

PERSONAL HEALTH INFORMATION PROTECTION ACT, 2004

**CHECKLIST FOR
HEALTH INFORMATION CUSTODIANS**

The Personal Health Information Protection Act, 2004 will come into force on November 1, 2004. To be ready for that date, consider whether you have fulfilled these preliminary requirements for health information custodians under the Act.

Health information custodians are required to:

- ❑ put in place information practices, as defined in subsection 2(1), that comply with the Act and regulations [s. 10(1)]
- ❑ prepare and make available a written public statement about the custodian's information practices that fulfills the requirements of the Act [s. 16(1)]
- ❑ prepare a notice to post or make available describing the purposes of the custodian's collections, uses and disclosures of personal health information. This is required where the custodian intends to rely on subsection 18(6) of the Act.
- ❑ designate a contact person to perform the functions set out in the Act. This is unnecessary if the custodian is a "natural person", for example an individual health care practitioner, and is acting as the contact person. [s. 15(2)]
- ❑ ensure that employees and all other agents of the custodian are appropriately informed of their duties under the Act [s. 15(3)(b)]
- ❑ take reasonable steps to ensure personal health information in the custodian's custody or control is protected against theft, loss, and unauthorized use, disclosure, copying, modification and disposal [s. 12(1)]
- ❑ ensure that personal health information records in the custodian's custody or control are retained, transferred and disposed of in a secure manner and in accordance with the regulations, if any [s. 13(1)]

For more details, please refer to the Personal Health Information Protection Act, 2004 and any regulations made under the Act.