

The Workplace Safety & Insurance Board



Request for Medical/Health Information

Did you know...

The Workplace Safety and Insurance Board (WSIB) can request information that it considers necessary or relevant to the administration of the *Workplace Safety and Insurance Act (WSIA)*.

Only personal health information that is relevant to the work-related injury can be collected. If relevant information is not received, then the WSIB would make its decision on the basis of available evidence.

Waivers and Form 14 not required

Section 37 of the *WSIA* requires health care practitioners, hospitals and health facilities to provide the WSIB with relevant medical information regarding an injured worker.

The *Personal Health Information Protection Act (PHIPA)* came into effect on November 1, 2004. Section 43(1)(h) of *PHIPA* permits a health information custodian to disclose personal health information without consent as permitted or required by law, including Section 37 of the *WSIA*.

Although *PHIPA* permits disclosure of personal health information without consent, a health information custodian may nonetheless take the position that consent is necessary before disclosure is made and may require it from the individual. **In this case, it is the health information custodian that would ask for consent, not the WSIB.**

PHIPA replaces the need for the Form 14 – *Consent to Disclosure, Transmittal or Examination of a Clinical Record*, under Subsection 35(3) of the *Mental Health Act*. Mental health information can be collected in the same manner as other personal health information.

Clinical Forms now available!

The WSIB has reviewed existing forms to streamline the process for requesting health/medical information. These forms will:

- Provide increased convenience to all health professionals and facilities that provide information to the WSIB
- Enhance the method of establishing a claim and making appropriate decisions regarding entitlement in new and ongoing claims.

To view these forms, go to the WSIB's website (www.wsib.on.ca), type "Health Professional Forms" in the search box on the home page, and then scroll down and note any forms that include a "Request for Hospital Medical Information" or a "Request for Health Information."

Important sections from the Workplace Safety and Insurance Act (WSIA)

- Under Section 37(1), Every health care practitioner who provides health care to a worker claiming benefits under the insurance plan or who is consulted with respect to his or her health care shall promptly give the Board such information relating to the worker as the Board may require.
- Under Section 37(2), Every hospital or health facility that provides health care to a worker claiming benefits under the insurance plan shall promptly give the Board such information relating to the worker as the Board may require.

www.wsib.on.ca



Workplace Safety &
Insurance Board

Commission de la sécurité
professionnelle et de l'assurance
contre les accidents du travail