

## INFORMED CONSENT

If a worker or employer is unwilling to participate in secure email, you must have their consent prior to emailing confidential, personal or personal health information. The consent must be either written or sent via E-mail and must be stored as a business record.

To obtain informed consent, do the following:

1. Send an email to the worker/employer with the following scripted text:

*Worker: The WCB has requested you to communicate via encrypted (secured) e-mail. By advising the WCB you want to communicate using unencrypted (unsecured) e-mail instead of secured e-mail you are expressly authorizing the WCB to use unsecured e-mail to communicate with you for all purposes. You acknowledge that unsecured e-mail communication may allow third parties to intercept and read your confidential, personal and/or personal health information and the WCB cannot protect any information sent via unsecured e-mail. The WCB shall in no way be liable for any such violation of your confidential, personal and/or personal health information, including any direct or indirect damages arising therefrom. Should you later decide you want the WCB to communicate with you via secure e-mail or not communicate via e-mail at all, you must advise the WCB in writing before such change can be implemented.*

*Employer: The WCB has requested you to communicate via encrypted (secured) e-mail. By advising the WCB you want to communicate using unencrypted (unsecured) e-mail instead of secured e-mail you are expressly authorizing the WCB to use unsecured e-mail to communicate with you for all purposes. You acknowledge that unsecured e-mail communication may allow third parties to intercept and read your confidential business information or the confidential personal and/or personal health information of yourself and/or your employees and the WCB cannot protect any information sent via unsecured e-mail. The WCB shall in no way be liable for any such violation of confidential, business, personal and/or personal health information, including any direct or indirect damages arising therefrom. Should you later decide you want the WCB to communicate with you via secure e-mail or not communicate via e-mail at all, you must advise the WCB in writing before such change can be implemented.*

2. Advise them that if they still want you to communicate via unencrypted E-mail to reply back and indicate their consent.
3. Once you receive their e-mail, it must be stored as a business record. If it is claim related, it must be saved to the electronic claim file. See section **Saving E-Mails**.

**IMPORTANT:** When adding a consent email to Emerge using Add External Document, the document description should indicate "**Worker Consent to Unencrypted Emailing**" or "**Employer Consent to Unencrypted Emailing**".