

November 15, 2022

Dr. Evan Mills, Ph.D.
Director
Digital Health Program Branch
Ministry of Health
1075 Bay St., 12th floor
Toronto, ON M5S 2B1

RE: Establishing a flexible approach to setting the prescribed electronic format to enable electronic access to personal health information (22-HLTC027)

Dear Dr. Mills,

For more than a century, the Ontario Chamber of Commerce (OCC) has supported economic growth in Ontario by advocating for business priorities at Queen's Park on behalf of our 60,000 members, including local chambers of commerce and boards of trades in over 157 communities.

On behalf of our members, we thank you for your continued leadership to support the health and safety of Ontarians, including through the promotion of health data interoperability and improvement of digital health standards.

The OCC commends the Government of Ontario for its ongoing efforts to develop a more efficient, integrated health data system through the Digital First for Health strategy, as well as through recent and proposed changes to regulations under the *Personal Health Information Protection Act, 2004* (PHIPA). We also endorse the Province's Digital and Data Directive, which enables access to new health data sources and platforms and will support the advancement of health system research and innovation.

Overall, the OCC supports the proposed regulatory changes to expand Ontario Health's (OH) mandate to include the function of specifying prescribed electronic formats for personal health information (PHI), while recognizing the need for flexibility to enable health system modernization, including the ability of stakeholders to support and keep pace with the necessary changes.

As noted in our report, [In Data We Trust: Unlocking the Value of Data in Ontario](#), and previous [submission](#) on this topic, sharing health data more effectively and efficiently is essential to empowering patients and providers, and ultimately improving patient outcomes along the continuum of care. As we look toward recovery from the COVID-19 pandemic, improved health data interoperability will also be critical to supporting capacity and resilience in our health care system, while setting the stage for a more agile, connected health data ecosystem across provincial boundaries.

The OCC strongly supports the intended outcomes of consistency, flexibility, and patient-centred care proposed through these regulatory changes. To achieve these results, we recommend the following considerations, developed in collaboration with our [Health Policy Council](#):

- Deploy a strategic communications and stakeholder outreach strategy to ensure the standards and associated expectations related to specifying the electronic format of PHI are readily accessible to all health information custodians (HICs) and other health system stakeholders, including industry (i.e., above and beyond requiring OH to post the formats on its website).
- Align standards and expectations related to the electronic format of PHI and data interoperability more broadly with other provinces, where possible, to facilitate standardization and information dissemination across Canada and allow for more timely compilation of pan-Canadian data when needed.
- Align OH review requirements for standards and expectations related to the electronic format of PHI with the Institute for Clinical Evaluative Sciences (IC/ES) and similar organizations to ensure consistency and support stakeholder needs.
- Clarify which entities may access health data and under which conditions. Specifically, we recommend allowing industry stakeholders to access aggregate and/or anonymized patient-level data under certain circumstances (e.g., to address key research questions, to improve quality of care and research associated with quality care metrics, to verify data for innovative contracting agreements, etc.).
- Continue to engage all relevant stakeholders (including patient advocates, industry, and HICs) to inform all phases of health data system policy development and implementation, including by:
 - Ensuring all relevant health data is collected and available to inform decision-making (e.g., data from community care centres and teams);
 - Defining objectives for population health data collection and analysis; and
 - Strengthening opportunities for innovation and industry contributions to support improved public health outcomes.

These proposed changes are critical to improved patient outcomes, enhanced patient and provider experiences, and digital health integration across Ontario, all of which will ensure health system modernization and resilience. Further, they will help to enable the modernization of other vital strategies across public sector programs and initiatives (e.g., Ontario's Digital First for Health strategy), in addition to supporting the implementation of the Pan-Canadian Health Data strategy.

While not directly within scope of this proposed regulatory change, we wish to underscore that allowing industry stakeholders to access health data – with robust privacy protections – can lead to new insights, operational efficiencies, and innovation within and beyond health care delivery. It can also generate new intellectual property, which contributes to the competitiveness of Ontario's health and life sciences sectors.

Thank you for the opportunity to provide input on this important policy development. The OCC and our Health Policy Council look forward to ongoing opportunities to support the modernization and resilience of Ontario's health care system.

Sincerely,



Rocco Rossi
President and CEO
Ontario Chamber of Commerce

CC:

The Honourable Sylvia Jones, Minister of Health

Dr. Catherine Zahn, Deputy Minister, Health

Matthew Anderson, Chief Executive Officer, Ontario Health

Michael Hillmer, Assistant Deputy Minister, Capacity Planning and Analytics

Angela Copeland, Chief Information Officer, Health Services Information and Information Technology Cluster