



Information and Privacy
Commissioner of Ontario
Commissaire à l'information et à la
protection de la vie privée de l'Ontario

February 26, 2026

VIA EMAIL: wilson.allan.d@gmail.com

PERSONAL AND CONFIDENTIAL

Allan Wilson
1321 Upland Drive
Unit 21311
Houston, Texas 77043

Dear Allan Wilson:

RE: IPC Complaint HC25-00366

This letter is in response to the health privacy complaint that you filed with the Information and Privacy Commissioner of Ontario (the IPC) under the *Personal Health Information Protection Act* (the *Act*) against the Ottawa Hospital (the hospital). You filed your complaint on October 31, 2025. The IPC opened file HC25-00366 to deal with this matter.

The IPC has oversight authority over the *Act*. The IPC has been designated as the independent oversight body responsible for ensuring that health information custodians collect, use and disclose personal health information (PHI) according to the rules set out in the *Act*.

SUMMARY OF MY PRELIMINARY VIEW

I am writing to provide you with my preliminary view regarding your complaint and give you an opportunity to provide written submissions in response to my assessment.

My preliminary view is that this complaint should not proceed further through the IPC's complaint process. This letter outlines the information relied upon in reaching my view.

SUMMARY OF COMPLAINT

On October 31, 2025, the IPC received your complaint form and attachments. I was assigned as Analyst to the file on January 30, 2026. In a February 4, 2026, email you confirmed and clarified the circumstances of your complaint.



You submit that:

Tribunal Services Department
2 Bloor Street East
Suite 1400
Toronto, Ontario
Canada M4W 1A8

Services de tribunal administratif
2, rue Bloor Est
Bureau 1400
Toronto (Ontario)
Canada M4W 1A8

Tel/Tél : (416) 326-3333
1 (800) 387-0073
TTY/ATS : (416) 325-7539
Web : www.ipc.on.ca

- On November 8, 2024, the hospital made false statements about you in paragraphs 8 and 14 of a filed Statement of Defence of the Defendant in Case No. CV-24-00097442-0000, which now forms the court record.
- These statements are of fabricated psychiatric diagnoses, unsubstantiated by medical records and that are “undisputed in their falsity”.
- There was no legitimate legal basis for the inclusion of medical diagnoses in the Statement of Defence in response to Charter claims.
- The hospital’s actions constitute an unauthorized disclosure of your purported PHI contrary to the *Act*. Specifically, the publication of false psychiatric diagnoses without your authorization contravenes sections 29-34 and 52 of the *Act*, which restricts disclosure to specific circumstances.
- The hospital’s actions also contravened the *Health Care Consent Act*.
- These statements appear to have been used as a tactic by the hospital to 1) undermine your credibility, 2) subvert legitimate claims of Charter rights violations, and 3) cover up missing and altered medical information you refer to in your original Statement of Claim in Ontario Superior Court of Justice case No. CV-24-97442.
- Furthermore, the hospital’s false narrative is evidenced in falsified hospital records combined with records from National Defence Medical Centre from the year 2000.

The issue being reviewed in this complaint is the disclosure of your PHI.

RESPONSE FROM THE HOSPITAL

I reached out to the hospital to obtain their response to your allegation. They argue that the hospital did not contravene its obligations under the *Act*.

It was explained that you initiated a court proceeding with the hospital as one of the defendants in the matter. The hospital submitted its Statement of Defence as part of the court process and as a means to counter the allegations made against them.

The hospital argued that they have a right to defend themselves in court and that the PHI included in the Statement of Defence provided a background of your admissions to the hospital. As such, the disclosure was in accordance with section 41(1) of the *Act*.

Regarding your belief that certain information is inaccurate, the hospital advised that you may submit a request to have records of your PHI in their custody or control corrected.

DISCUSSION AND SCOPE OF THE *ACT*

Did the hospital’s disclosure of your PHI contravene the *Act*?

The IPC has oversight authority over and reviews privacy complaints pursuant to the *Act*. The *Act* establishes certain privacy rights for individuals, governs the manner in which PHI may be collected, used, and disclosed within the health sector, and applies to the PHI in the custody or control of health information custodians, such as the hospital. The *Act* also grants individuals the right to complain to the IPC about a breach of the *Act*.

The IPC has the discretion to decide whether a complaint should be reviewed.

In general, health information custodians may not collect, use, or disclose a person’s PHI without their consent. However, the *Act* sets out specific circumstances where collection, use or disclosure without consent is permitted.

Sections 38 to 50 of the *Act* establish the various circumstances where a health information custodian may disclose PHI without the individual’s consent. Section 41(1) stating:

41 (1) A health information custodian may disclose personal health information about an individual,

- (a) subject to the requirements and restrictions, if any, that are prescribed, for the purpose of a proceeding or contemplated proceeding in which the custodian or the agent or former agent of the custodian is, or is expected to be, a party or witness, if the information relates to or is a matter in issue in the proceeding or contemplated proceeding;

...

Furthermore, section 2 of the *Act* defines “proceeding” as follows:

“proceeding” **includes a proceeding held in, before or under the rules of a court,** a tribunal, a commission, a justice of the peace, a coroner, a committee of a College within the meaning of the *Regulated Health Professions Act, 1991*, a committee of the Board of Regents continued under the *Drugless Practitioners Act*, a committee of the Ontario College of Social Workers and Social Service Workers under the *Social Work and Social Service Work Act, 1998*, a committee of the Authority within the meaning of the *Health and Supportive Care Providers Oversight Authority Act, 2021*, an arbitrator or a mediator; (“instance”) **[emphasis added]**

Based on the information in your complaint as well as the hospital’s Statement of Defence, which you provided, it appears that you commenced an action against the hospital alleging that, among other things, their actions towards you infringed your Charter rights. As a result, the hospital became party to the court proceeding you brought forward.

As I read the Statement of Defence, the hospital included information regarding your admissions and their provision of healthcare towards you.

While you may disagree with the veracity of the information included in the Statement of Defence and may not have consented to its inclusion, such a disclosure does not appear to violate the *Act*.

This is because, in my preliminary view, the hospital disclosed your PHI for the purpose of a court proceeding where they were a party and the PHI related to the proceeding. As such, the hospital's disclosure appears to be for a circumstance permitted by section 41(1)(a) of the *Act*.

Correction of records of your PHI

It appears that you disagree with specific statements the hospital included in their Statement of Defence and "falsified hospital records".

Anyone who believes that their personal health information is incomplete or inaccurate can request in writing that the health information custodian correct the record. You may request a correction of your health records if you have first been granted access to the records and you believe they contain inaccurate or incomplete information.

If you have not yet been granted access to your records from the hospital, you can write them a letter requesting access or use the enclosed [Request to Access Personal Health Information Form](#). The *Act* allows a health information custodian to provide you with access in response to an informal, oral request; but you must submit your request in writing if you wish to challenge the hospital's decision before the IPC.

Once completed, submit the letter or form directly to the hospital's [Health Records Services](#). Depending on the circumstances, they have 30 to 60 calendar days to respond to your request.

If you do not receive a response from the hospital within 30 days, or if you are unsatisfied with the decision made in response to your Personal Health Information request: You can file a complaint by completing the IPC's [Access/Correction Complaint Form](#).

Once you have received access to your health records, or if you have received access already, you can submit a correction request to the hospital's Health Records Services.

Additional information about accessing and correcting your personal health information as well as information about the IPC complaint process can be found here: [Accessing or correcting your personal health information | Information and Privacy Commissioner of Ontario \(ipc.on.ca\)](#).

PRELIMINARY VIEW

Section 57(4) of the *Act* provides the Commissioner with the discretion to decide whether to review the subject matter of a complaint. The Commissioner has delegated her authority to me under section 67 of the *Act* to decide whether complaints should proceed through the IPC complaint process.

I have carefully reviewed the information before me as it pertains to this complaint, and it is my preliminary view that it should not proceed further through the complaint process and should be dismissed as the disclosure of your PHI in the circumstances described appears to be in accordance with section 41(1)(a) of the *Act*.

Before making my final decision, I would like to give you the opportunity to provide me with written submissions to explain why you believe that the disclosure was not permitted despite my analysis above. Please note your submissions must:

- Be a single document limited to ten (10) pages, including attachments;
- Explain the relevance of all attachments and references to external sources;
- 8.5" x 11" (letter size) single-sided pages; and
- Be no less than 12-point font.

Please provide your written submissions by **March 12, 2026**. You may provide your written submissions to me electronically via email to Cayda.Rubin@ipc.on.ca.

After I have considered your submissions, I will provide you and the hospital with a final written decision. If I do not receive any written submissions from you on or before **March 12, 2026**. I will assume that you no longer wish to continue with this complaint and the file will be closed. Please note, any submissions received after March 12, 2026 will not be considered.

Thank you very much for bringing this matter to the IPC's attention. I appreciate your dedication to ensuring compliance with the *Act*.

Yours truly,

A handwritten signature in black ink, appearing to read 'Cayda Rubin', with a stylized flourish at the end.

Cayda Rubin
Analyst