

2. Clarifying Legal and Policy Issues

Distinguishing Privacy, Confidentiality and Security *Supplemental Reading*

Although often used interchangeably, the terms “privacy,” “confidentiality” and “security” have distinct legal and ethical meanings.

Confidentiality refers to the obligations of people with access to that information to respect the privacy interests of the subjects.

Privacy refers to rights of people to control how information about them is collected, used and disclosed. Ethically, we believe people are entitled to some level of control over information that is unique and personal to them.

Security refers to technologic, physical or administrative safeguards or tools designed to protect data, including health data, from unwarranted access or disclosure.

So, a breach of security leads to loss of confidentiality, which can lead to an invasion of privacy.

