



Office of the
Information and Privacy
Commissioner of Alberta

August 26, 2010

***Health Information Act Amendments in Force September 1st* Commissioner releases revised HIA Guide**

Information and Privacy Commissioner, Frank Work is pleased that amendments to the *Health Information Act* will be in force on September 1st, and has released a revised Guide to assist health services providers in understanding their obligations under the Act.

The expansion in scope opens the door for more health services providers to be given access to Netcare, the Alberta Electronic Health Record. Commissioner Work says he expects health services providers to know the rules and obey them, and says “we will prosecute anyone we catch surfing health records.” The last person prosecuted for improperly accessing health records was fined \$10,000.

Key amendments to the Act include:

- Expansion of scope to include all health information regardless of how a health service has been paid;
- Regulated members of health professions are now designated as custodians through Regulation. The current designations include physicians, pharmacists, optometrists, opticians, chiropractors, midwives, podiatrists, dentists, denturists, dental hygienists, and nurses. However, application of the Act has been deferred until March 1, 2011 for dentists and dental hygienists and until September 1, 2011 for nurses;
- New Alberta Electronic Health Record (known as “Netcare”) provisions that clarify health services providers obligations to protect electronic health information;
- New role for professional Colleges and Associations to decide what health information should be made available in the Alberta Electronic Health Record; and
- Clarification of a health services provider’s obligation to consider an individual’s wish about limiting the use and disclosure of health information (e.g. masking of electronic health information) and an individual’s right to request a log of who has accessed it.





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Work said he agrees that in order to realize the benefits of Netcare, more health care providers need to have access to patient information it contains. However, new users must respect patient confidentiality. Health care organizations must ensure their people are trained and must monitor use. Misuse should be dealt with harshly, “Health care providers should think twice before checking out boyfriends, girlfriends, ex-spouses, neighbours, etc. on Netcare” he said.

Albertans concerned about who may have accessed their electronic health records can ask a health services provider to provide them with a copy of an access log, and can raise any concerns that arise with our Office.

The revised Guide released today is available electronically at www.oipc.ab.ca.

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