

PROVINCE OF BRITISH COLUMBIA

Ministerial Order No. M 231

ORDER OF THE MINISTER OF HEALTH

I, Terry Lake, Minister of Health, order that:

(a) the attached Provider Registry Designation Order is made.

JUL 10 2014

\_\_\_\_\_  
Date



\_\_\_\_\_  
Minister of Health

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*(This part is for administrative purposes only and is not part of the Order.)*

**Authority under which Order is made:**

Act and section:- *E-Health (Personal Health Information Access and Protection of Privacy) Act*

Other (specify):- Section 23.

## PROVIDER REGISTRY DESIGNATION ORDER

### ARTICLE 1 – Interpretation

1.1 Unless otherwise provided in this order, capitalized terms will have the following meaning:

- (a) “**Act**” means the *E-Health (Personal Health Information Access and Protection of Privacy) Act*;
- (b) “**Provider Information**” means the following types of Personal Information:
  - i. provider identifier,
  - ii. Medical Services Plan practitioner number (if applicable),
  - iii. name,
  - iv. organization,
  - v. professional credential,
  - vi. expertise,
  - vii. conditions of practice,
  - viii. registration status,
  - ix. date of birth,
  - x. date of death (if applicable),
  - xi. gender,
  - xii. address,
  - xiii. work location,
  - xiv. telecommunications number,
  - xv. electronic address,
  - xvi. confidentiality indicator.
- (c) “**Conformance Standards**” means the “British Columbia Professional and Software Conformance Standards” published by the Ministry of Health, as amended from time to time;
- (d) “**Personal Information**” means personal information of health service providers that is collected, used or disclosed through the Registry pursuant to the terms of this order;
- (e) “**Registry**” means the Provider Registry System, managed by and in the custody or under the control of the Ministry of Health as a central registry of Provider Information.

1.2 The definitions applicable to the Act will, so far as applicable, apply to this order.

1.3 The following are the Schedules attached to this order, which are incorporated into this order by reference and are deemed to be an integral part of this order:

Schedule A - Sources of Personal Information

Schedule B - Permitted Purposes for Collection, Use and Disclosure

Schedule C - Disclosure of Personal Information

1.4 The division of this order into Articles, and the insertion of headings and descriptive text enclosed in square brackets, are for convenience of reference only and will not affect the construction or interpretation of this order.

### **ARTICLE 2 – Establishment or Designation of Health Information Bank**

2.1 The Registry is designated as a health information bank.

2.2 The Registry contains Provider Information of persons who provide health services in British Columbia. The source of the information is the person who the information is about or one of the persons listed in Schedule A (*Sources of Personal Information*).

2.3 Personal Information may be collected, used and disclosed through the Registry for one or more of the purposes listed in Schedule B (*Permitted Purposes for Collection, Use and Disclosure*).

2.4 Personal Information may be indirectly collected into the Registry from one or more of the persons listed in Schedule A (*Sources of Personal Information*).

### **ARTICLE 3 – Authorizations**

3.1 The chief data steward is authorized to collect Personal Information into the Registry in accordance with Article 2 (*Establishment or Designation of Health Information Bank*).

3.2 Employees of the Ministry of Health, including the chief data steward, are authorized to use Personal Information contained in the Registry in accordance with Article 2 (*Establishment or Designation of Health Information Bank*).

3.3 The chief data steward is authorized to disclose Personal Information from the Registry in accordance with Schedule C (*Disclosure of Personal Information*).

[Note that the chief data steward, as administrator, may also disclose personal information from the Registry as authorized pursuant to section 18 of the Act.]

### **ARTICLE 4 – Disclosure Directives**

4.1 Further to the data stewardship committee's recommendation, made on March 27, 2013, the making of disclosure directives in relation to the Registry is not authorized.

## SCHEDULE A

### SOURCES OF PERSONAL INFORMATION

- (a) Ministry of Health and the Medical Services Commission;
- (b) Provincial Health Services Authority, including its branch societies;
- (c) the registrar of a college established or continued under the *Health Professions Act*;
- (d) associations of health professionals in British Columbia.

## SCHEDULE B

### PERMITTED PURPOSES FOR COLLECTION, USE AND DISCLOSURE

- (a) to provide health services to, or facilitate the care of, an individual; [Act s. 4(b)]
- (b) to identify a person who is providing health services; [Act s. 4(c)]
- (c) to prevent or manage chronic conditions, at the individual or population level; [Act s. 4(d)]
- (d) to facilitate health insurance and health service billing, including for the purposes of
  - i. a payment in respect of health services to be made to or by the government of British Columbia or a public body,
  - ii. authorizing, administering, processing, verifying or cancelling such a payment;
  - iii. resolving an issue regarding such a payment, or
  - iv. audits by a federal or provincial government payment agency that makes reimbursement for the cost of health services; [Act s. 4(e)]
- (e) to engage in health system planning, management, evaluation or improvement, including
  - i. health service development, management, delivery, monitoring and evaluation;
  - ii. the compilation of statistical information,
  - iii. public health surveillance, and
  - iv. the assessment of the safety and effectiveness of health services; [Act s. 4(g)]
- (f) to conduct or facilitate research into health issues; [Act s. 4(h)]
- (g) to assess or address threats to public health. [Act s. 4(i)]

## SCHEDULE C

### DISCLOSURE OF PERSONAL INFORMATION

1. Personal Information contained in the Registry may be disclosed to a person, and for a corresponding purpose, as identified in the table below:

1	2
Person	Authorized Purposes for Disclosure
(a.1) Ministry of Health (a.2) a regional health board designated under the <i>Health Authorities Act</i> (a.3) Provincial Health Services Authority, including its branch societies	A purpose listed in paragraph (a), (b), (c), (d), (e) or (g) of Schedule B ( <i>Permitted Purposes for Collection, Use and Disclosure</i> ).
(b.1) a denominational hospital designated under the <i>Hospital Act</i> that has entered into an affiliation agreement under the Master Denominational Agreement (b.2) a medical practitioner engaged in private practice in British Columbia	A purpose listed in paragraph (a), (b), (c) or (d) of Schedule B ( <i>Permitted Purposes for Collection, Use and Disclosure</i> ).

2. Personal Information contained in the Registry may be disclosed for a health research purpose in accordance with the process set out in section 14 of the Act.
3. A person listed in Section 1 of this Schedule (an “**Organization**”) may authorize one or more individuals (each an “**Authorized User**”) to access Personal Information contained in the Registry on behalf of the Organization, provided that the performance of the Authorized User’s duties in relation to the Organization requires such access and the authorization is otherwise in accordance with the applicable privacy standards described in the Conformance Standards. Personal Information contained in the Registry may be disclosed to an Authorized User, for the same purposes, and on the same conditions, that the information may be disclosed to that Authorized User’s Organization under section 1 of this Schedule.

4. The disclosure of Personal Information pursuant to this Schedule is subject to the following conditions:
- (a) all persons to whom Personal Information contained in the Registry is disclosed must comply with the applicable privacy and security standards described in the Conformance Standards;
  - (b) Personal Information contained in the Registry may only be disclosed outside of Canada for a purpose listed in paragraph (f) or (g) of Schedule B (*Permitted Purposes for Collection, Use and Disclosure*);
  - (c) all persons to whom Personal Information contained in the Registry is disclosed must comply with the applicable information-sharing agreement entered into under section 19 of the Act in relation to the Registry (an “ISA”);
  - (d) any ISA entered on or after the date of this order must include obligations consistent with paragraphs (a), (b) and (c) above.