Correction or Amendment of Health Information Policy Guidance Document

# Document Purpose and Overview

Under the Health Information Act (HIA), patients have the right to request a correction or amendment to their health information. A Correction or Amendment of Health Information policy is important as it spells out custodians’ obligation under the HIA. A consistent approach by everyone in the clinic will help with compliance with the HIA.

## Instructions for use

The instructions below are meant to assist you with making this document your own and to fulfill your obligations under the Health Information Act. The document is created in a standard word document and can be edited to address the specific agreement needed:

* Please read the document carefully and ensure that all sections are relevant to your clinic and make adjustments as required.
* There are highlighted sections throughout the document to assist you in customizing your information. Please review these sections and make them specific to your clinic’s practice.
* The sections that are not highlighted are recommended to be part of your policy to support compliance with the Health Information Act. Please make sure you read and understand these sections.
* Please remove all highlighting as you fill out the relevant section and ensure that your clinic name is entered throughout the document including the header.
* These policies currently have simple formatting and should be adapted to the clinic’s policy manual formatting.
* Determine the best way to communicate this policy with relevant team members and implement the policy.

## Privacy Training

The Alberta Medical Association offers privacy and security training to any Alberta community-based medical clinic. [Visit the AMA website today to learn more!](https://www.albertadoctors.org/leaders-partners/clinic-patient-privacy/privacy-training)

Policy: Correction or Amendment of Health Information

# Policy Details

Creation Date:DATE Revision Date:

Applies to: All Employees and Contractors

Approved by: LEAD CUSTODIAN

## Purpose

All employees and contractors are required to follow the process and timelines below when there are requests for amendment or correction to health information. The right of patients with respect to corrections and amendments are outlined in the Health Information Act (HIA), along with specific custodian obligations and timelines.

Please read the information throughout carefully, as these must be followed to be compliant with the Health Information Act. You can add items that are specific to your clinic for clarity. It is important to communicate this policy with everyone in the clinic to ensure they are aware of it and follow the processes outlined in the Act.

# Correction or Amendment of Health Information Policy

* When an individual or authorized representative asks for a correction of information and can substantiate that the information is incorrect, staff will make the correction to the clinical medical record. (Examples include name, address, telephone number and other demographic information)
* When the information correction request is beyond factual information, an individual may make a request for correction or amendment in writing to the custodian [HIA s13, 14 and 15]. An individual may request a correction to another person’s information only if they are an authorized representative of that individual.
* The custodian has **30 days from receipt** of the request to review the records and to **decide whether to grant or refuse the request**. Corrections may be refused where the information at question is a professional opinion or observation, or the record was not originally created by the custodian. Failure to respond within 30 days is deemed as a decision to refuse the request by the custodian.

**If a correction or amendment is granted**, within 30 days the custodian must:

* + - Make the correction or amendment
    - Give written notice to the applicant that the correction or amendment has been made; and
    - Notify any person to whom that information has been disclosed during the one-year period prior to the request (unless the custodian believes the applicant will not be harmed by not providing notification to others, and the applicant agrees).

**If a correction or amendment is refused**, within 30 days the custodian must give written notice to the applicant that their request is refused and the reasons for that refusal.

The custodian must also tell the applicant that they can either:

* Ask for a review of the Custodian’s decision by the Privacy Commissioner; or
* Submit a statement of disagreement within 30 days of not more than 500 words that describes the requested correction or amendment, and the applicant’s reason for disagreeing with the custodian’s decision.

If the applicant provides a statement of disagreement, it will be placed on the individual’s record and copied to any person whom the custodian has disclosed the record to in the previous 12 months.