



Nova Scotia has a new provincial health privacy law which came into effect on June 1, 2013. The *Personal Health Information Act (PHIA)* governs how health care providers may collect, use, disclose, and maintain your personal health information.

Health information is the most sensitive of personal information. You have the right to see your health information protected. But that same information must be able to flow between health care providers when you need treatment.

PHIA balances your right to have your personal health information protected with health care providers' need to plan and deliver health care services.

Highlights

PHIA improves your privacy by introducing the following:

- You have the right to be told if your privacy has been breached if there is potential for harm or embarrassment to you.
- You have the right to see who has looked at your electronic health record.
- You have the right to be told who to complain to and how.

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For general information on the Personal Health Information Act:

Website: www.novascotia.ca/DHW/PHIA
E-mail: phia@gov.ns.ca
Toll-free: 1-855-640-4765
Phone: 1-902-424-5419

Your health Your privacy

**How the Personal
Health Information Act
protects your personal
health information**

What information does PHIA protect?

PHIA improves how health care providers protect your personal health information. This includes

- your health card number
- information about your physical and mental health care history
- all forms of personal health information, both recorded and unrecorded. For example, it includes a paper medical chart (recorded), an electronic test result (recorded), and conversations about your care between health professionals (unrecorded).

What information does this law NOT protect?

This law does not protect health information that does not identify you. You might be included in statistics about how many Nova Scotians have diabetes, for example. Or your test results may be used for training purposes in a hospital with your name removed. Your health information can be used in these ways as long as you cannot be identified. This helps us plan and learn.

Who must follow PHIA?

Most health care providers and organizations entrusted with the custody or control of your personal health information must follow PHIA. We call them “custodians.” This includes the Department of Health and Wellness, district health authorities and the IWK Health Centre, and licensed nursing homes. It also includes all health care professionals regulated by the province. This includes doctors, dentists, pharmacists, optometrists, naturopaths, chiropractors, and psychologists.

It does not include certain other health professionals, such as registered massage therapists and acupuncturists. These are covered under federal privacy law.

How will my personal health information be protected by custodians under PHIA?

“Custodians” under PHIA are accountable for any personal health information they collect, use, and disclose to provide your health care. They must

- inform you about how they will use and disclose your personal health information
- have practices and safeguards that protect your personal health information, whether paper or electronic
- tell you how to complain if you believe that they have not followed privacy rules
- tell you who to contact to request access to your personal health information, request a correction to your personal health information, and answer your questions about PHIA

What are my rights under PHIA?

You have the right to be informed by a custodian about how they will collect, use, and disclose your health information.

You have the right to be notified if there has been a breach of your personal health information that could cause you harm or embarrassment.

You have the right to request access to your personal health information.

You have the right to request a correction if you believe your information is not accurate, complete, or up-to-date.

You have the right to request a record of who has or may have accessed your personal health information on an electronic information system.

You have the right to limit or withdraw consent to the collection, use, or disclosure of your health information.

You have the right to refuse to provide your health card number to anyone who is not authorized to collect it. For example, your acupuncturist has no right to ask for your health card number.

You have the right to make a written complaint to a custodian if you believe that they have not followed the privacy requirements in PHIA.

What if I am not satisfied? — How to request a review

If you made a written privacy complaint and you are not satisfied with the custodian’s response, then you can request a review.

If you requested access to your records or a correction and you wish a review of a custodian’s response, then you can request a review.

Direct your request for a review to the Review Officer for PHIA. The Review Officer provides independent oversight for the legislation.

Review Officer

Personal Health Information Act
PO Box 181
Halifax, NS
B3J 2M4

Telephone: 902-424-4684
Toll-free: 1-866-243-1564
Fax: 902-424-8303
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