

<p style="text-align: center;">Privacy Policy Right of Access</p>
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Policy Purpose:

The purpose of this policy is to provide direction to employees and contracted physicians regarding an individual's right of access to their healthcare record. Any person has a right of access to their personal healthcare records that are in the custody or control of a Regional Health and Social Services Authority or the Department of Health and Social Services.

Application:

This policy covers information that is 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 NWT Health and Social Services Authorities.

Policy Statement:

When a person asks for a copy of or for access to their medical record, whether formally or informally, the designated ATIPP contact responds in accordance with this policy. A fee may only be charged if photocopying fees exceed \$25.00. The amount charged should be the actual photocopying charges and the amount is calculated using schedule B of the Act. The ATIPP contact has an obligation to assist the requestor with the preparation of the request in written form. This includes, but is not limited to, assisting with the writing of the request and assistance in narrowing the request, if the request is too vague or overly general.

Policy Requirements:

Regional Health and Social Services Authorities and the Department have designated individuals to respond to all access requests, whether those requests are formal or informal. This individual considers the following when responding to each request:

- A response to the original request must be provided to the individual within 30 days. In limited circumstances the 30 days may be extended. The reasons for the extension must be documented. These circumstances include;
 - If the request is vague and impossible to locate without obtaining clarification from the applicant,
 - If the request involves a review of a particularly large volume of records,
 - If the Regional Health and Social Services Authority or the Department must consult with numerous other contacts including other public bodies to obtain the information requested and this cannot be performed within the 30 day limit, or
 - If a third party, such as another Regional Health and Social Services Authority requests the Information and Privacy Commissioner to review a decision made in relation to the request;
- All information pertaining to the request and the response should be maintained for a minimum of one year following the receipt of the request; and
- A notation should be made on the individual's file of the disclosure.

- Regional Health and Social Services Authorities and the Department maintain records that document the decisions regarding the processing of requests.
- An access request may be transferred to another public body if it is determined that body has the information requested. The body that transfers the original request must first ensure that the second body will accept and process the request. The requestor must also be notified of the transfer.
- In rare circumstances where the Regional Health and Social Services Authorities determines the access request is not worth serious consideration, the Regional Health and Social Services Authority must seek authority from the Information and Privacy Commissioner prior to disregarding the request.

**Quick Reference:
Responding to Access Requests**

Request	Mandatory Exception
Request for a third party's personal information	Access to personal information about a third party is not provided
Request for information concerning the business interests of a third party	Requests for information regarding the business interests of a third party must not be Disclosed. These requests include financial information and bids provided by companies to engage in work for the public body.
Request	Discretionary Exception
Request for information that may cause harm to any person	Requests for information that may cause harm to any individual may be refused by the public body. These requests may include situations where the information was provided to the healthcare body by another party in confidence and subsequently added to a patient healthcare record.
Request for information that may cause harm to the individual making the request.	The disclosure may be deemed to cause harm to the individual requesting the information. A medical practitioner may determine that a disclosure of a particular mental health diagnosis may cause harm to the individual who is the subject of the information.

Approval and Effective Date:



Chad Fehr, CEO

Jan - 22, 2009

Date