



## **CASL (Anti-Spam) Toolkit for the Health Sector**

DDO is pleased to announce the release of its CASL (Anti-Spam) Toolkit. Though Canada's anti-spam legislation regulates more than just spam, *our Toolkit focuses solely on its section 6 spam provisions.*

### **Does CASL apply to your organization?**

Many health care organizations have asked us whether CASL applies to them. It likely does. If you, your staff, your Board members or your volunteers ever send email or text messages to your stakeholders for commercial purposes, there are new rules you will have to follow as of July 1, 2014.

### **Who can benefit from the Toolkit**

Our Toolkit will be valuable to you if your organization is:

- a hospital
- a foundation
- a health care charity
- a family health team or nurse practitioner-led clinic
- a long-term care home
- a community health centre
- a mental health or community-based agency
- a member-based association
- a shared services organization
- an association for regulated health professionals, or
- a regulated Colleges.

Unfortunately, CASL is complicated. And there are no simple answers to the questions:

- Do we have to get permission from everyone in our database to continue to send email messages?
- Do we need to change our email and text messaging practices?
- Isn't there an exclusion for charities so we don't have to comply with CASL?

Our general answer to those questions is: It depends. The analysis depends on the type of email or text messages you send and to whom and for what purposes.

## **How our Toolkit can help you**

This Toolkit will help you work through:

- which of your email and text messages count as “commercial electronic messages” and which messages are not covered by CASL
- how to approach your stakeholder database – and how to decide when you should ask for express consent for your stakeholders to stay on your email mailing list or when to rely on “implied consent” or “business to business” relationships (Note: Express consent may NOT be the way to go)
- how to use the fundraising exception if your organization is a registered charity
- how to set up your email systems going forward to automatically comply with CASL
- alternative ways to communicate with stakeholders that are not covered by CASL (such as by fax or phone)
- what to do if you are still not compliant after July 1, 2014.

## **Getting the Toolkit**

If you are interested in purchasing a copy of the Toolkit, please contact Julie Cannon at 416.967.7100 ext 242 or via e-mail at [jc@ddohealthlaw.com](mailto:jc@ddohealthlaw.com)