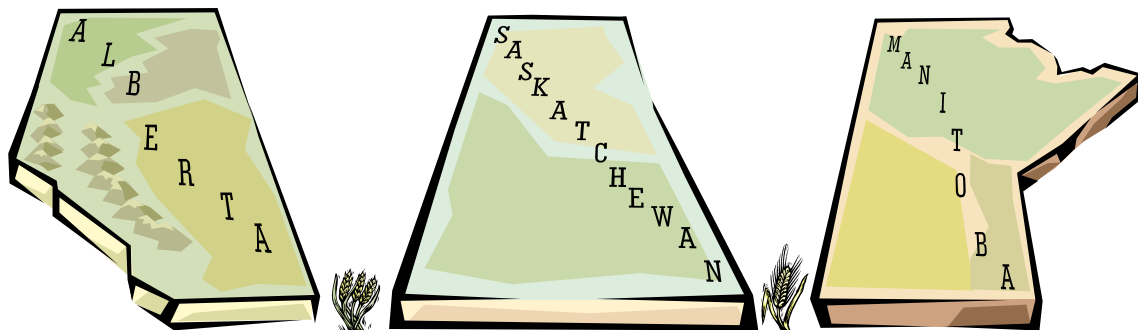


A Compendium of Health Information Laws for:



- ✦ This tool serves as a quick and resourceful reference to key sections of health information privacy legislation in effect within Canada's prairies, namely the *Health Information Act (HIA)*, *The Health Information Protection Act (HIPA)*, and *The Personal Health Information Act (PHIA)*.



1A: Health Information Protection Legislation 101- Panel

Produced by the Office of the Saskatchewan Information and Privacy Commissioner

| Privacy Provisions | Alberta: Health Information Act (HIA) | Saskatchewan: The Health Information Protection Act (HIPA) | Manitoba: The Personal Health Information Act (PHIA) |
|--|---|--|--|
| 1. Definitions 1.1 Affiliate | Part 1 1 (1) (a) | Part I 2 (a) | |
| 1.2 Custodian or Trustee | Part 1 1 (1) (f) "custodian" | Part I 2 (t) "trustee" | Part 1 1 (1) "trustee" |
| 1.3 Diagnostic, Treatment and Care Information | Part 1 1 (1) (i) | | |
| 1.4 Information Manager | Part 6 66 (1) | Part I (2) (j) | Part 1 1 (1) |
| 1.5 Personal Health Information | Part 1 1 (1) (k) | Part I (2) (m) | Part 1 1 (1) |
| 2. Access 2.1 Rights of an Individual | Part 2 7 (1) (2) (3) | Part II 12 Part V 32 | Part 2 5 (1) |
| 2.2 How to Make a Request for Access | Part 2 8 (1) (2) (3) | Part V 33, 34 (1) (2) (3) (4) | Part 2 5 (2), 5 (3) |
| 2.3 Duty to Assist Applicants | Part 2 10 | Part V 35 (1) (2) | Part 2 6 (2), 7 (2) |
| 2.4 Right to Refuse Access | Part 2 11 (1) (2) | Part V 38 (1) (3) | Part 2 11 (1) |
| 2.5 Duty to Sever Personal Health Information | | Part V 38 (2) | Part 2 11 (2) |
| 2.6 Time Limit for Access Response | Part 2 12 (1) (2) (3), 15 (1) (2) (3) | Part V 36 (1) (2) (3), 37 (1) (2) | Part 2 6 (1) (3), 7 (1) (3), 8 (1) 8 (2) |
| 2.7 Abandoned Request for Access | Part 2 9 (1) (2) | | |
| 2.8 Right to Correct Personal Health Information | Part 2 13 (1) (2) (3) (4) (5) (6) (7) | Part V 40 (1) (2) (3) (4) (5) (6) (7) Part II 13 | Part 2 12 (1), 12 (2), 12 (3), 12 (5) |
| 2.9 Refusal to Correct Personal Health Information | Part 2 14 (1) (2) (3) | | Part 2 12 (4) |

| Privacy Provisions | Alberta: Health Information Act (HIA) | Saskatchewan: The Health Information Protection Act (HIPA) | Manitoba: The Personal Health Information Act (PHIA) |
|---|--|--|--|
| 3. Consent 3.1 Consent | Part 5 34 (1) (2) (3) (4) (5) (6) | Part II 6 (1) (2) (3) (4) (5) (6) | Part 3 22 (1) , 22 (2) |
| 3.2 Right to Revoke Consent | Part 5 34 (2) (3) (4) (5) (6) | Part II 7 (1) (2) (3) | |
| 3.3 Right to Be Informed | Part 3 22 (1) (2) (3) | Part II 9 (1) (2) (3) | Part 3 15 (1), 15 (2) |
| 4. Collection, Use and Disclosure 4.1 Collection and Restrictions on Collection | Part 3 18, 19, 20 | Part IV 23 (1) (2) (3) (4), 24 (1) (2) (3) (4) | Part 3 13 (1), 13 (2) 20 (1) |
| 4.2 Manner of Collection | Part 3 22 (1) (2) (3) | Part IV 25 (1) (2) (3) (3.1) | Part 3 14 (1), 14 (2) |
| 4.3 Restrictions on Use | Part 4 25, 26, 27 (1) (2), 28 | Part IV 26 (1) (2) (3) | Part 3 20 (2) (3) |
| 4.4 Use or Disclosure of Information | Part 4 27 (1) (2) Part 6 58 (1) (2) | Part 27 (1) (2) (3) (4) (5) (6) | Part 3 21, 22 |
| 4.5 Disclosing Information to Another Custodian or Trustee | Part 5 47 (1) (2) (3) (4) (5) (6) | Part III 20 (1) (2) | Part 3 22 |
| 4.6 Disclosing Information to a Person Other than a Custodian or Trustee | Part 5 43 | Part III 21 | Part 3 22, 23, 24, 25 |
| 4.7 Use or Disclosure Prohibited | Part 4 28, 29, 30 | Part IV 30 (1) (2) (3) | Part 3 23 (3) |
| 5. Security 5.1 Duty to Protect | Part 5 45 Part 6 60 (1) (2) (3) | Part III 16 | Part 3 18 , 19 |

| Privacy Provisions | Alberta: Health Information Act (HIA) | Saskatchewan: The Health Information Protection Act (HIPA) | Manitoba: The Personal Health Information Act (PHIA) |
|--|--|---|---|
| 5.2 Retention and Destruction | Part 8 108 (1) (g) | Part III 17 (1) (2) | Part 3 17, 25 |
| 5.3 Contractors of Personal Health Information | Part 6 66 (2) (3) (4) (5) (6) | Part III 18 (1) (2) (3) (4) (5) | |

✦ Please view the following websites to fully examine the referenced sections above.

Alberta

- http://www.qp.gov.ab.ca/documents/Acts/H05.cfm?frm_isbn=0779719352&type=htm

Saskatchewan

- <http://www.qp.gov.sk.ca/documents/english/Statutes/Statutes/H0-021.pdf>

Manitoba

- <http://web2.gov.mb.ca/laws/statutes/ccsm/p033-5e.php>