

A Guide to Alberta's *Health Information Act* (HIA)

Alberta's *Health Information Act* (HIA) came into effect on April 25, 2001. The HIA applies to Alberta Health Services (AHS) as a **custodian** under the HIA. Affiliates of AHS must also comply with the HIA. AHS **affiliates** include employees, volunteers, students, those who perform a service for AHS under a contract or agency relationship and those who have the right to admit and treat patients at an AHS facility,

Health Information

The HIA defines two types of health information:

- **Diagnostic, treatment and care information** includes the physical or mental health of an individual, information about health service providers involved in care, drugs or health care products and any other information that is collected when a health service is provided.
- **Registration information** includes the demographic information of an individual (name, date of birth, gender, personal health care number, location, contact information etc).

Rights of an Individual

AHS has a duty to assist individuals with a request for their own information, and to respond openly, accurately and completely.

- Individuals have a right to their own information; however, there are some limited situations when access is refused.
- Individuals may also request that their own health information be corrected or amended if they believe it is incomplete or there is an error.

Duties of a Custodian

AHS is responsible for the way its affiliates collect, use and disclose information.

- AHS and its affiliates have a duty to put safeguards in place to protect the confidentiality of information and the privacy of individuals.
- AHS and its affiliates have an obligation to collect, use, and disclose the **least amount of information** required to carry out a purpose authorized by the HIA.
- Health information must only be collected and used a "**need-to-know**" basis to fulfill job related duties. Disclosure of information by must only occur in accordance with the HIA.

Collecting Health Information

To collect means to gather, acquire, receive or obtain information.

- Collect information directly from the person it is about whenever possible. There are some situations where the HIA allows information to be collected from a third party.

Using Health Information

Use means the internal sharing of health information.

- The primary use of health information is to provide health services or to determine eligibility to receive health services.
- Other approved uses include conducting AHS investigations, conducting research (subject to an ethics review); educating health service providers; and managing internal AHS operations.

Disclosing Health Information

To disclose means to provide information to external parties.

- Generally, written consent is required before health information may be disclosed. The individual or their authorized representative may provide consent.
- There are some limited situations when AHS may decide to disclose information without consent:
 - If the disclosure is authorized or required by law (i.e., to report a child in need of intervention)
 - To comply with a court order, subpoena, warrant
 - To another custodian providing a health service to the individual.
 - To prevent imminent danger to the health and safety of any person.
 - To someone providing continuing treatment and care to the individual.
 - Other situations may allow for disclosure without consent, please contact Information & Privacy.

For more information contact Information & Privacy:

Phone: 1-877-476-9874

Email: privacy@albertahealthservices.ca

<http://insite.albertahealthservices.ca/1189.asp>