a manner that meets the high standards of conduct expected of them.

Event Set-up:

Legislative Assembly common room.
Technical briefing

INTRODUCTION

- Good morning, I am Graham Whitmarsh, Deputy Minister of Health.
- I am here today to provide background information that is not for attribution about some disturbing allegations that have been discovered through a government investigation.
- Minister Margaret MacDiarmid will be available once our discussion is complete to provide you with comments for your reports.

ANNOUNCEMENT

- I am here today to inform you that the Ministry of Health has asked the RCMP to investigate allegations of inappropriate conduct, contracting and data-management practices involving Ministry employees and drug researchers.
- Our notice to the RCMP follows the first stage of an internal investigation, supported by a lead investigator with the Office of the Chief Information Officer, that examined contracting and research grant practices between ministry employees and researchers at the University of British Columbia and the University of Victoria.

- The ministry's formal investigation began in May 2012, following a complaint received through the Office of the Auditor General. While I can't go into a lot of details, I can say that we have found evidence:

1. Of a conflict of interest with ministry employees related to their positions of trust.
2. Of inappropriate use, access and release of data.
3. And of inappropriate contracting and sub contracting practices by ministry employees.

- We are very disappointed by these serious allegations.
- Each employee and contractor with the Ministry is expected to foster a culture of integrity and trust.
- In fact, each employee takes an Oath of Employment, swearing to uphold the highest standards of conduct to instil confidence and trust and not bring the Public Service into disrepute.
- British Columbia has strong regulations and rules in place. When individuals work together to side-step these processes, it is more than disappointing – it will not be tolerated.

- As a result of the Ministry's investigation – we are immediately putting in place the following steps:

s.22

2. Two contractors to the Ministry of Health have had their contracts suspended.

3. All ministry data sharing with drug and evidence development researchers have been temporarily suspended.

4. All work on contracts related to drug and evidence development has been temporarily suspended.

5. All spending authority for the Pharmaceutical Services Division now requires approval from the Assistant Deputy Minister.

6. The Ministry will tighten its policy regarding contracts with Universities, and all future contracts that the Ministry enters into in this area will be reviewed by the Ministry's Contract Management Branch.

- The ministry has also contacted:

- 1.the Public Service Agency,
- 2.the Office of the Comptroller General,
- 3.the Office of the Auditor General,
- 4.the Office of the Information and Privacy
Commissioner,
- 5.and the University of British Columbia and
the University of Victoria.

- Because the investigation is ongoing, it is not appropriate for me to discuss any more specifics of the allegations.

- Our goal is to ensure that valid research, using properly and appropriately sourced data continues.
- However, it is vital that proper contract management, privacy protection and data use is being maintained.
- I am most disappointed that the alleged actions of a few could potentially disparage the excellent, ethical work of hundreds of employees of the Ministry of Health, who work with integrity, and with the best interest of British Columbians at heart.

CONCLUSION

- There are strong regulations and rules in place in B.C. around conflict of interest, contract management and privacy.
- We will not tolerate anyone, through collusion or other means, side-stepping these regulations for any reason.
- I am available for questions.

- 30 -

Scutt, Paul A HLTH:EX

From: Taylor, Wendy E CITZ:EX
Sent: Thursday, September 19, 2013 11:05 PM
To: Armstrong, Wendy HLTH:EX
Cc: Armstrong, Wendy HLTH:EX
Subject: FW: confidential - draft IN
Attachments: IN_data access investigation_july 16 2012_FINAL.docx

From: Hagerman, Shannon GCPE:EX
Sent: Tuesday, August 14, 2012 5:25 PM
To: Kislock, Lindsay M HLTH:EX; Sidhu, Manjit HLTH:EX; Taylor, Wendy E LCTZ:EX
Cc: Jabs, Ryan GCPE:EX
Subject: confidential - draft IN

As per our discussion earlier this week, (and apologies for not getting this to you sooner) attached is our issues note – last updated on July 16. Can you please review and advise of any interim updates that should be made. I did notice that the number of employees referenced in background section is incorrect, so we'll need to update that.

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but Ryan is here and will participate in Friday's meeting as well.

Shannon.

Shannon Hagerman

Director of Communications, Ministry of Health
Government Communications & Public Engagement
Government of British Columbia | 1515 Blanshard St.

T: 250-952-1889 | C s.17 E: shannon.hagerman@gov.bc.ca

ADVICE TO MINISTER

CONFIDENTIAL ISSUES NOTE

Ministry: Health

Date: July 16, 2012

Minister Responsible: Michael de Jong

Internal review and investigation of PSD staff

ADVICE AND RECOMMENDED RESPONSE:

- We cannot comment on specific personnel issues.
- The Public Service Agency has established processes and procedures in place to handle all human resource complaints and concerns.
- Public service employees must comply with high standards of conduct as a condition of their employment.
- The standards require exemplary employee conduct to instil confidence and trust and not bring the BC Public Service into disrepute.
- Employees who fail to comply with the Public Service standards of conduct may be subject to disciplinary action, including dismissal.
- There are approximately 30,000 public service employees in 280 B.C. communities that provide an amazing volume and variety of services to the people of British Columbia.
- The Ministry of Health fully cooperates with the Public Service Agency on all human resource and disciplinary matters.
- The BC Public Service takes pride in serving the people of British Columbia with honesty and integrity.

BACKGROUND REGARDING THE ISSUE:

- The Office of the Auditor General contacted the Ministry of Health on March 28 to advise someone had made an allegation about contracting irregularities and research grant practices in the research and evidence development program area of the pharmaceutical services division (PSD.)
- The allegations also included inappropriate data access, intellectual property infringement and possible violations of the public service code of conduct.
- The ministry's financial and corporate services division interviewed staff and looked at the contracts involved in the complaint.
- Following this, a formal internal review was launched in May by the Ministry of Labour, Citizens' Services and Open Government as lead supported by the ministry.
-

DISCUSSION/ADVICE:

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- The ministry has also taken these actions:
 - Data access was suspended for the s.22 on June 7.
 - Signing authority for invoices, expenses or contract approval was suspended for these people on June 7, as well.
 - The ministry has met with the Office of the Comptroller General to advise it of findings.
 - The ministry has informed the Office of the Information and Privacy Commissioner.
 - Senior PSD staff will meet with UVic and UBC about the contracts in question.
 - The ministry has or may suspend data access for all people involved in the PSD contracts under review, in government and at UVic and UBC.
-

Communications Contact: Cindy MacDougall 250 952-2158
Program Area Contact: Barbara Walman
File Created: July 16 2012
File Updated:
File Location: G:\PABGroups\Medstrat 2012\Operations\Issues
Notes\PharmaCare\IN_data access investigation_july 16
2012_FINAL.docx

Minister's Office	Program Area	Deputy	Media Manager
	Barbara Walman		Ryan Jabs

Scutt, Paul A HLTH:EX

From: Taylor, Wendy E CITZ:EX
Sent: Thursday, September 19, 2013 11:07 PM
To: Armstrong, Wendy HLTH:EX
Subject: FW: BN Update on Investigation Summary
Attachments: BN Update on Investigation Summary.doc

From: Wendy Taylor [[mailto:](#) s.22
Sent: Monday, September 3, 2012 12:20 PM
To: Taylor, Wendy E LCTZ:EX
Subject: BN Update on Investigation Summary

MINISTRY OF HEALTH INFORMATION BRIEFING NOTE

PREPARED FOR: Graham Whitmarsh, Deputy Minister

FOR INFORMATION

TITLE: PSD Review Summary

PURPOSE: To provide an overview of the interim findings of the investigation
Ministry of Health, Pharmaceutical Services Division, Research and
Evidence Development Section

BACKGROUND:

The Office of the Auditor General (OAG) received allegations late March 2012 regarding:

- Inappropriate data access arrangements and intellectual property infringements,
- Irregular procurement, contracting and research grant practices, and
- Standards of Conduct Policy conflicts and preferential treatment in employee-contractor relations

in the Research and Evidence Development section of the Ministry of Health's Pharmaceutical Services Division (PSD).

After a preliminary review an investigation was commenced involving representatives from the Ministry of Labour and Citizen's Services, Office of the Chief Information Officer (OCIO), and the Ministry of Health's Finance and Corporate Services and Health Sector Information Management and Information Technology Divisions and the BC Public Service Agency.

s.15

DISCUSSION:

The key findings of this investigation provide evidence to support some of the allegations.

¹ STOB 60 and 80 contracts and grants and cell phone bills, and expense reports.

² Data access process documents, websites, grant applications, academic publications by parties, etc.

In regards to allegations of inappropriate data access arrangements, the evidence indicates that proper processes for data access are not always followed and there is a lack of information/data sharing documentation for certain major contracted projects managed by PSD that involve direct access to MoH data resources. Moreover, attempts were made by PSD staff and contractors to use existing data access arrangements for other, sometimes unrelated projects. A \$1 service contract was also established for the spouse of a PSD Co-Director by the Primary Health Care and Specialist Services Branch of the Medical Services and Health Human Resources Division to facilitate direct contractor data access for a project funded through the PHSA.

Evidence also supports that contracts have been awarded to certain parties to create the appearance of broader participation; however, in a number of cases these contracts have then been sub-contracted back resulting in the concentration of funds, and subsequent data access, in the hands of a few individuals/organizations or research groups.

The awarding of these contracts and sub-contracts to the same individuals in separate organizations is also a conflict of interest issue indicative of preferential treatment in contractor relations. These contractors are seemingly in collusion with a PSD Co-Director of Research, who is a friend, mentor and long-term academic collaborator with the individual in charge of both a research group and consulting company. Other evidence supporting allegation around Standards of Conduct related to conflict of interest, and is not limited to:

- PSD employees using government equipment, assets, information (confidentiality issues) or other resources they may access as part of their employment for other purposes, such as academic work on government time; and
- PSD employees benefiting from government transactions related to grants or contracts.

The Corporate Crime Section, E Division, RCMP have been contacted about this investigation and will be provided all findings and evidence on September 19th, 2012 as requested by them.

The Office of the Information and Privacy Commissioner has been contacted and is provided regular updates on findings and reports.

Summary of Findings to Date:

- Inappropriate data access, use and disclosure
- Discs containing CCHS Statistics Canada Secure Survey data linked to MOH health data found in employee drawer
- Unauthorized MOH data provided by employee to PhD student
- Employee offered money by external contractor for data
- Unauthorized work by several employees with external stakeholders
- Breaches of the Standards of Conduct including Conflict of Interest by the Directors, PSD
- Inappropriate contracting and subcontracting practices by Co-Directors of Research, PSD
- Inappropriate hiring practices by the Co-Directors of Research, PSD

Next Steps

- Complete investigation phase 1 by September 15, 2012 to ensure all evidence is prepared for transfer to the RCMP by September 19, 2012.
- Move to a centralized information management model for MOH including the implementation of a Secure Access gateway portal for data access requests for research to maximize data security and privacy.
- That PSA take appropriate actions to address employees involved in these incidents.
- That the labour relations investigation continues with respect to other identified employees and interviews are to be completed by September 30th, 2012.
- The Office of the Information and Privacy Commissioner will be briefed weekly to keep them informed of the status of the investigation and steps being taken
- Meetings with both the University of British Columbia and University of Victoria will continue to address and identify research contract practices and data access approvals with a completion date of September 30, 2012.
- PSD completing a review of research projects and developing a plan for next steps for projects identified in this investigation.

Contact : Wendy Taylor, Director, Privacy Investigations, Office of the Chief Information Officer, Labour and Citizen's Services

Date: September 4, 2012

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX;](#)
Subject: FW: Information note
Date: Monday, September 23, 2013 10:44:17 AM
Attachments: [Information BN Notification.doc](#)

Wendy Taylor

250 952 6161 Office
s.17 Cell

From: Bersenev, Elena Y HLTH:EX
Sent: Wednesday, November 7, 2012 2:24 PM
To: Taylor, Wendy E LCTZ:EX
Subject: Information note

Good afternoon Wendy,

Attached is the first draft of background information for the information note.

Thank you.

Elena Bersenev

Data Access, Research and Stewardship
Information Management and Knowledge Services Branch
Ministry of Health
Phone: (250) 952-1249

Pages 179 through 181 redacted for the following reasons:

S.13

ADVICE TO MINISTER

CONFIDENTIAL ISSUES NOTE

Ministry: Health

Date: July 16, 2012; update August 31, 2012

Minister Responsible: Margaret MacDiarmid

Internal investigation - MoH

ADVICE AND RECOMMENDED RESPONSE:

Key Messages:

- The ministry acted immediately to investigate and respond to this matter. We take allegations of this nature very seriously.
- British Columbia has strong regulations and rules in place. When individuals work together to side-step these processes, it is more than disappointing – it will not be tolerated.
- We asked the RCMP to investigate after we found evidence of inappropriate conduct, contracting and data-management practices in the area of drug research.
- I am personally disappointed something like this could happen. I am satisfied, however, that the ministry has acted with integrity to quickly and thoroughly to respond to this matter.
- We must ensure confidence in the public service is maintained - and that all civil servants execute their duties in a manner that meets the high standards of conduct expected of them.

Secondary Messages (If Asked)

- s.22
- We take all complaints seriously.
- While it would not be appropriate to divulge specific details about the ongoing review at this time, the Ministry can confirm at this time that the following interim actions have been taken:

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s.22

- Their access to Ministry-held data and government assets have been suspended;
- All ministry work within contracts related to this matter have been suspended;
- In addition – and out of an abundance of caution – any spending authority by this division will require ADM approval until our review is complete.
- The Ministry has also contacted and is working closely with the Public Service Agency; the Office of the Comptroller General; and the Office of the Information

and Privacy Commissioner.

- The Ministry has also contacted the RCMP about this matter.
- We are committed to being as open and transparent, as possible.
- Our goal is to ensure the review is concluded as quickly as possible, while also ensuring it is thorough, decisive and follows the appropriate process.
- We will take whatever further actions are necessary based on the findings of this review.
- We understand the public must have confidence in all public servants to execute their duties in an ethical manner that meets the high standards of conduct expected of all members of the public service.

BACKGROUND REGARDING THE ISSUE:

- The Office of the Auditor General contacted the Ministry of Health on March 28 2012 to advise someone had made an allegation about contracting irregularities and research grant practices in the research and evidence development program area of the pharmaceutical services division (PSD.)
- The allegations also included inappropriate data access, intellectual property infringement and possible violations of the public service standards of conduct.
- The ministry's financial and corporate services division interviewed staff and looked at the contracts involved in the complaint.
- As a result of the initial review, the Ministry decided a more formal review was warranted. In May 2012, the Ministry launched a formal review. A lead investigator from the Office of the Chief Information Officer, Ministry of Labour and Citizen Services and Open Government.
-

s.15

DISCUSSION/ADVICE:

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- The ministry has also taken these actions:
 - On June 7 2012, data access was suspended for s.15, s.22 employees and one contractor. On Aug. 1, data access was suspended for s.15, s.22 additional

ADVICE TO MINISTER

employees.

- Signing authority for invoices, expenses or contract approval was suspended for these people on June 7, as well.
- The ministry has met with the Office of the Comptroller General to advise it of findings.
- The ministry has informed the Office of the Information and Privacy Commissioner.
- Senior Ministry and Labour and Citizen's Services staff have met with UVic and UBC about the contracts in question.
- The ministry has suspended data access for all people involved in the PSD contracts under review, in government and at UVic and UBC.

Communications Contact: Cindy MacDougall 250 952-2158
Program Area Contact: Barbara Walman
File Created: July 16 2012
File Updated: August 31, 2012
File Location: Z:\Medstrat
2012\Operations\Announcements\Research\IN_UPDATE_DRAFT
_data access investigation_Aug 31 2012 revision.docx

Minister's Office	Program Area	Deputy	Media Manager
	Barbara Walman		Ryan Jabs

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX](#)
Subject: FW: USB Stick Data Breach Incident Summaries
Date: Monday, September 23, 2013 2:06:17 PM
Attachments: [USB Stick Data Breach Incident Summary.docx](#) er 2010 REVISED.
[ATT00001.htm](#) s.22
[USB Stick Data Breach Incident Summary ATT00002.htm](#) 12 REVISED.docx
[USB Stick Data Breach Incident Summary.docx](#) une 2012 REVISED.
[ATT00003.htm](#)

Wendy Taylor

250 952 6161 Office
s.17 ell

From: Taylor, Wendy E CITZ:EX
Sent: Friday, November 30, 2012 2:26 PM
To: Foran, Grace E HLTH:EX
Subject: Fwd: USB Stick Data Breach Incident Summaries

Sent from my iPhone

Begin forwarded message:

From: "Taylor, Wendy E CITZ:EX" <Wendy.Taylor@gov.bc.ca>
To: "Tuck, John M JAG:EX" <John.Tuck@gov.bc.ca>
Subject: FW: USB Stick Data Breach Incident Summaries

Wendy Taylor

250 952 6161 Office
s.17 Cell
240 356 1182 Fax

From: Tonn, Greg HLTH:EX
Sent: Tuesday, November 20, 2012 5:45 PM
To: Taylor, Wendy E LCTZ:EX
Subject: RE: USB Stick Data Breach Incident Summaries

I have yet to receive Diane's notes but here are the revised drafts based on your direction. I kept the DRAFT mark in the header for now.

I hope the data descriptions aren't too much – I kept the examples of column labels to three per incident.

s.15, s.22

s.13

Have a great night!

Greg Tonn, Policy Analyst

Information Management and Knowledge Services | Health Sector IM/IT | Ministry of Health

Cell: s.17

From: Taylor, Wendy E LCTZ:EX

Sent: Tuesday, November 20, 2012 4:08 PM

To: Tonn, Greg HLTH:EX; Taylor, Wendy E LCTZ:EX

Subject: USB Stick Data Breach Incident Summary s.22

s.22

s.15, s.22

Dianne can you send the notes you gave me today on s.22 pls. Thanks!

Can you also add a section at the end about data format. If someone was to find the stick, it is would look like this and then describe a number of columns.....

Thanks

USB Stick Data Breach Incident Summary:

October 2010

s.22

Individuals Involved

s.22

Timeframe:

October 2010.

Overview:

On October 4, 2012 th s.15, s.22 prepared a USB stick containing linked health data including but not limited to sensitive personal information such as the personal health number (PHN) and age of about 21,055 individuals. The linked data was gathered from the chronic disease registries using flags for 262 various diagnoses and pharmaceutical history data using flags for specific medication use, mainly subsets of data: s.15 The file transferred on the USB stick contained two s.15

s.15, s.22

In August 2010, the Contractor was awarded a \$1 contract by the Ministry to conduct complex analyses on the impact of atypical anti-psychotic medications on patient outcomes. Moreover, the Contractor's work was also intended to provide independent validation for the propensity score tool developed by the s.15, s.22

Emails indicate that this contract was awarded through the assistance of th s.15, s.22 Further emails show that the funding for the actual work was being provided through a grant awarded to s.15, s.22 Grant money to pay s.15, s.22 for the Contractor's research work was seemingly funneled through the PHSA and the \$1 contract was established to enable faster and free access to health data as opposed to the conventional, cost-recovered researcher Data Access Request process.

After the contract was signed the Contractor submitted a request for direct access to all the necessary linked health data, including MSP, hospital discharge abstracts and medication use history, which was intended to eventually be linked to self-reported height and weight data from ICBC and educational outcomes data from the Ministry of Education. s.15, s.22 rovided the USB stick to the Contractor before this data request was formally approved and both parties were aware of this is contravention of established Ministry policy. s.15, s.22

s.15, s.22

The USB stick has yet to be recovered and there is risk that this data is still out there and could potentially be used for additional, unauthorized uses, but at there have been no indications that this has been the case. In the hypothetical instance where the USB stick was lost and recovered by someone else or the data file was shared further, the unauthorized recipient of the data would not be able to view the

rows of columns of raw data as this was a binary data file requiring specialized software tools and sophisticated analytical skills to decode file. The unauthorized recipient would see jumbled code as depicted in the example at the end of this summary. If the unauthorized recipient has the specialized tools to decode the binary data file, he/she would discover two tables, one with 1055 rows and one with 20000 rows, and both with 262 columns of diagnostic code and pharmaceutical use variables (for examples: "CAR10" – generalized atherosclerosis, "NUR02" – headaches, and "benzodiazepines") all with binary values (0/1), and columns for "age" and "PHN".

All parties to this incident were working to support the development of an analytical tool for the Ministry to support informed decision making and build on the knowledge around the safety and effectiveness of antipsychotic drugs.

s.15, s.22

s.15, s.22

s.15

USB Stick Data Breach Incident Summary:

June 2012

s.22

Individuals Involved

s.22

Timeframe:

End of May through beginning of June 2012.

Overview:

On June 7, 2012 s.15, s.22 provided a USB stick to the Contractor containing a plain text file of 19 types of health data, including but not limited to the personal health number (PHN), gender, age group, length of hospital stay and amounts spent on various categories of health care of over 4 million individuals.

The Contractor was working under a five year agreement which started in November 2009 to develop, implement, and support the Quantum Analyzer (QA) Data Library / Data Analysis Software Tool. This tool is being developed to bring together open data non identifiable information to assist with ministry policy and decision making. As part of the development of this QA tool the Contractor sought to improve the Ministry's data summarization and analysis capabilities to support decision making around chronic disease management, particularly the utilization of healthcare services for people with diabetes. Consequently on May 31, 2012 the Contractor contacted

s.15, s.22

The Contractor specifically requested that the data includes encrypted personal health numbers or just row numbers as actual PHNs were not required and the Contractor's agreement stipulated he only use personal information if that use is for the performance of the contractor's obligations. s.15, s.22

s.15, s.22

The next day (June 8, 2012) the Contractor realized he had been provided unencrypted PHNs and subsequently deleted the source CSV file from his computer and removed the PHN field from the extract file on his system so he would have no personal information in his possession. The USB stick containing the original CSV file was returned to s.15, s.22 later that evening. Had the USB stick been lost or misplaced and recovered by someone else who had the knowledge and tools to access the data, he or she would see a table containing over 4 millions of rows of data and about 19 columns for variables including the PHN ("PHNNUM"), gender ("Sex of the Client" M/F), diabetes diagnosis ("diabetes" 1/0) and the number of ("gp_services" 22) and total costs ("gp_paid_amount"932.62) of general practitioner visits to name a few examples. A mock-up example of the data table view with artificial PHNs is provided at the end of this summary.

Due to the mobility of and lack of auditing capabilities on transferring data via a USB stick, there is no assurance of containment of this sensitive personal information. However, the details of this incident give reasonable grounds to believe that the contractor is no longer in possession of the personal information, the personal information was not disclosed to other parties and there was no intent by

either party to misuse the personal information in question for nefarious purposes, such as identity theft or fraud.

Both individuals were working with positive intentions to utilize existing data assets improve capacity of the Ministry of Health to make better informed decisions about the management and provision of healthcare service for British Columbians. This breach of sensitive personal information was ultimately the result of

s.15, s.22

s.15, s.22

Mock-up data table view:

s.15

FOR INFORMATION

Flash Drive Privacy Breach Data Content Summary

- First flash drive prepared on June 28, 2012, contrary to the government policy by s.22 includes linked, sensitive personal information identified by PHN, gender, date of birth and postal code. This information was then loaded onto the hard drive of a workstation used by s.22. The data included was identified by a review of the hard drive information. The flash drive files include information on 38,492 individuals by BC PHN numbers and additional information including:
 - Hospital admissions and discharges
 - Medication History
 - Medical Service Plan Claims
 - Detailed Demographic data linked to the BC PHN
 - Canadian Community Health Survey information for respondents who gave consent for their survey responses to be linked by the Ministry of Health for use in statistical studies.
- Second flash drive, prepared on June 7, 2012 by the s.22 includes a set of Medical Services Plan information identified by PHN and provided to a contractor with unauthorized data for his use. The actual data shared could not be recovered, but the ministry did reconstruct it using the programs and logs found in the directory.

This file includes the unmasked PHN, fiscal year, Age Group, Gender and Local Health Area that may be used for identity. The file also includes metrics on Medical Services Plan services and costs for the individual. The file summarises individuals' MSP services for two fiscal years, 2001/02 and 2010/11 of 5,201,072 people with BC Personal Health Numbers.

- The third flash drive was prepared by the s.22 on or about October 4, 2010, and contains linked, sensitive personal information identified by PHN and age. This information was provided a contractor who was not authorized to have this data. The actual data shared could not be recovered, but the ministry did reconstruct the files from excel spreadsheets used to generate the programs.

The file contains PHN and age for identity and flags derived from the chronic disease registries for 262 various diagnoses and flags derived from medication history data for specific medications. The file contains two subsets of data - 1,055 rows where the citizen is flagged for drug type use and 20,000 citizens not flagged.

Scutt, Paul A HLTH:EX

From: Taylor, Wendy E CITZ:EX
Sent: Thursday, September 19, 2013 11:11 PM
To: Armstrong, Wendy HLTH:EX
Subject: FW: CIVI: Helm: Internal audit launched

From: Jabs, Ryan GCPE:EX
Sent: Friday, September 7, 2012 6:22 PM
To: Whitmarsh, Graham HLTH:EX; Taylor, Wendy E LCTZ:EX; Walman, Barbara J. HLTH:EX; Carroll, Sandra HLTH:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: Fw: CIVI: Helm: Internal audit launched

Fyi -- reporter is summarizing minister's comments, but suggestion is that we will have an update next week.

From: tno@gov.bc.ca [<mailto:tno@gov.bc.ca>]
Sent: Friday, September 07, 2012 06:03 PM
Subject: CIVI: Helm: Internal audit launched

CIVI (CTV Victoria)
CTV News Live @ 5
07-Sep-2012 17:04

Page 194 redacted for the following reason:

s.3

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX;](#)
Subject: FW: CBYG: MacDiarmid facing major crisis
Date: Monday, September 23, 2013 10:21:19 AM

Wendy Taylor

250 952 6161 Office
s.17 Cell

From: Jabs, Ryan GCPE:EX
Sent: Thursday, September 6, 2012 1:17 PM
To: Taylor, Wendy E LCTZ:EX
Subject: Fw: CBYG: MacDiarmid facing major crisis

From: tno@gov.bc.ca [<mailto:tno@gov.bc.ca>]
Sent: Thursday, September 06, 2012 12:16 PM
Subject: CBYG: MacDiarmid facing major crisis

Page 196 redacted for the following reason:

s.3

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX;](#)
Subject: FW: FOR MINISTER at 2PM: Summary on Media and qs
Date: Monday, September 23, 2013 10:23:51 AM

Wendy Taylor

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From: Jabs, Ryan GCPE:EX
Sent: Monday, September 10, 2012 12:34 PM
To: Taylor, Wendy E LCTZ:EX; Walman, Barbara J. HLTH:EX; Whitmarsh, Graham HLTH:EX; Carroll, Sandra HLTH:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: FOR MINISTER at 2PM: Summary on Media and qs

Hi all,

The minister is going to be on All Points West this afternoon and has asked for a summary of the media and to identify any misstatements and broader criticisms. She's also asked a couple of additional questions that she might get asked. I've pulled the following together based mostly on the material we have developed.

Is this accurate from your perspective?

Misstatements

- Media have widely reported that all contracts/data sharing suspended. However, only drug research data sharing contracts between the ministry and the universities have been suspended. Research between the ministry and non-university groups continues.

General lines of criticism in the media:

Stories have repeatedly referenced info as vague or mysterious.

- We are committed to providing as many details as we possibly can, without influencing our investigation or an RCMP investigation, if they choose to conduct one.
- At this point, our investigation continues, but we felt it was at a stage where we were able to share some information in the interest of openness and transparency, while recognizing that our investigation continues.
- Until this is complete, we cannot provide any more specifics to ensure that we do not further influence our investigation.

Lack of details about what level of privacy information was breached and whether government is going to notify the public.

- The majority of the information used for research involved trends in the use of pharmaceuticals, prescription trends and reactions to medications.
- We believe that some researchers had inappropriate access and use of information.
- But at this point, we don't have evidence that the data has been used in a way that is a detriment, or harm to the public.
- We have notified the Office of the Information and Privacy Commissioner in respect to this matter. The Ministry will follow up on all findings that the Office of the Information, Access and Privacy Commissioner may provide.

- I want to make clear, however, that British Columbia has strong regulations and rules in place under the Freedom of Information and Protection of Privacy Act to protect the public's privacy.
- When individuals work together to side-step these processes and rules that are in place, it is more than disappointing – it will not be tolerated.

What will be the impact on drug approvals and will there be delays in valuable and potentially lifesaving research?

- One of the unfortunate by products of this matter is that we have had to suspend drug research contracts to investigate these concerns.
- Our goal is to ensure that valid research, using properly sourced and valid data continues.
- It is vital to ensure that privacy and proper data management is being used, and we will complete our review before reinstating these contracts.
- This is why we temporarily suspended data sharing with drug and evidence development researchers at the universities.
- Drug research is long term research, and these delays, which will likely be no longer than a matter of a few months, should not have a significant impact on any research being done into drug effectiveness and use.
- We are working as quickly as possible to restore university drug research with the appropriate data security measures in place
- We have hired an independent consultant to review and enhance the ministry's data security measures and to help the ministry restart our drug research program in the most secure and quickest way possible.

- We take all matters of this nature seriously and act on any concern brought to our attention.
- When individuals work together to side-step these processes, it can be difficult to determine and enforce the considerable rules, protections and standards that are in place.
- As part of our review, we will look at whether we could have learned about and stop this practice earlier.

Ryan Jabs
Manager, Media Relations and Issues Management
Ministry of Health Communications
Government Communications and Public Engagement
(250) 952-3387
Cell: s.17
Ryan.Jabs@gov.bc.ca

From: Sarah.Lindstein@gov.bc.ca [<mailto:Sarah.Lindstein@gov.bc.ca>]
Sent: Monday, September 10, 2012 11:55 AM
To: Lindstein, Sarah GCPE:EX
Subject: Privacy Media Analysis TNO Report - Monday, September 10, 2012

Pages 202 through 258 redacted for the following reasons:

s.3

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX;](#)
Subject: FW: Background information for today's call
Date: Monday, September 23, 2013 10:27:49 AM
Attachments: [Privacy Breaches Backgrounders_Sept 19_12.docx](#)

Wendy Taylor

250 952 6161 Office
s.17 ell

From: Hagerman, Shannon GCPE:EX
Sent: Friday, September 21, 2012 12:07 PM
To: Kislock, Lindsay M HLTH:EX; Taylor, Wendy E LCTZ:EX; Porter, Rodney GCPE:EX; Jabs, Ryan GCPE:EX
Cc: Hagerman, Shannon GCPE:EX
Subject: Background information for today's call

Please see attached a backgrounder – that includes embedded links case studies of privacy incidents in other jurisdictions to help inform some of our discussions.

Elections Ontario – July, 2012 release

General specifics: USB key loss – 2.4 million voter information, including names, addresses, gender and birth dates.

Handled: Press conference – <http://www.wemakevotingeasy.ca/media/Breach/CEO%20Press%20Conference%20Statement%20-%20July%2017,%202012.pdf>
Web Statement - http://www.elections.on.ca/en-CA/AboutUs/Privacy_Breach.htm
Video - <http://www.youtube.com/watch?v=YzxorjbUUMY&list=PLA1D86380B788C21E&index=14&feature=plcp>
Letter from Chief Electoral Officer - <http://www.wemakevotingeasy.ca/media/Breach/Open%20Letter%20from%20CEO.pdf>
Report on Breach (released July 17, 2012) - <http://www.wemakevotingeasy.ca/media/Breach/Report%20Regarding%20the%20Privacy%20Breach%20at%20Elections%20Ontario.pdf>
News release for report - <http://www.wemakevotingeasy.ca/media/Breach/17%2007%202012%20-%20CEO%20Announcement%20News%20release%20FINAL.pdf>

Particular concerns/criticisms: Called “largest” in Ontario history; class action lawsuit threatened; moderate potential for identity theft; criticised over delayed release of the information (loss discovered in April, info released in July)

Advice: Poor results...difficult to get past the risk to public.

Coverage: widespread. Couple examples:

<http://www.thestar.com/news/canada/politics/article/1227561--elections-ontario-says-personal-data-missing-in-more-than-20-electoral-districts>

<http://www.680news.com/news/local/article/387923--voter-information-privacy-breach-largest-privacy-breach-in-ontario-s-history-commissioner-says>

UVic – Privacy Breach – January 2012

General Specifics: Break-in at UVic Administrative Services Building resulted in theft of personal information about current and former employees.

Handled: Website - <http://www.uvic.ca/infobreach/>

Several News Releases and updates - <http://www.uvic.ca/infobreach/home/updates/index.php>

Launch of Privacy and Information Security Review - <http://www.uvic.ca/infobreach/home/updates/current/20120120.php>

Preliminary Report Release - http://www.uvic.ca/infobreach/assets/docs/Preliminary_Report_Jan2012.pdf

Credit Monitoring Services available - <http://www.uvic.ca/infobreach/home/updates/current/20120206.php>

Privacy Commissioner Report - http://www.oipc.bc.ca/orders/investigation_reports/IR_F12-02.pdf

University Response to report - <http://www.uvic.ca/infobreach/home/updates/current/20120329.php>

University Review into Breach Report - <http://www.uvic.ca/infobreach/assets/docs/Privacy%20report%20-%20full%20draft%20r6.pdf>

Particular Concerns/Criticisms: Privacy Commissioner said UVic “failed in its legal obligation to protect the privacy of thousands of employees stored on a stolen computer memory card”

http://www.youtube.com/watch?v=lgQIO_C5tus

Media used that statement frequently.

Advice: Some credit given to UVic for acting quickly and providing support. Mostly critical of poor data management standards.

Coverage: Mostly BC/Victoria.

<http://www2.canada.com/victoriatimescolonist/news/story.html?id=a674a153-eca8-4081-bb0e-a7958642fbdc>

<http://www.cbc.ca/news/canada/british-columbia/story/2012/03/29/bc-uvic-identity-theft.html>

<http://www.news1130.com/news/local/article/369029--uvic-should-have-done-more-privacy-report>

Durham Health (Ontario) H1N1 Privacy Breach – 2009

General Specifics: Lost USB Key drive (unencrypted) – 83,254 affected – information included – Names, phone numbers, date of birth, health card numbers and primary physician names.

Handled: News Release - <http://www.durham.ca/news.asp?nr=dnews/health/2009/dec2109.htm>

Particular Concerns/Criticism – Centre of a \$40 million class action lawsuit. Settlement offer of \$500,000 criticized for putting a price of “\$5.99 on personal information”.

Information and Privacy Commissioner critical (though it did note the region took the breach “seriously”) - <http://www.gardiner-roberts.com/documents/articles/Privacy%20Commissioners%20Order.pdf>

<http://www.newswire.ca/fr/story/566101/commissioner-cavoukian-orders-durham-to-encrypt-health-information-on-all-mobile-devices-calls-for-immediate-action-to-prevent-any-more-unacceptable-b>

Advice: Mostly critical of unencrypted data. Some media critical of lawyers in class action suits

Coverage: Mostly Local

<http://www.thestar.com/news/gta/article/1201898--durham-region-health-class-action-lawsuit-puts-price-on-personal-information>

Class Action: <http://www.fasken.com/en/class-action-certified-against-durham->

[region-health-for-privacy-breach-implications-for-health-law-and-class-actions/
http://www.durhamregion.com/opinion/editorial/article/1397332](http://www.durhamregion.com/opinion/editorial/article/1397332)
<http://www.durhamregion.com/news/article/1387039--court-hears-from-durham-residents-whose-health-data-was-on-lost-usb-key>

Loss of UK Child Benefit data scandal – 2007

General Specifics: Two computer disks containing a full copy of Her Majesty's Revenue and Customs (HMRC) entire data in relation to the payment of child benefit were lost in transit between HMRC and the National Audit Office. The disks were password protected – but with a weak system that is easily broken by those knowledgeable. The lost data was thought to concern approximately 25 million people in the UK. The personal data on the missing discs was reported to include names, addresses and dates of birth of children, together with the National Insurance numbers and bank details of their parents.

Handled: Resignation of HMRC Chairman (breach of UK's Data Protection Act)
Police investigation
Minister's Statement to Parliament - <http://www.parliament.the-stationery-office.co.uk/pa/cm200708/cmhansrd/cm071120/debtext/71120-0004.htm>
HMRC Letter of apology http://3dpixel.net/blog/hmrc_large.jpg
Child Benefit Helpline set up.

Particular Concern/criticism: Potential for identity theft, poor data handling by government staff. Data protection manual for HMRC was in itself under restriction to only senior members of staff.

Advice: The general reaction of the public was one of anger and worry. Banks, individuals, businesses and government departments became more vigilant over data fraud and identity theft and the government pledged to be more careful with data. The public and media was particularly angry over the fact that the data was not registered or recorded, and that it was not encrypted.

Coverage: Very strong in UK
http://news.bbc.co.uk/2/hi/uk_news/politics/7104945.stm
http://news.bbc.co.uk/2/hi/uk_news/politics/7472814.stm
<http://news.bbc.co.uk/2/hi/business/7471211.stm>
http://news.bbc.co.uk/2/hi/uk_news/politics/7473528.stm

TRICARE Management Activity (Virginia, USA) – lost back-up tapes – 2011

General Specifics: The Falls Church, Va.-based military health care provider reportedly lost back-up tapes containing personally identifiable and protected health information from military beneficiaries' electronic health records. According to officials, the back-up tapes may have contained patient addresses, phone numbers, Social Security numbers and clinical data. Over 4.9 million beneficiaries were affected. A class action lawsuit seeking \$4.9 billion has been filed.

Handled: Website and Q&A - <http://www.tricare.mil/breach/old.htm>

Statement - http://www.tricare.mil/mybenefit/download/forms/databreach_publicstatement.pdf

News Release - <http://www.tricare.mil/mediacenter/news.aspx?fid=738>

Department of Defence News Release - <http://www.defense.gov/releases/release.aspx?releaseid=14905>

Particular Concern/criticism: Unencrypted data; concern mitigated because of old hardware required to read backup tapes.

Advice: General reaction was muted – may be because of the military environment.

Coverage: Limited in US (mostly security websites pick up)

<http://www.navytimes.com/news/2011/10/military-dod-hit-with-lawsuit-over-lost-tricare-data-101311/>

<http://www.csoonline.com/article/690747/data-breach-affects-4.9m-active-retired-military-personnel> http://www.menafn.com/menafn/qn_news_story.aspx?storyid={d5cd0c75-5fde-42ca-99ec-d313d2185f27}

From: [Taylor, Wendy E CITZ:EX](#)
To: [Armstrong, Wendy HLTH:EX;](#)
Subject: FW: Media Availability: MacDiarmid - MoH investigation
Date: Monday, September 23, 2013 11:17:26 AM

Wendy Taylor

250 952 6161 Office
s.17 Cell

From: Whitmarsh, Graham HLTH:EX
Sent: Monday, January 14, 2013 7:19 PM
To: Hagerman, Shannon GCPE:EX
Cc: Carroll, Sandra HLTH:EX; Kislock, Lindsay M HLTH:EX; Walman, Barbara J. HLTH:EX; Taylor, Wendy E CITZ:EX; Tuck, John M JAG:EX; St. Clair, Fiona M JAG:EX; Otto, Ingrid JAG:EX; MacKinnon, Mark HLBC:EX; Paton, Arlene HLTH:EX; Davidson, Heather (ADM) HLTH:EX; McKnight, Elaine L HLTH:EX; Foran, Grace E HLTH:EX; MacDougall, Cindy GCPE:EX; Anderson, Kristy GCPE:EX; Belanger, Matthew GCPE:EX; Porter, Rodney GCPE:EX; Hagerman, Shannon GCPE:EX; May, Stephen GCPE:EX; Jabs, Ryan GCPE:EX; Boomer, Joanne HLTH:EX; Marsh, Jania HLTH:EX
Subject: Re: Media Availability: MacDiarmid - MoH investigation

Any follow up?

Sent from my iPhone

On 2013-01-14, at 7:19 PM, "Hagerman, Shannon GCPE:EX" <Shannon.Hagerman@gov.bc.ca> wrote:

Below is a transcript from today's news conference, for your information.

From: tno@gov.bc.ca [<mailto:tno@gov.bc.ca>]
Sent: Monday, January 14, 2013 06:05 PM
Subject: Media Availability: MacDiarmid - MoH investigation

Media Availability
MacDiarmid - privacy breach investigation update
14-Jan-2013 14:35

Pages 265 through 281 redacted for the following reasons:

S.3

Taylor, Wendy E CITZ:EX

From: Coburn, Lindsay HLTH:EX
Sent: Thursday, October 25, 2012 6:59 AM
To: HLTH, MMM HLTH:EX
Cc: Manning, John HLTH:EX; Briggs, Taylor HLTH:EX; O'Brien, Kellie HLTH:EX
Subject: Fw: TNO: Sixth worker fired in ministry probe - Cindy E. Harnett - Times Colonist (Victoria)

To the point. Article is fine.

From: tno@gov.bc.ca [<mailto:tno@gov.bc.ca>]
Sent: Thursday, October 25, 2012 05:19 AM
Subject: TNO: Sixth worker fired in ministry probe - Cindy E. Harnett - Times Colonist (Victoria)

s.3

Page 283 redacted for the following reason:

s.3

From: Coburn, Lindsay HLTH:EX
Sent: Thursday, December 13, 2012 5:48 AM
To: HLTH, MMM HLTH:EX
Cc: Briggs, Taylor HLTH:EX; Manning, John HLTH:EX; O'Brien, Kellie HLTH:EX
Subject: Fw: TNO: Privacy scandal in Health Ministry prompts review - Cindy E. Harnett - Times Colonist (Victoria)

Privacy Commissioner will make her findings public "in the coming weeks." Implies data has personal info until our background info is used in the article.

From: tno@gov.bc.ca [<mailto:tno@gov.bc.ca>]
Sent: Thursday, December 13, 2012 05:37 AM
Subject: TNO: Privacy scandal in Health Ministry prompts review - Cindy E. Harnett - Times Colonist (Victoria)

Page 285 redacted for the following reason:

s.3

Taylor, Wendy E CITZ:EX

From: Manning, John HLTH:EX
Sent: Thursday, January 10, 2013 5:58 PM
To: HLTH, MMM HLTH:EX
Cc: Coburn, Lindsey HLTH:EX; Briggs, Taylor HLTH:EX; O'Brien, Kellie HLTH:EX
Subject: Fw: CIVI: s.22 death

Making sure you have this.

-----Original Message-----

From: tno@gov.hc.ca
Subject: CIVI: s.22 death
Sent: Jan 10, 2013 5:52 PM

s.3

From: Coburn, Lindsay HLTH:EX
Sent: Saturday, December 15, 2012 9:07 AM
To: HLTH, MMM HLTH:EX
Cc: Manning, John HLTH:EX
Subject: Fw: TNO: Health research scandal still shrouded in secrecy - Craig McInnes - Vancouver Sun

s.13

From: tno@gov.bc.ca [mailto:tno@gov.bc.ca]
Sent: Saturday, December 15, 2012 07:24 AM
Subject: TNO: Health research scandal still shrouded in secrecy - Craig McInnes - Vancouver Sun

s.3

Page 288 redacted for the following reason:

s.3