



Policy Name SEVERING OF THIRD PART INFORMATION FROM THE HEALTH RECORD	Policy Number: 0936
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Classification: Governance and Administration	Page No: Page 1 of 2

POLICY

All residents (both current and former) of The Salvation Army Agapé Hospice have the right of access to records within the hospice's custody and control which contain personal information about themselves. However, the right of access does not extend to information that is presumed to be an unreasonable invasion of a third party's personal information. (A Third Party is defined as a person, a group of persons, or an organization other than an applicant or a public body.) In this circumstance, it is paramount that the personal information of the third party be protected and severed from the record prior to the release of the record to the applicant.

PROCEDURE

1. The Salvation Army Agapé Hospice will refuse to disclose personal information of a third party that, considering all the relevant circumstances, constitutes an unreasonable invasion of that third party's personal privacy. Severing of third party information is only necessary when providing personal information to the resident or an agent of the resident, excluding healthcare providers.
2. Personal information includes:
 - a. a third party's medical, psychiatric or psychological history, diagnosis, conditions, treatment or evaluation;
 - b. an investigation of a third party's possible violation of the law (excepting disclosure that is necessary to assist in law enforcement prosecution of the violation or investigation leading to a legal proceeding);
 - c. social service or income assistance benefits, employment or educational history, or tax information related to a third party;
 - d. personal recommendations or evaluations, character references, personnel evaluation of a third party;
 - e. a third party's name when it appears with other personal information about the third party or when the disclosure of the name itself would reveal personal information about the third party; and racial or ethnic origin, religious or political beliefs or associations of a third party;
 - f. address and phone numbers of a third party
3. Disclosure of a third party's personal information is not unreasonable invasion of their privacy if:



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- a. the third party has consented in writing to the disclosure;
 - b. there are compelling circumstances affecting the public health or safety of individuals;
 - c.
 - the Alcohol and Drug Abuse Act, section 8,
 - the Child Welfare Act, sections 66(6) and (8), 91(4)
 - the Securities Act, section 31, 34, 118(2), (3) and (4), 192 (4),(5), (6) & (7),
 - the Statistics Bureau Act, section 8
 - the Wills Act, section 52authorizes or requires disclosure;
 - d. the disclosure is for research purposes and is in accordance with The Salvation Army Agapé Hospice's "Release of Information to Third Parties for Research or Statistical Purposes" policy (see 0935, section 4 and forms 0935b and 0935c);
 - e. the personal information is about a third party who has been deceased for 25 years or more.
4. When access to third party information is granted, The Salvation Army Agapé Hospice will observe the notification and time frame requirements pertaining to third party information as outlined in policy 0935. All severing activities will occur under the direction of the Resident Care manager or the Executive Director. Severing will follow the procedure outlined in 0937.
5. When requests for personal health information, the request will be treated as a formal FOIPP request.

Adapted from Calgary Regional Health Authority FOIPP policies.