

Policy Manual

Subject: Collection of Health Information

Section: ADM – Legal Issues

Number: ADM-c-100

Approved: Chief Executive Officer

Date: 004.05.15

DEFINITIONS

Client: includes resident, participant, patient

Substitute decision maker: includes agent, guardian or spokesperson
Ref CapitalCare policies ADM-b-10, ADM-b-20

POLICY

CapitalCare will collect health information in accordance with the following procedure:

PROCEDURE:

1. **Prior to collecting health information about clients or health service providers:**
 - 1.1. Staff shall determine if the purpose of the collection can be achieved with aggregate or anonymous health information.
 - 1.2. If individually identifying health information is required, staff shall determine:
 - a. the legal authority for the collection,
 - b. that the purpose of the collection relates directly to and is necessary for one or more of the following authorized purposes:
 - providing health services
 - protecting, promoting or maintaining physical and mental health
 - preventing illness
 - diagnosing and treating illness

- rehabilitation
 - caring for the health needs of the ill, disabled, injured or dying
 - determining or verifying eligibility for a health service
 - conducting investigations, discipline proceedings, practice reviews, or inspections of members of a health profession or discipline
 - conducting research, subject to research ethics approval
 - health services provider education
 - any purpose authorized by an enactment of Alberta or Canada
 - internal management (including planning, resource allocation, policy development, quality improvement, monitoring, audit, evaluation, reporting, payments for health services and human resource management)
 - health system management
 - public health surveillance
 - health policy development
- c. the least amount of health information that needs to be collected to carry out the purpose(s),
- d. the manner and timing of informing the client / substitute decision maker² or health services provider of:
- the legal authority for the collection,
 - the purpose(s) for which the information will be used,
 - the title, address and phone number of the staff member who can answer questions about the collection (if there is no designate at the campus / site please refer the individual to the Manager of Health Records at CapitalCare Norwood, 10410 – 111 Avenue, 496-7189), and
 - the authority for the collection of the personal health number, when it is collected.

Notification may be done verbally, on forms, or by posters, brochures or other appropriate means. See Appendix A - Collection Notification for sample wording. Normally, notification will occur on admission or at the start of an episode of diagnosis, treatment or care and does not need to be repeated when additional health information is collected for the same episode. For health services providers it will normally occur on employment, contract or when privileges are granted (e.g. medical staff active privileges).

- 1.3. Staff shall periodically review the need for the information being collected, particularly when there is a change in a program or service.

2. When collecting health information about clients or health service providers:

- 2.1. Staff shall collect the health information from the individual concerned, unless indirect collection is authorized by the Health Information Act.
- 2.2. Indirect collection from sources other than the individual is allowed when:
 - a. the individual authorizes, either verbally or in writing, collection from another person (if authorization is verbal make a note of this on the record),
 - b. the individual is unable to provide the information and the individual's substitute decision maker provides the information,
 - c. another custodian is authorized under the Health Information Act to disclose the information to CapitalCare,
 - d. there are reasonable grounds to believe collection from the individual will prejudice the individual's interests, the collection purpose or the safety of any other person (e.g. delay emergency treatment or prevent effective diagnosis),
 - e. there are reasonable grounds to believe collection from the individual will result in inaccurate information (e.g. individual does not know the information or cannot remember due to their health condition),
 - f. collection from the individual is not reasonably practical (e.g. unconscious),
 - g. the information can be readily found in published or other public sources (e.g. birth or obituary notice), or
 - h. when required for:
 - assembling a family or genetic history in order to provide a health service to the individual,
 - determining or verifying eligibility to participate in a program or receive a benefit, product or health service, or
 - informing the Public Trustee or Public Guardian about clients or potential clients.
- 2.3. Staff shall inform the individual or substitute decision maker in the manner determined in 1.2 (d) of:
 - a. the legal authority for the collection,
 - b. the purpose(s) for which the information is collected,
 - c. the title, address and phone number of the staff member who can answer questions about the collection (if there is no designate at the campus / site please refer the individual to the Manager of Health Records at CapitalCare Norwood, 10410 – 111 Avenue, 496-7189), and
 - d. the authority for the collection of the personal health number, when it is collected (i.e. Section 21(1) of the Health Information Act).
- 2.4. When collecting health information, staff shall take reasonable measures to ensure its accuracy and completeness.

3. **Collection of health information using a recording device:**

Written consent is required from the individual or substitute decision maker before collecting health information by using a recording device, camera or other device that may not be obvious to the individual.

ATTACHMENTS:

 [Appendix A: Collection Notification \(F548\)](#)