HEALTH DATA PROTECTION AT MSF

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- All MSF programs capture, process and use health data
- Confidentiality and medical ethics is the foundation of our mission
- Intention to reduce potential harm to patient and MSF
- Ensure safety of MSF humanitarian action
- Keep up with changing legal landscape
- Data sharing interests
PRINCIPLES OF MEDICAL ETHICS

- **Confidentiality:** To keep patient’s health information confidential, even after death
- **Right to information:** Provide patients with information about care
- **Beneficence:** To act in the best interest of the patient
- **Non-Malfeasance:** Do no harm
- **Autonomy:** Respect for the right of the patient to self-determination
- **Justice:** To treat people fairly and equitably, without discrimination.

OBJECTIVES

1. Introduce and define the core principles and context considerations as a framework for the protection and security of patient and community data at MSF.

2. Act as a reference document, to sensitize, enhance responsible practice and support MSF in improving data protection through the promotion of responsible patient data management practices.

3. Provide guidance for arbitrating decisions regarding patient data.

4. Provide the basis for more detailed guidelines, protocols, tools and templates to implement these core principles.
MSF’s Health Data Protection Principles

- Legitimate Grounds
- Purpose and Use Limitation
- Proportionality and Data Minimization
- Medical Confidentiality and Privacy
- Do no harm
- Transparency and Respect for Patients
- Security
- Accuracy
WHAT TYPES OF DATA ARE INCLUDED?

Any data that directly or indirectly identifies individuals!

- Files that include patient names (and all other data identifying a patient)
- Individual patient files and all other health files
- Audio and imaging materials, including pictures, videos and sound recordings
- Registers and tally sheets
- Data collected through a structured health information system
- Epidemiological data (including census and demographic data)
- Programmatic data up to the level of identifiable communities
- Public health surveillance
- Assessments
- Surveys (health, anthropological or social)
- Research data (medico-operational; prospective and retrospective; quantitative and qualitative; trials)
- GIS data
- Témoignage
- Biological samples and results of laboratory analyses
- Medical imaging, biometrics and all other techniques designed to identify individuals
Sensitive Data:
Voluntarily or involuntarily **misused** against the interests of patients, or communities and/or MSF and its staff

**OR**

Put any of patients, communities or staff **at risk for political reasons, financial gain or any other reasons** shall be treated as “highly sensitive” data.

*Examples include:*
Data on violence related injuries; rape; termination of pregnancy; patients in prisons or detention centers; information on disease in a context where there is an obligation to abide by treatment; or data which reveals or implies racial or ethnic origin, political opinions, religious or philosophical beliefs, offences or sex life or preferences.
**Health Data Protection Approach in MSF**

**Governance/Process**
- Leadership to prioritize *(All 5 sections)*
- Data Governance Structure *(in development)*
- Data Protection Officers *(all offices)*
- Obligation to keep data inventory
- Records to demonstrate compliance

**Policy**
- Health Data protection policy
- Strategy for implementation

**Practices**
- Tools and Guidelines: *(pilot)*
- Security measures: passwords; restricted access; audited access; encryption;
- Routine **Threat Analysis** for sensitive data processing
- Staff training programmed *(to be developed)*
In Pilot Implementation Phase

1) Basic Data Protection Steps

2) What When Why Patient Impact Assessment (PIA)

3) Patient Impact Assessment (PIA)

4) Employee “Do’s and Don’ts”

5) Employee Confidentiality Agreement

6) Patient Notification Template

7) Access Rights

8) Checklist for sharing data with third parties.

9) Minimum Standards on Storage/back-ups/archiving and cross-border transfers
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