Practicing Strict Confidentiality

Problem

Most jurisdictions have legislation in place to ensure strict confidentiality of a patient’s health data while allowing proper access to information to provide quality health care. Therefore, it is imperative that nurses practice strict adherence to confidentiality at all times.

Consequence

When hospitals or individual employees of hospitals or medical offices do not comply with the confidentiality laws, civil and criminal penalties may be levied. Employers can penalize or fire employees who violate patient confidentiality policies within their institutions.

Solution

Here are some considerations related to patient data confidentiality.

- Sharing confidential information, even with one’s supervisor, administrators, or trusted colleagues, can lead to an environment of careless rules and loss of the employee’s self-regulation regarding confidential practices.

- When nurses do not consistently practice behaviours that are required to comply with confidentiality laws, they may find themselves becoming less vigilant over time and fall into a relaxed state of compliance.

- Routine patient care activities provide many opportunities to lose sight of privacy practices:
  - Nurses carrying their daily work-list may drop it in the parking lot.
  - A patient’s name many be mentioned in a phone conversation that is overheard by other patients and visitors.
  - Nurses could mention the patient’s name to a family member around the dinner table without a thought of confidentiality.
  - Within the hospital, nurses may feel that patient privacy is being maintained, but charts may be left open to viewing by others.
- Clinical conditions or postoperative reports may be shared in public places such as waiting rooms or hallways.
- Attempts at privacy may be made during clinical conferences when names are omitted but, often, the patient’s name is clearly visible on scans or slides used during presentations.

- A difficult situation can arise when the patient discussed at the conference is an employee of the hospital and multiple employees are involved in the care and present for discussion.

- A nurse can fall under the assumption that many people are aware of the employee/patient’s condition and make a “slip” in confidentiality to other employees who are not involved.

- Consistently practicing confidentiality in every circumstance will help ensure that it becomes an automatic habit that does not require special consideration.

References

Avoiding Common Nursing Errors, Lisa Marcucci, MD, Editor, Lippincott Williams and Wilkins, 2010