



Access to Employee Health Records

Administrative Regulation 205.1

1. Access to employee health records in Employee Health Services is limited to the occupational health nurse and to designated staff of Employee Health Services who have a bona fide need to such access.
2. Employee Health Services staff who have access to employee health records are required to understand and sign a Pledge of Confidentiality Document.
3. Physical access to employee health records will be restricted by using a locking filing system in Employee Health Services. These records will not be left unattended or accessible to unauthorized individuals. Keys for employee health records filing cabinets will be held by the occupational health nurse and authorized Employee Health Services staff.
4. Employee health records must be kept separate from general human resources records.
5. An employee has a right to access any part or all of his/her health record.
 - a. The occupational health nurse, as custodian of the record, must remain with the record during access by the employee.
 - b. The employee may have a witness in the viewing of the record, a signed statement by the employee that they have requested the witness should be entered into the record by way of a letter to the file.
 - c. During access the employee may submit notations of objection to the contents of the record by way of a letter to the file.
6. The general right of access to health records is not absolute.
7. Denial of access may occur if the responsible health professional believes it is not in the best interest of the employee to inspect the medical records or if access may endanger the health and safety of a third party(s). In case of denial the onus is on the health professional to justify the reason for denial.
8. Disclosure of specific employee health information will only be authorized by informed written consent of the employee and will include
 - a. date of the request,
 - b. name and description of the person intended to release the health information to be disclosed,
 - c. name and description of the recipient of the health information to be disclosed,
 - d. a specific description of the health information that is to be disclosed,
 - e. purpose for which the health information is requested and how it will be used,
 - f. an expiration date for the validity of the authorization (usually 6 month), and
 - g. a statement indicating the employee may rescind or amend authorization in writing at any time prior to the expiration date except when action has taken place in reliance of the authorization.

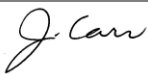
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EDMONTON CATHOLIC SCHOOLS

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9. Disclosure of employee health information without authorization by the employee may occur in the following circumstances:
- a. when there is an exchange of information between the Medical Department of the Workers' Compensation Board and Alberta Human Resources and Employment Workplace Health and Safety that relates to epidemiology of industrial disease and particular disabilities suffered by claimants.
 - b. when a work related injury or illness occurs there is a requirement for exchange of information between the employer and Workers' Compensation Board to establish responsibility for the claim.
 - c. when there is a statutory requirement to disclose information under the Public Health Act and/or Alberta Occupational Health and Safety Act for the designation of notifiable diseases.
 - d. when child abuse is suspected.
 - e. in accordance with a court order during the course of legal proceedings.
 - f. when public interest or safety overrides the duty of confidentiality because of a clear danger to the employee, to fellow employees or the public.

Reference: Board Governance Policy EL# 5 FOIP Section 1, 6, 33, 34, 36, 38,39,40 Nursing Profession Act Occupational Health and Safety Act Workers' Compensation Act	Approved: 
	Date Approved: April 3, 2000
Cross-reference: AP 204, 403	Date(s) Revised: June 12, 2002