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## Health Information Privacy and Security Policy

<b>Office of Accountability:</b>	Faculty of Medicine & Dentistry
<b>Office of Administrative Responsibility:</b>	Dean’s Office, Faculty of Medicine & Dentistry
<b>Approver:</b>	Dean’s Executive Committee, Faculty of Medicine & Dentistry
<b>Scope:</b>	Compliance with this Faculty policy extends to all members of the Faculty of Medicine & Dentistry

### Overview

The collection, use, and disclosure of health information by Custodians within the Faculty of Medicine & Dentistry and their Affiliates are governed by the *Health Information Act* of Alberta (HIA) and this Policy. The principles and the Procedures appended to this Policy are intended to enable patient care and effective service delivery, while ensuring the privacy of patients.

### Scope

This Policy and the associated Procedures apply to the following health information (referred to as “Health Information” in this Policy and the associated Procedures):

- Health information (as defined in the HIA) that is otherwise collected, used or disclosed through the delivery of a health service by a Custodian within the Faculty of Medicine & Dentistry.

This Policy applies to the following individuals:

- All faculty, learners (fellows, residents and students), and staff (including University employees and other physician support staff) within the Faculty of Medicine & Dentistry, and third party contractors of the Faculty of Medicine & Dentistry, who access or manage Health Information;

The scope of this Policy includes:

- Health records in any form containing Health Information, created or received in the course of carrying out health services, education or research; and
- All facilities and equipment required to collect, manipulate, transport, transmit or keep Health Information.

This Policy does not apply to University of Alberta information (i.e. non-patient information) that is subject to the University’s [Records Management Policy](#) and its associated Procedures, [Access to Information and Protection of Privacy Policy](#) and its associated Procedures, or otherwise subject to the Alberta *Freedom of Information and Protection of Privacy Act*.

## **Policy Statement**

In accordance with the HIA, all faculty, learners, staff and third party contractors who are within the scope of this Policy shall protect the confidentiality and integrity of Health Information, and the privacy of the individuals who are the subjects of that information. This includes protection against unauthorized collection, use, disclosure, modification, or access to the information.

Physicians, dentists and dental hygienists, and other health service providers who are Custodians of Health Information, and their Affiliates, are expected to comply with the HIA, this policy and associated procedures with respect to health services provided to patients. All records related to a health service shall be deemed to be under the custody and/or control of the physician, dentist or dental hygienist, or other health service providers, who provided the service in his or her capacity as a Custodian or an Affiliate thereof.

Non-compliance with this Policy constitutes misconduct and may be handled under the applicable collective agreement, University policy, or law. Employees may face disciplinary action up to and including termination, in accordance with the applicable collective agreement. A person who contravenes the HIA may be charged and found guilty of an offence and liable to a fine.

## **DEFINITIONS**

<b>Affiliates</b>	<p>Includes all employees, volunteers, students, residents, fellows and persons contracted to provide services for custodians, or otherwise performing a service for a custodian. Physicians might also function as Affiliates in their capacity of providing health services on behalf of another custodian, such as Alberta Health Services or Covenant Health.</p>
<b>Custodian</b>	<p>Includes health service providers who receive and use health information and are responsible for ensuring that it is protected, used, and disclosed appropriately. In the context of the Faculty of Medicine and Dentistry, custodians may include:</p> <ul style="list-style-type: none"> <li>• regulated members of the College of Physicians and Surgeons of Alberta</li> <li>• regulated members of the College of Alberta Denturists;</li> <li>• regulated members of the Alberta Dental Association and College;</li> <li>• regulated members of the College of Registered Dental Hygienists of Alberta;</li> <li>• regulated members of the Alberta College of Pharmacists;</li> <li>• Alberta Health Services;</li> <li>• Covenant Health.</li> </ul> <p>Please note this is not an exhaustive list. For full list of custodians, please refer to definitions in the HIA.</p>
<b>Diagnostic, treatment and care information</b>	<p>Includes information about the following:</p> <ul style="list-style-type: none"> <li>• the physical and mental health of an individual;</li> <li>• a health service provided to an individual</li> <li>• information about the health service provider who provided a health service to an individual</li> <li>• donation by an individual of a body part or substance, including information derived from the testing or examination of a body part or bodily substance;</li> </ul>

	<ul style="list-style-type: none"> <li>• a drug as defined in the <i>Pharmacy and Drug Act</i> provided to an individual;</li> <li>• a health care aid, device, product, equipment or other item provided to an individual pursuant to a prescription or other authorization;</li> <li>• the amount of any benefit paid or payable under the <i>Alberta Health Care Insurance Act</i> or any other amount paid or payable in respect of a health service provided to an individual;</li> <li>• any other information about an individual that is collected when a health service is provided to the individual but does not include information that is not written, photographed, recorded or stored in some manner in a record.</li> </ul>
<b>Disclosure</b>	Means the release, transmittal, exposure, revealing, showing, providing copies of, telling the contents of, or giving health information by any means to any person or organization. It includes disclosure to another custodian or to a non-custodian.
<b>Health Information</b>	Information that identifies an individual and is stored in any format that relates to: diagnostic, treatment and care information; registration information (e.g. demographics, residency, health services eligibility, or billing).
<b>Record</b>	Means a record of health information in any form and includes notes, images, audiovisual recordings, x-rays, books, documents, maps, drawings, photographs, letters, vouchers and papers and any information that is written, photographed, recorded or stored in any manner.
<b>Use</b>	Means applying health information for a purpose and includes reproducing the information, but does not include disclosing the information.

## **PUBLISHED PROCEDURES OF THIS POLICY**

Collection, Use and Disclosure of Health Information Procedure

Information Handling and Security Procedure

Health Research Information Management Procedure

Right of Access to Health Information Procedure

## **RELATED LINKS**

[College of Physicians and Surgeons of Alberta Patient Record Retention Standard of Practice](#)

[Information Privacy Office - HIA webpage](#)

[Faculty of Medicine & Dentistry - Informatics webpage](#)

[Health Information Act](#)

[Health Information Act Designation Regulation](#)



[Health Information Act Alberta Electronic Health Record Regulation](#)

[Health Information Regulation](#)

[Health Information Act Guidelines and Practices](#) (Alberta Health)

[Use and Disclosure of Health Information for Research](#) (OIPC)