

May 3, 2010

NEWS RELEASE

SASKATCHEWAN INFORMATION AND PRIVACY COMMISSIONER ADVISES MLAS ON THE NEW HEALTH FUNDRAISING REGULATION

Saskatchewan Information and Privacy Commissioner, Gary Dickson, today issued his *Report on The Health Information Protection Regulation, (Order in Council 187/2010), May 3, 2010*. Dickson identified a number of concerns with the new Regulation that allows regional health authorities to disclose certain personal health information of patients to separate fundraising organizations without first obtaining the express or opt-in consent of the patients. The concerns include:

- The hospital foundations in Saskatchewan are not subject to federal or provincial privacy laws and unhappy patients have no right to complain to an independent Privacy Commissioner if they object to the actions of a hospital foundation;
- There is a risk that eliminating the prior consent by patients will reduce patient confidence in the electronic health record; and
- There is no solid evidence that the foundations have suffered over the last six and one-half years that they have operated on the basis of prior consent by patients.

Dickson urged Saskatchewan MLAs to require express consent from patients before regional health authorities disclose that personal health information to foundations. Of the six provinces in which legislatures have adopted a stand-alone health information law, three of them (Alberta, Newfoundland and New Brunswick) require express consent before disclosing personal health information for fundraising purposes.

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For further information, or to obtain a copy of the Report, please contact:

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