



October 31, 2011

VIA ELECTRONIC AND REGULAR MAIL

Dr. Thomas Hudson
President and Scientific Director
Ontario Institute for Cancer Research
MaRS Centre, South Tower
101 College Street, Suite 800
Toronto, Ontario
M5G 0A3

Dear Dr. Hudson:

**Re: Review and Approval of the Practices and Procedures of the Ontario Institute
for Cancer Research in respect of the Ontario Tumour Bank**

Pursuant to subsection 13(2) of Regulation 329/04 of the *Personal Health Information Protection Act, 2004* ("the *Act*"), my office is responsible for approving the practices and procedures implemented by each "prescribed person" to protect the privacy of individuals whose personal health information it receives and to protect the confidentiality of that information.

The practices and procedures of the prescribed person, the Ontario Institute for Cancer Research, in respect of the Ontario Tumour Bank were initially approved as of February 15, 2011. However, as you are aware, in order to synchronize the timing of the reviews of all of the prescribed persons under the *Act*, this approval only remained in effect until October 30, 2011. Ontario Institute for Cancer Research was requested to submit a letter to the IPC noting any changes to the practices and procedures that were outlined in the IPC Report, dated February 2011, and any steps that have been taken to address the recommendations outlined in the Report, so that my office could review and approve these practices and procedures effective October 31, 2011 for a further period of three years.

My office has now completed its review of your policies, procedures and most recent letter, dated August 29, 2011. Based on this review, I am satisfied that the Ontario Institute for Cancer Research in respect of the Ontario Tumour Bank continues to have in place practices and procedures that sufficiently protect the privacy of individuals whose personal health information it receives and that sufficiently maintain the confidentiality of that information.

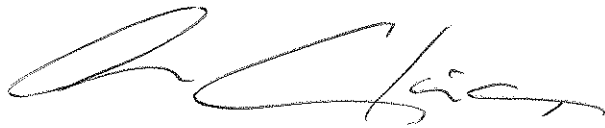
Attached is an Appendix which makes recommendations to further enhance the practices and procedures of the Ontario Institute for Cancer Research in respect of the Ontario Tumour Bank, which must be implemented prior to the next legislated review.

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I would like to extend my gratitude to you and your staff for the cooperation provided during the course of the review, including the diligence and timeliness in submitting the requested documentation, in responding to requests by my office for further information and in making the amendments requested to the practices and procedures of the Ontario Institute for Cancer Research in respect of the Ontario Tumour Bank.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Ann Cavoukian', written in a cursive style.

Ann Cavoukian, Ph.D.
Commissioner

Attach.

cc. Jane van Alphen, Vice-President, Operations
Monique Albert, Manager, Ontario Tumour Bank

Appendix

1. Amend the *Policy and Procedures for Data Linkages – OTB* to provide more detail as to the specific manner in which the linkage of personal health information records must be conducted and the agent responsible for linking the records.
2. Develop immutable system control and audit logs and amend *Policy Statement 37.0, Logging and Security Audits*, in the Ontario Institute for Cancer Research *Information Security Program* document accordingly.
3. Revise the existing agreement with Iron Mountain to include the requirements of the *Template Agreement for all Third Party Service Providers* in the *Manual for the Review and Approval of Prescribed Persons and Prescribed Entities* (“the *Manual*”).
4. Develop and implement a written policy and procedures with respect to business continuity and disaster recovery in accordance with the requirement in the *Manual*.