

Personal Health Information Act (PHIA)

The Personal Health Information Act (PHIA) was enacted by the House of Assembly on June 2008 with full implementation scheduled for mid December 2010. This Act is health profession specific privacy legislation. PHIA establishes a comprehensive set of rules for the collection, use and disclosure of “personal health information”. Custodians of information are designated under the Act and include “regulated health care professionals, health care providers (i.e., unregulated), Department of Health and Community Services, Regional Health Authorities, Centre for Health Information, and others deemed to be custodians via regulations”.

Since Regional Health Authorities are a designated custodian, social workers employed with the Health Authorities are subject to the policies and procedures of those organizations. The Child, Youth and Family Services Act, the Adoptions Act and the Youth Criminal Justice Act have separate provisions pertaining to the collection, use and disclosure of information therefore these sectors are not included under the PHIA legislation. Social workers in private practice need to be aware of responsibilities under PHIA. Information intended to assist custodians to meet obligations can be found at <http://www.health.gov.nl.ca/health/PHIA>. These resources include an overview of the legislation, an online education program, a facilitated education program, a risk management toolkit and a policy development manual. A copy of the new legislation is available at <http://assembly.nl.ca/Legislation/sr/statutes/s17-2.htm>.