

**SUMMARY of the Decision of the Inquiries, Complaints and Reports Committee  
(the Committee)**  
(Information is available about the complaints process [here](#) and about the Committee [here](#))

**Dr. Brian Clare Bailey (CPSO #21879)  
General Practice**

**INTRODUCTION**

In the course of a hearing in front of the College's Discipline Committee, information was received that Dr. Bailey posted confidential patient information online. Dr. Bailey confirmed that he posted "Online Record Keeping, Demographic Record Keeping Online" to his website.

Dr. Bailey reported the breach to the Information and Privacy Commissioner of Ontario and sent notification letters to all patients affected by the breach.

Subsequently, the Committee approved the Registrar's appointment of investigators to examine this matter.

**COMMITTEE'S DECISION**

A General Panel of the Committee considered this matter at its meeting of July 17, 2019. The Committee required Dr. Bailey to attend at the College to be cautioned in person with respect to revealing patients' personal information on his practice website. The Committee also requested Dr. Bailey to provide a written report on the College's policy and relevant legislation on patient confidentiality.

**COMMITTEE'S ANALYSIS**

The investigative record demonstrated, and Dr. Bailey confirmed, that the personal information of 34 patients was revealed on Dr. Bailey's practice website. The information included the first and last names of these patients, as well as their health card numbers, birth dates, email addresses, telephone numbers and mailing addresses.

The Committee considered the *Personal Health Information Protection Act, 2004* (PHIPA) and the College's policy on the confidentiality of personal health information. The Committee found that, in this case, there was no dispute that confidential information about Dr. Bailey's patients was revealed online for a period of time and that none of these patients consented to the disclosure of this information. The Committee was of the view that it was inappropriate for Dr. Bailey to post his patients' information to a public website, and that in doing so, he disregarded his legal and professional responsibilities and his duty as a physician to safeguard his patients' personal health information.

As a result, the Committee was of the view that it would be appropriate to caution Dr. Bailey in person with respect to revealing patients' personal information on his practice website, and to request that he provide a written report on the College's policy and relevant legislation on patient confidentiality.