



Health, Healthy Living and Seniors

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August 18,2014

Sent via email

Health Professions Registrars/Executive Directors,

I am writing to advise you of three important initiatives being implemented in relation to *The Personal Health Information Act* (PHIA) and to ask for your assistance in providing information to your members, particularly those members in private practice, on these initiatives and in relation to PHIA.

In this regard, I am pleased to advise you that Manitoba Health, Healthy Living and Seniors (MHLS) has developed the following three PHIA online training programs for private practitioners and their staff:

1. Direct **PHI** Version - for health professionals and their staff who are required to access personal health information in providing care and services to patients and clients;
2. Indirect **PHI** Version - for individuals who are not required to access personal health information in carrying out their duties, but may have access to it, including for example custodial staff; and
3. Administrator Version - for office managers and IT administrators of a private professional practice who are responsible for developing office policies and procedures.

With regard to the Direct PHI Version only, we would request your consideration and feedback concerning whether your organization is willing to recognize this course as an approved continuing competency activity for your members.

If required to enable you to assess whether to recognize the program as requested, you can access this version, as well as the other training versions noted above, at:

<http://www.trainingtodo.com/mbhealth/secure/index.asp> .

As noted above, we would also appreciate your assistance in notifying your members in private practice of the program.

MHLS has developed a list of the policies and procedures required by trustees, including health professionals in private practice, to comply with PHIA. This list and other PHIA resources for health professionals are available on the MHLS website at: <http://www.gov.mb.ca/health/phia/resources.html> .

As noted above, we would also appreciate your assistance in notifying your members in private practice of the list of required PHIA policies and procedures as well as the other PHIA resources now available on the MHLS website.

in addition to the training programs and the list of required PHIA policies and procedures, revised Guidelines have been approved respecting the creation and auditing of Records of User Activity by trustees of personal health information under PHIA. These Guidelines are required for the purposes of section 4 of the Personal Health Information Regulation made under PHIA. In this regard, the Regulation requires:

Additional safeguards for electronic health information systems

4(1) *In accordance with guidelines set by the minister, a trustee shall create and maintain, or have created and maintained, a record of user activity for any electronic information system it uses to maintain personal health information.*

4(3) *In the following circumstances, a record of user activity is not required under this section:*

(a) if personal health information is demographic or eligibility information listed in Schedule B, or is information that qualifies or further describes information listed in Schedule B;

(b) if personal health information is disclosed under the authority of clause 22(2)(h) of the Act (disclosure to a computerized health information network) in a routine and documented transmission from one electronic information system to another;

(c) if personal health information is accessed or disclosed while a trustee is generating, distributing or receiving a statistical report, as long as the trustee

- (i) maintains a record of the persons authorized to generate, distribute and receive such reports,*
and
- (ii) regularly reviews the authorizations....*

4(4) *A trustee shall audit records of user activity to detect security breaches, in accordance with guidelines set by the minister.*

As noted above, we would appreciate your assistance in notifying your members of the new Guidelines and how to access them. For your reference, the new Guidelines are available on the MHHS website at: <http://www.gov.mb.ca/health/phia/docs/rua.pdf>

We would be pleased to provide you with a draft notice respecting the above initiatives for inclusion in your communications to members if you provide us with an outline of the requirements in this regard, such as how long such a notice should be to fit within your particular communication.

Thank you in advance for your assistance. Please feel free to contact me or Mr. Micheal Harding at 204-788-6612 or at micheal.harding@gov.mb.ca if you have any questions or require further information on any of the above-noted matters.

Sincerely,



Donna Hill
Executive Director

