

<p style="text-align: center;">Privacy Policy Disclosure of Personal Information collected in Medical Records</p>

Policy Purpose:

The purpose of this policy is to assist employees and contracted physicians regarding the appropriate disclosure of personal information maintained on patients' medical records.

Disclosure of personal information includes releasing, transmitting, revealing, exposing, showing, providing copies of, telling the contents of, or giving personal information by any other means.

Application:

This policy covers information disclosed, documented in hard copy or in any other media format, including electronic media, audio or videotape and any other new and emerging technologies that may be used in the delivery of medical care services. This policy applies to employees and contracted physicians of the Department of Health and Social Services and the Regional Health and Social Services Authorities.

Policy Statement:

This policy provides direction on the disclosure of personal information for the purposes of diagnosis, treatment and care. (See the Right of Access Policy)

Regional Health and Social Services Authorities have the discretionary ability to determine whether and how much personal information can be disclosed, in any of the situations described in this policy. The disclosure of personal information should conform to the "least amount of information" and "need to know requirements". This means that only the information required to perform a given task should be disclosed.

Disclosure of personal information can occur with the consent of the individual. (See Form of Consent Policy)

Disclosures without consent *may* occur in the following situations:

- Disclosure may occur if it is necessary to do so in order to accomplish the original purpose for the collection of the information, such as to provide medical care and support the administrative and billing processes related to that care.
- Disclosures of personal information may occur between different Authorities and to healthcare professionals outside of the Northwest Territories for the provision of care, such as when a patient is transferred from one facility to another to continue treatment.
- Where the information is required for law enforcement purposes within limited circumstances
- Where the information is necessary to collect a fine or debt owed by the individual to the Government of the Northwest Territories.
- Where the information is required by the Office of the Auditor General for the purposes of an audit or for the purposes of a contracted audit;

- Where the disclosure of specific information is authorized under an enactment of Canada or a Treaty.
- Where notification of next of kin is needed; however, this disclosure may not include the disclosure of nature of illness, injury or the cause of death.
- To protect the mental or physical health or safety of any individual;
- To a Member of the Legislative Assembly if the information is to assist an individual in resolving a problem.

Policy Requirements:

Disclosures of personal information should be noted on the patient files. The authorizing representative should be identified on that record.

The disclosure of personal information occurs in a secure manner. This includes electronic and paper disclosures.

Quick Reference:

Disclosure at a Glance**

Requestor	Disclosure Limitation
Healthcare body	Personal information may be disclosed for the purposes of treatment and care.
Department of Justice	*Personal information may be disclosed for the purposes of enforcing a legal right that the Government of NWT or a public body has against any individual. In these situations the Department of Justice must be acting as the Government's legal representative.
Police/RCMP/CSIS/Safety Inspections Groups/Fire Commissioner/ Conservation Services	*Personal information may be disclosed for the purposes of policing or investigations or proceedings that could lead to a penalty or sanction being imposed. This includes investigations authorized by the Complaints Officer or equivalent, pursuant to professional licensing legislation.
Workers Compensation Act	*Personal health information must be disclosed to the Workers Compensation Board.
Privacy Commissioner	*Disclosure may occur if it is necessary for the performance of the Commissioner.
Auditor General	*Disclosure to the Auditor General and to others as designated may occur for audit purposes.
Maintenance Enforcement Administrator	*Disclosure may occur if the information is about individuals in default of their spousal maintenance payments. The information disclosed must only be relevant to the enforcement process.
Disclosure to a Member of the Legislative Assembly	*Disclosure may occur if the person who is the subject of the information has consented to the disclosure.
Disclosure to Next of Kin	Disclosure may occur for the purposes of notifying the next of kin of the location of the individual. This disclosure does not include a disclosure of the illness, injury or cause of death.

Requestor	Disclosure Limitation
Researcher	See the Disclosure for Research Policy
Court	*Disclosure may occur for the purposes of complying with a subpoena, warrant or order made by a NWT court, person or body having jurisdiction to compel the production of information
International Requestor	All disclosure requests received from someone outside of the NWT should be forwarded to the designated privacy officer.

*Requests must be received in writing and must include the name of the individual whose information is requested, the exact nature of the information requested (as specific as possible), the intended use of the information and the name, title and address of the person requesting the information.

Legislative References:

The disclosure of personal information by public bodies is primarily guided by the *Access to Information and Protection of Privacy Act*. The *Access to Information and Protection of Privacy Act* establishes the legal conditions for public bodies to protect the personal information they collect, use or disclose.

Approval and Effective Date:



Chad Fehr, CEO



Date