
CATEGORY:	ORGANIZATIONAL - INFORMATION MANAGEMENT
SUB-CATEGORY:	RELEASE OF INFORMATION
GROUP:	
DISTRIBUTION:	ALL STAFF
TITLE:	RELEASE OF INFORMATION – LAW ENFORCEMENT AGENCIES

PURPOSE

To outline the process for responding to requests for release of information from law enforcement agencies.

POLICY

Please refer to policy 6-02-11 *Duty to Report* which states when it is legally required to report to law enforcement agencies. This includes situations when the interests of public safety override the client/patient/resident's right to privacy.

Law enforcement agencies may also obtain a search warrant to access client/patient/resident records. In these situations, an employee of Western Health must remain present while law enforcement reviews the record. Copies of information must be provided if requested and the warrant or authenticated copy must be placed in the client/patient/resident's record. The manager must also be notified that the disclosure took place. Whenever possible, the manager is notified prior to the disclosure.

In all other circumstances, information must only be released to law enforcement agencies with the consent of the client/patient/resident using the *Consent to Release/Obtain Information form*, as authorized by law, or to provide treatment/care in an emergency situation.

The Risk Manager/Patient Safety Advisor and Regional Manager, Information Access and Privacy must be consulted as necessary.

LEGISLATIVE CONTEXT

Access to Information and Protection of Privacy Act. (2004). Available at:
<http://www.assembly.nl.ca/legislation/sr/statutes/a04-1.htm>

Child, Youth and Family Services Act. (2000). Available at:
<http://www.assembly.nl.ca/legislation/sr/statutes/a04-1.htm>.

KEYWORDS

Police, providing information to police

Approved By: Chief Executive Officer	Maintained By: Regional Manager, Information Access and Privacy
Effective Date: 26/October/2008	<input type="checkbox"/> Reviewed: <input type="checkbox"/> Revised: <i>(Date of most recent changes to the policy)</i>
Review Date: 26/October/2011	<input type="checkbox"/> Replaces: (WHCC) AD-R-200 Release of Information from Clinical Records (WHCC) RR-A-200 Authorization for Release of Information – Standard/Form (WH) 12-1200 Consent to Release/Obtain Information Form (WH) 18-06-25 Release of Information <input type="checkbox"/> New