

**Date: September 27, 2011**

**To: AHS Executive and Staff**

**From: Mike Tolfree, Chief Privacy Officer  
Salimah Walji-Shivji, Associate General Counsel, Clinical**

**RE: *Corrections Amendment Act, 2011* (the "Act")  
Effective October 1, 2011**

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### **Key Messages**

1. The Act allows Alberta Health Services ("AHS") (and other custodians as defined under the *Health Information Act* ("HIA")) to disclose an inmate's health information without consent to a director of a correctional institution for purposes specified in the Act.

### **Introduction**

On September 10, 2010, the delivery of health services in provincial correctional institutions was transferred to AHS. As a result, the disclosure of all inmate health information became subject to the HIA. Under the HIA, AHS cannot disclose an inmate's health information without consent unless specifically authorized by law. Effective October 1, 2011, the Act has been amended to allow AHS to disclose inmate health information to a director of a correctional institution for the purposes listed in the Act (described below). While this disclosure is at AHS' discretion, in most situations AHS should cooperate with the request and disclose this information. If there are concerns or unusual circumstances, please contact Information & Privacy for advice at 1-877-476-9874.

### **Purposes of the Act**

The Act and its associated regulation allow AHS to disclose health information without the consent of an inmate to a director of a correctional institution for the purposes of:

1. a classification process as described in the Act;
2. protecting the health, safety and security of inmates, staff and visitors to the correctional institution and the safety of the correctional institution;

3. addressing or preventing a nuisance as defined in the *Public Health Act*, in the correctional institution;
4. addressing or preventing a communicable disease outbreak in the correctional institution;
5. when an inmate is or will be subject to a disciplinary hearing or an appeal of that hearing; and,
6. to facilitate the interpretation of a drug test given to an inmate as part of the illicit-drug testing program under the Act.

As with all disclosures under HIA, AHS staff should only disclose the minimum amount of health information that is necessary to carry out the intended purpose of disclosure.

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**This Communiqué is not legal advice.**

**For more information or questions on the above,  
please contact the Privacy Intake Line at 1-877-476-9874.**