

CONSENT TO USE ELECTRONIC COMMUNICATIONS

Rocky Health Inc.

30 Wellington St, 5th floor
Toronto Ontario
M5L 1E2

The user thereby agrees to be communicated with via the following methods when interacting with Rocky Health Inc and its affiliate subsidiaries:

Email, text messaging, social media, website portal, video conferencing and telephone

PATIENT ACKNOWLEDGMENT AND AGREEMENT:

I acknowledge that I have read and fully understand the risks, limitations, conditions of use, and instructions for use of the selected electronic communication Services more fully described in the Appendix to this consent form. I understand and accept the risks outlined in the Appendix to this consent form, associated with the use of the Services in communications with the Physician and the Physician's staff. I consent to the conditions and will follow the instructions outlined in the Appendix, as well as any other conditions that the Physician may impose on communications with patients using the Services.

I acknowledge and understand that despite recommendations that encryption software be used as a security mechanism for electronic communications, it is possible that communications with the Physician or the Physician's staff using the Services may not be encrypted. Despite this, I agree to communicate with the Physician or the Physician's staff using these Services with a full understanding of the risk.

APPENDIX

Risks of using electronic communication

The Physician will use reasonable means to protect the security and confidentiality of information sent and received using the Services (“Services” is defined in the attached Consent to use electronic communications). However, because of the risks outlined below, the Physician cannot guarantee the security and confidentiality of electronic communications:

- Use of electronic communications to discuss sensitive information can increase the risk of such information being disclosed to third parties.
- Despite reasonable efforts to protect the privacy and security of electronic communication, it is not possible to completely secure the information.
- Employers and online services may have a legal right to inspect and keep electronic communications that pass through their system.
- Electronic communications can introduce malware into a computer system, and potentially damage or disrupt the computer, networks, and security settings.
- Electronic communications can be forwarded, intercepted, circulated, stored, or even changed without the knowledge or permission of the Physician or the patient.
- Even after the sender and recipient have deleted copies of electronic communications, back-up copies may exist on a computer system.
- Electronic communications may be disclosed in accordance with a duty to report or a court order.
- Videoconferencing using services such as Skype or FaceTime may be more open to interception than other forms of videoconferencing.

If the email or text is used as an e-communication tool, the following are additional risks:

- Email, text messages, and instant messages can more easily be misdirected, resulting in increased risk of being received by unintended and unknown recipients.
- Email, text messages, and instant messages can be easier to falsify than handwritten or signed hard copies. It is not feasible to verify the true identity of the sender, or to ensure that only the recipient can read the message once it has been sent.

Conditions of using the Services

- While the Physician will attempt to review and respond in a timely fashion to your electronic communication, **the Physician cannot guarantee that all electronic communications will be reviewed and responded to within any specific period of time. The Services will not be used for medical emergencies or other time-sensitive matters.**

- If your electronic communication requires or invites a response from the Physician and you have not received a response within a reasonable time period, it is your responsibility to follow up to determine whether the intended recipient received the electronic communication and when the recipient will respond.
- Electronic communication is not an appropriate substitute for in-person or over-the-telephone communication or clinical examinations, where appropriate, or for attending the Emergency Department when needed. You are responsible for following up on the Physician’s electronic communication and for scheduling appointments where warranted.
- Electronic communications concerning diagnosis or treatment may be printed or transcribed in full and made part of your medical record. Other individuals authorized to access the medical record, such as staff and billing personnel, may have access to those communications.
- The Physician may forward electronic communications to staff and those involved in the delivery and administration of your care. The Physician might use one or more of the Services to communicate with those involved in your care. The Physician will not forward electronic communications to third parties, including family members, without your prior written consent, except as authorized or required by law.
- You agree to inform the Physician of any types of information you do not want sent via the Services, in addition to those set out above.
- Some Services might not be used for therapeutic purposes or to communicate clinical information. Where applicable, the use of these Services will be limited to education, information, and administrative purposes.
- The Physician is not responsible for information loss due to technical failures associated with your software or internet service provider.

APPENDIX CONTINUED

Instructions for communication using the Services To communicate using the Services, you must:

- Reasonably limit or avoid using an employer's or other third party's computer.
- Inform the Physician of any changes in the patient's email address, mobile phone number, or other account information necessary to communicate via the Services.

If the Services include email, instant messaging and/or text messaging, the following applies:

- Include in the message's subject line an appropriate description of the nature of the communication (e.g. "prescription renewal"), and your full name in the body of the message.
- Review all electronic communications to ensure they are clear and that all relevant information is provided before sending to the physician.

- Ensure the Physician is aware when you receive an electronic communication from the Physician, such as by a reply message or allowing "read receipts" to be sent.
- Take precautions to preserve the confidentiality of electronic communications, such as using screen savers and safeguarding computer passwords.
- **If you require immediate assistance, or if your condition appears serious or rapidly worsens, you should not rely on the Services.** Rather, you should call the Physician's office or take other measures as appropriate, such as going to the nearest Emergency Department or urgent care clinic.

Telemedicine: Patient Information Sheet

Telemedicine refers to the use of technology (e.g., telephone, email, video, remote monitoring, etc.) by doctors to provide patient care or to share health information. Here is a list of questions patients typically have about telemedicine and what to expect when it is used.

1. Why would I want to have a telemedicine appointment?

Telemedicine can help you get access to doctors, including specialists, who may not be in the same city, province or country as you. It can also be a more convenient way to see your doctor, because you don't have to travel to the doctor's office, and you decrease the time out of your day for the appointment.

2. How will my doctor know how to use telemedicine properly?

The College of Physicians and Surgeons of Ontario (CPSO) licenses Ontario doctors and ensures they treat patients appropriately. The CPSO's *Telemedicine* policy explains how your doctor should use telemedicine to provide care. For more information, you can read the [policy](#) and [Advice to the Profession](#) companion document.

3. Is the quality of care I get during a telemedicine appointment different than the quality of care I would get in-person?

The care your doctor provides you during a telemedicine appointment must be of the same quality as care provided in-person. Your doctor must meet the same expectations that apply to in-person care. For example, they must: have your consent for the treatment, follow-up on test results, keep your health information private and confidential, and keep medical records.

4. How will I know if a telemedicine appointment is an option for me?

Your doctor will talk to you about whether telemedicine is an option, and will advise whether telemedicine is suitable for you. You can help your doctor by telling him or her if you have any concerns about having a telemedicine appointment. Telemedicine may not always be appropriate for you.

5. I use an app on my phone to make video calls to my friends and family. Can I talk to my doctor this way?

It depends. Your doctor must use secure video technology to keep your health information private and confidential. Talk to your doctor about whether the technology used is secure.

6. I would prefer to use an app on my phone to make video calls to my doctor, even if this means my health information may be shared with others by accident. If I tell my doctor that I don't care who sees my health information, can I talk to my doctor this way?

No. Your doctor has legal obligations to keep your health information private and confidential. Your doctor is required to use technology that is secure, and will protect your health information.

Telemedicine: Patient Information Sheet

7. Does it matter where I am during my telemedicine appointment?

Yes. You can help your doctor keep your health information private and confidential by being in a space that allows you to talk with your doctor in private. For example, you shouldn't be in a public setting, such as in a coffee shop or shopping mall.

8. Can telemedicine be used to see a doctor outside Ontario?

Yes. Telemedicine can help you access care from a doctor you may not otherwise be able to get to in-person. This includes doctors in another province, or even another country. If the doctor is not located in Ontario, he or she may not be licensed with the CPSO. You should check to see where the doctor is licensed.

9. Should I tell my local doctor about the care I receive from a doctor outside Ontario using telemedicine?

If you are thinking about making a telemedicine appointment to see a doctor outside Ontario, you may want to talk to your local doctor about it. If you see a doctor outside Ontario, you may want to ask for a summary of the care you received, so you can share this information with your local doctor.

10. My doctor has referred me to a specialist outside Ontario, and I will see them using telemedicine. Does my doctor have to tell me where the specialist is located?

Yes. If your doctor refers you or your health information to a specialist outside Ontario, your doctor must tell you.

11. Do I have to pay for the care I receive during telemedicine appointments?

If the care is not covered by the government (e.g., OHIP) or your private insurance, you may have to pay out-of-pocket for the care you receive. If you see a doctor outside Ontario, you may want to check to see if the care will be covered first.

12. What should I do if I am worried about the care I receive?

Contact the CPSO if you have any questions or concerns about the care you receive. If the care is provided by a doctor who is not licensed with the CPSO, we can help direct you to the appropriate regulatory body.

YOU CAN REACH THE CPSO BY:

Telephone: Local: 416-967-2603
Toll Free: 1-800-268-7096 Ext. 603

Email: feedback@cpso.on.ca

Fax: 416-961-3330

Regular mail: 80 College Street
Toronto, Ontario M5G 2E2