

Health Information Privacy and Management Guidelines

The Health Information Act (2000) (HIA) identifies the responsibilities for health care providers regarding collection, protection, maintenance, use, amendments, disclosure and destruction of health information. This guideline provides additional information in addition to the College of Opticians of Alberta (COA) *Health Information Privacy and Management Standards* that will assist opticians in understanding how to protect and manage patient records.

Access and Disclosure of Patient Records:

The physical records belong to the optician, but a **patient**¹ is entitled to any information contained within their file, except under very specific circumstances as outlined in the HIA. Opticians can provide a copy of the record to the patient but will maintain the original.

Information must be disclosed with the written consent of the patient, however there are some situations where opticians can disclose health information without written consent, such as sharing of information to another **custodian** within the circle of care to ensure continuity of care.

When disclosing information, an optician should note:

- The name of the person to whom information was disclosed
- Date
- Purpose of disclosure
- Description of information disclosed

Sections 35-45 in the HIA allows for the disclosure of health information without patient consent outside the circle of care in some situations, which include:

- Individuals or authorized representatives of individuals (parents or other caretakers)
- Persons acting in the best interest of an incompetent individual
- Health professional bodies, auditors, and quality assurance committees
- Police, when investigating a life-threatening injury to an individual
- Disclosures required by other legislation (courts and subpoenas)
- To any person if the disclosure will avert or minimize a risk of harm to the health and safety of any person

Corrections to Patient Records:

An optician has the responsibility to amend personal health information in patient records as necessary. This can be done in paper records by crossing through the text and writing in the correct information, the reason the correction was made (if necessary), and the date and initials for the person making the correction.

In electronic records, there should be in place the ability to obtain an audit of corrected or amended information in place. Corrections may be made by detailing the correction, the reason for correction (if necessary), and the date and identifier of the person making the correction.

¹ Words in bold font are listed in the glossary.

Destruction of Patient Records:

Custodians of health information are responsible and accountable for the proper retention and disposal of health records. It is recommended that custodians have a systematic plan for handling this that will allow custodians to know what information to destroy and when. A dispensing facility should evaluate their policies and procedures to ensure consistency and compliance.

Shredding is the best way to dispose of paper and other hard copy media which may contain personal or health information. Opticians need to ensure that a shredding company can offer secure destruction of the material. For computer equipment that houses personal and health information, computer hard drives should be professionally wiped clean prior to being disposed of or sold.

When a dispensing facility closes it is the custodian's responsibility to ensure that the records or files are securely stored for a minimum of ten years from the date of the last entry. If retiring, an optician must transfer their records or files to another optician or another successor custodian. If leaving a job, an optician must maintain the files or transfer their records or files to another optician or other successor custodian.

Opticians must take reasonable steps to notify patients as to where their health information is stored. This could be achieved by taking out an ad in a local newspaper, sending a letter or email to patients, or posting a sign on the door. Opticians should contact the COA to notify them where the patient information has been sent to help patients access to their records if asked.

Information Sharing Agreements

An optician who discloses or contributes to a health record operated by another custodian or professional should have an agreement in place. This helps to clearly define the roles and responsibilities of the parties. Section 41 of the HIA outlines specific disclosure requirements if the electronic system does not automatically keep an electronic log of certain information.

Glossary Terms

Custodian: organizations defined in the HIA or individuals designated in the HIR with authority to collect, use, and disclose health information; a health service provider who is designated in the regulations as a custodian, or who is within a class of health services providers that is designated in the regulations.

Patient: a person, or caregiver of a person, receiving opticianry services from a regulated member of the College

Related Documents

College of Opticians of Alberta *Health Information and Privacy Management Standards*

College of Opticians of Alberta *Record Keeping and Documentation Guidelines*

Health Information Act, RSA 2000, c H-5

Health Information Regulations, Alta Reg 70/2001

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