

POLICY # & TITLE	5.2 Physicians' Personal Health Information
PURPOSE	Determine the appropriate steps surrounding the use and limitations of a regulated member's personal health information
SCOPE	Regulated members experiencing health issues that may affect their ability to practice medicine safely
NOTES	<p>"Regulated member" means any person who is registered or is required to be registered as a member of the CPSA.</p> <p>When regulated members are patients, they are entitled to privacy of their health information just as any other patients. Protection of personal information is balanced with the need to protect the public and patients under the care of the regulated member.</p> <p>Some personal health information may be required to assess the risk to patients and determine the next steps. Personal health information may include diagnoses, treatment information and recommendations, compliance to treatment, and fitness to practice. This information may only be gathered with the consent of the regulated member.</p>

LAST APPROVED: NOVEMBER 6, 2020

POLICY STATEMENT

CPSA may access and use a regulated member's personal health information under the following conditions:

- 1) A regulated member's health condition could impact the ability to practice medicine safely.
- 2) A statutory authority requires the gathering of personal health information in order to assess and address the risk to the public or to determine if formal assessment of capacity under Section 118 of the *Health Professions Act*.
- 3) The regulated member has given consent, except in cases where statutory authority under Section 118 of the HPA requires the regulated member's personal health information.
- 4) Regulated member's personal health information is kept securely at the CPSA within the PHMP with access to the information limited to the PHMP under the direction of the Assistant Registrar.

- 5) Regulated member's personal health information received by the PHMP is not released publicly, does not appear on practice permits, and is not generally available on the CPSA website.
- 6) Access to a regulated member's personal health information is only provided to Registrar or Assistant Registrars in other departments when knowledge of the health condition could impact the management of another matter or as required by [Standards of Practice](#).
- 7) Regulated member's personal health information may be released to:
 - a) Other medical regulatory bodies or by hospitals or health regions requesting Certificates of Standing or Certificates of Professional Conduct (CPC). If a regulated member is monitored for a health condition this will be reflected on the certificate. Typically, the certificate will say "Monitored by the Physician Health Monitoring Program".
 - b) Other bodies requesting additional information about the health condition, but this is only released with the consent of the regulated member.
 - c) Other third parties (e.g. department heads, colleagues or administrators) with the consent of the regulated member.
- 8) Regulated member's personal health information may be released without consent if patients were seen to be at risk, and the regulated member was not cooperative in withdrawing from practice. In these circumstances, only minimal information would be released to ensure either the safety of patients or the regulated members themselves.
- 9) Provisions in Medical Staff Bylaws may require the regulated member to provide information to other health authorities such as Alberta Health Services.

SUPPORTING DOCUMENTS

- [Principles and Framework of the Physician Health Monitoring Committee](#)
- [Physicians' Personal Health Information](#)

RESPONSIBILITIES

The Registrar is given the authority to determine competence, including continuing competence of regulated members. The HPA allows the Registrar to delegate functions and duties to another person or committee. The Registrar has delegated his duties and responsibility under Part 3 of the HPA to the Assistant Registrar(s) and/or Competence Committee responsible for continuing competence, including physician health monitoring.

APPROVAL

Council governing the College of Physicians & Surgeons of Alberta

AUTHORITY DOCUMENTS

- [Health Professions Act](#)
- [CPSA Bylaws](#)
- [CPSA's Standards of Practice](#)
- [Code of Ethics & Professionalism](#)