

*The
Health Information
Protection
Regulations*

being

Chapter H-0.021 Reg 1 (effective July 22, 2005).

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER H-0.021 REG 1
The Health Information Protection Act

Title

1 These regulations may be cited as *The Health Information Protection Regulations*.

Interpretation

2 In these regulations:

- (a) “**Act**” means *The Health Information Protection Act*;
- (b) “**Health Quality Council**” means the Health Quality Council established pursuant to *The Health Quality Council Act*;
- (c) “**Saskatchewan Cancer Foundation**” means the Saskatchewan Cancer Foundation established pursuant to *The Cancer Foundation Act*.

30 Jne 2005 cH-0.021 Reg 1 s2.

Trustees prescribed

3 For the purposes of subclause 2(t)(xv) of the Act, the following are prescribed as trustees:

- (a) the Health Quality Council;
- (b) **NYP**. 30 Jne 2005 cH-0.021 Reg 1 s3.

30 Jne 2005 cH-0.021 Reg 1 s3.

Designated archives

4(1) For the purposes of section 22 of the Act, the following are designated archives:

- (a) affiliates;
- (b) the Department of Health;
- (c) health professional bodies that regulate members of a health profession pursuant to an Act;
- (d) regional health authorities;
- (e) Saskatchewan Archives Board;
- (f) Saskatchewan Health Information Network;
- (g) University of Regina Archives;
- (h) University of Saskatchewan Archives.

(2) Nothing in this section requires a designated archive to accept personal health information from a trustee.

30 Jne 2005 cH-0.021 Reg 1 s4.

H-0.021 REG 1 HEALTH INFORMATION PROTECTION**Disclosure to Health Quality Council**

5 Pursuant to clause 27(4)(p) of the Act, the minister may, without the consent of the subject individual, disclose personal health information to the Health Quality Council for use by the council in carrying out any of the objects of the council set out in clauses 5(a) to (l) of *The Health Quality Council Act*, if:

- (a) before the personal health information is disclosed to the Health Quality Council, the minister ensures that reasonable steps have been taken:
 - (i) to remove any information that by itself may reasonably be expected to identify the subject individual; and
 - (ii) to replace the subject individual's health services number or any other number assigned to the individual as part of a system of unique identifying numbers with a unique encrypted identifier; and
- (b) the Health Quality Council has entered into a written agreement with the minister that:
 - (i) governs the personal health information to be disclosed;
 - (ii) governs the Health Quality Council's access to personal health information and use of personal health information;
 - (iii) requires the Health Quality Council to use the personal health information only for the objects set out in clauses 5(a) to (l) of *The Health Quality Council Act*;
 - (iv) prohibits the Health Quality Council from disclosing the personal health information without the approval of the minister;
 - (v) prohibits the Health Quality Council from attempting to re-identify the personal health information; and
 - (vi) requires the Health Quality Council to:
 - (A) take reasonable steps to ensure the security and confidentiality of the personal health information; and
 - (B) ensure that, in any publication or report made by the Health Quality Council, information is disclosed only in a manner that will prevent the direct or indirect identification of subject individuals.

30 Jne 2005 cH-0.021 Reg 1 s5.

Disclosure to and by Saskatchewan Cancer Foundation

6 Pursuant to subsection 28(8) of the Act, registration information may be disclosed to the Saskatchewan Cancer Foundation and by the Saskatchewan Cancer Foundation for any of the purposes set out in subsections 28(1) to (3) of the Act as if the Saskatchewan Cancer Foundation were a regional health authority or an affiliate.

30 Jne 2005 cH-0.021 Reg 1 s6.

Disclosure to Department of Learning

7(1) Pursuant to subsection 28(8) of the Act, the minister may disclose registration information in accordance with subsection (2) to the Department of Learning for the purpose of enabling the Department of Learning to administer a database for the tracking of persons of compulsory school age.

(2) In a disclosure pursuant to subsection (1), the minister:

(a) may disclose registration information with respect to persons of compulsory school age and the parents or guardians of those persons; and

(b) shall disclose only the types of registration information that are necessary for the purpose described in that subsection.

30 Jne 2005 cH-0.021 Reg 1 s7.

Coming into force

8(1) Subject to subsection (2), these regulations come into force on the thirtieth day after the day on which they are filed with the Registrar of Regulations.

(2) If, on the thirtieth day after the day on which these regulations are filed with the Registrar of Regulations, section 2 of *The Hearing Aid Sales and Services Act* is not in force, clause 3(b) of these regulations comes into force on the day on which section 2 of *The Hearing Aid Sales and Services Act* comes into force.

30 Jne 2005 cH-0.021 Reg 1 s8.

