



Canadian Institute
for Health Information

Institut canadien
d'information sur la santé

July 5, 2016

Mr. Michael Bannister
Director of Information Management
Department of Health and Community Services
Government of Newfoundland and Labrador
P.O. Box 8700
100 Prince Philip Drive
St. John's, NL A1B 4J6

Re: scheduled review of the Newfoundland and Labrador *Personal Health Information Act*

Dear Mr. Bannister:

Thank you for the opportunity to comment on the scheduled review of the Newfoundland and Labrador (NL) *Personal Health Information Act* (PHIA).

PHIA includes the following provision which we regard to be important to our existing working relationship:

S. 39. (1) A custodian may disclose personal health information without the consent of the individual who is the subject of the information

[...]

- (h) to the Canadian Institute for Health Information or other entity prescribed in the regulations for the purpose of compiling and analyzing statistical information to assist in the management, evaluation and monitoring of the allocation of resources, health system planning and delivery of health care services in accordance with the terms of an agreement between the Canadian Institute for Health Information or other entity and the province;

Paragraph 39(1)(h) authorizes NL custodians to provide CIHI with personal health information without consent. This permits CIHI to receive the information CIHI requires to fulfill its mandate and satisfy its responsibilities to NL under the Bilateral agreement.

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On the basis of paragraph 39(1)(h), NL custodians currently submit personal health information to a range of CIHI databases including the Discharge Abstract Database (DAD), Continuing Care Reporting System (CCRS), Home Care Reporting System (HCRS), National Rehabilitation Reporting System (NRS), the Canadian Management Information System Database (CMDB), and the National Prescription Drug Utilization Information System Database (NPDUIS).

Also, because paragraph 39(1)(h) applies to all custodians in a range of contexts, it will help CIHI achieve the goals identified in CIHI's 2016 to 2021 Strategic Plan which include focussing on priority populations and health system performance themes such as; Seniors and aging, Mental health and addictions, First Nations, Inuit and Métis and Children and youth.

We wish to thank the Department of Health and Community Services for addressing disclosures to CIHI via paragraph 39(1)(h), and we suggest this paragraph remains unchanged.

We look forward to continued work with the Department.

Yours truly,



Anne-Mari Phillips
Chief Privacy Officer and General Counsel

cc: Stephen O'Reilly, CIHI

Cindy Mosher, CIHI