



ARCS: 292- 30  
File: HTH-2013-00104

July 10, 2014

Sent via email:

Dear:

**Re: Request for Access to Records**  
***Freedom of Information and Protection of Privacy Act (FOIPPA)***

I am writing further to your request received by the Ministry of Health. Your request is for:

*"The costs of the investigation into the so-called health data privacy breach that occurred in 2012; Costs should include both the salaries and benefits of the investigators and any other staff recruited to help with the investigation, and the amounts paid to both in-house and external legal counsel, including costs paid to the Vancouver law firm of Taylor, Jordan, and Chafetz. Date range is March 28, 2012 to April 13, 2013."*

On May 28, 2013, the Ministry responded to your request, withholding some information in the records under sections 14 (legal advice) and 19 (disclosure harmful to individual or personal safety) of FOIPPA.

On June 6, 2013, you further clarified your request with Information Access Operations; specifically, you are seeking access to not only the costs associated with regular employees but any contracted staff involved in the investigation. As a result of this clarification, the Ministry widened their search efforts which resulted in 27 additional pages of records being provided to you on June 26, 2013.

.../2

On June 26, 2013, you made a request to the Office of the Information and Privacy Commissioner (OIPC) to review the Ministry's severing decision. As a result of this review, the Ministry has agreed to release additional information to you. Information previously withheld under 13 (Policy advice or recommendations) and 15 (Disclosure harmful to law enforcement) has been lifted as the reports have since been made public. The information withheld under section 14 (legal advice) remains withheld. Regarding the application of section 19 (Disclosure harmful to individual or public safety), IAO consulted with third parties and section 19 has been lifted with the approval of the third parties. In one circumstance the third party did not consent to disclosure of the information and section 22 (disclosure harmful to personal privacy) was applied to protect that third party's personal information.

Please find enclosed a copy of the records located in response to your request. A complete copy of FOIPPA is available online at:

[http://www.bclaws.ca/civix/document/id/complete/statreg/96165\\_00](http://www.bclaws.ca/civix/document/id/complete/statreg/96165_00)

If you have any questions regarding your request, please contact Bethany Haak, the analyst assigned to your request, at (250) 356-1885. This number can be reached toll-free by calling from Vancouver, 604-660-2421, or from elsewhere in BC, 1-800-663-7867 and asking to be transferred to (250) 356-1885.

You have the right to ask the Information and Privacy Commissioner to review this decision. I have enclosed information on the review and complaint process.

Sincerely,



Maxine Vanzetta, Manager  
Health / Education Team  
Information Access Operations

Enclosures

cc: Trevor Presley, OPIC

<p>How to Request a Review with the Office of the Information and Privacy Commissioner</p>
--

If you have any questions regarding your request please contact the analyst assigned to your file. The analyst's name and telephone number are listed in the attached letter.

Pursuant to section 52 of the *Freedom of Information and Protection of Privacy Act* (FOIPPA), you may ask the Office of the Information and Privacy Commissioner to review any decision, act, or failure to act with regard to your request under FOIPPA.

**Please note that you have 30 business days to file your review with the Office of the Information and Privacy Commissioner. In order to request a review please write to:**

Information and Privacy Commissioner  
PO Box 9038 Stn Prov Govt  
4th Floor, 947 Fort Street  
Victoria BC V8W 9A4  
Telephone 250-387-5629      Fax 250-387-1696

If you request a review, please provide the Commissioner's Office with:

1. A copy of your original request;
2. A copy of our response; and
3. The reasons or grounds upon which you are requesting the review.