

### ***The Personal Health Information Act***

The *Personal Health Information Act (PHIA)* came into force in June 2013.

This provincial health information privacy and access legislation is intended to ensure that personal health information management rules in the health sector are clear, consistent and relevant to all records of personal health information, including the electronic health information systems in use in Nova Scotia.

*PHIA* balances your right to have your privacy protected with the need of the health sector – including our organization – to collect, use and disclose it to provide appropriate care and service to you.

As a “custodian” of personal health information under *PHIA*, we have an obligation to protect the privacy of the information we collect, use and disclose about you. This brochure is a summary of the purposes for our management of your personal health information.

#### **What is “personal health information”?**

Personal health information is identifying information about you, and includes demographic information (name, address, date of birth), your health card number, information related to your physical and mental health care, and financial information related to your application and eligibility for health care services. Personal health information can be recorded and unrecorded, and continues to be protected after you are deceased.

#### **Why do you collect my personal health information?**

We collect it for several purposes:

- to inform our decisions related to appropriate medical and counselling care
- to disclose to other providers involved in your health care – **only with your consent**
- to conduct anonymous research approved under *PHIA*
- to plan and manage medical and counselling services
- for other purposes required or permitted by law

#### **When do you disclose my personal health information to others?**

Our procedure is that NO information about your care will be disclosed without your consent. The personal health information we collect from you is used to provide appropriate care to you.

#### **Do I need to consent to this disclosure?**

Yes, written consent is obtained. In some situations, verbal consent can be accepted. Our healthcare providers also have “limits of confidentiality” per their respective ‘Code of Ethics’. This can be discussed with you in your initial counselling session or medical appointment.

In hospital settings, this disclosure is carried out under the principle of “knowledgeable implied consent”. This means that we must provide you sufficient information about the purposes for collecting, using and disclosing your personal health information, and about your right to give or withhold consent. In addition to the information contained in this brochure, you may ask for additional information about the management of your personal health information.

**Can I decide who can and cannot have access to my personal health information?**

You have the right to request that your personal health information not be used or disclosed by a specific health professional or organization. We are required to:

- take reasonable steps to comply with your request
- advise you of any consequences of your request (e.g. one of your health professionals may not be confident that they have sufficient information to provide care to you)
- advise anyone to whom your personal health information is disclosed that the information is not complete
- advise you that we cannot comply with your request where the information is required by law to collect, use or disclose

**How do I request that my personal health information not be used or disclosed?**

Our standard practice is that no confidential information will be shared without your consent. A form is available from our Health & Wellness staff.

**Can I request a copy of my personal health information?**

Yes – you have the right to request a copy of your personal health information, or request an opportunity to view your personal health information. There are limited exceptions to what you cannot access, including information what was collected during an investigation or information that includes the personal information of another person.

We are permitted to charge you a prescribed fee for providing you with a copy of your record or an opportunity to view your record.

**Can I request that something in my personal health information be corrected?**

Yes – you may make the request to your healthcare provider or *PHIA*/privacy contact person. There are limited exceptions to your right to a correction of your record, including when the information you request to be corrected is part of a professional opinion of a healthcare provider.

**What happens if you lose my personal health information or someone who isn't authorized to see it gains access to it?**

If your personal health information is breached and we believe that this breach may cause you harm or embarrassment, we are required to notify you of the breach. If we don't notify you, we are required to notify the Nova Scotia Review Officer for *PHIA*.

**Can I make a complaint if I think you have not followed the rules in *PHIA*?**

Yes – our organization has a *PHIA* complaints process. Our Health & Wellness staff can provide you with the necessary information and form.

**What if I am not happy with the way your organization has handled my complaint?**

You may request a review under *PHIA*. The Review Officer for *PHIA* can be reached at:

**Review Officer*****Personal Health Information Act*****P.O. Box 181****Halifax, Nova Scotia B3J 2M4****Phone: 902-424-4684****Toll-free: 1-866-243-1564****Fax: 902-424-8303****Who do I contact for more information?**

You can ask to speak to our *PHIA*/Privacy contact person at Student Health & Wellness by calling 902-494-2171 or emailing [angelique.sherwood@dal.ca](mailto:angelique.sherwood@dal.ca)