

PROVINCE OF BRITISH COLUMBIA

Ministerial Order No. M109

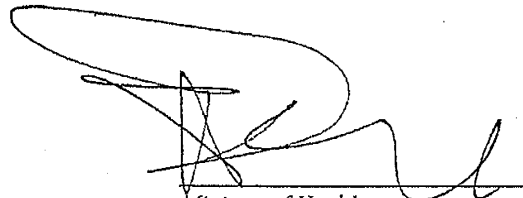
ORDER OF THE MINISTER OF HEALTH

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

I, Adrian Dix, Minister of Health, order that:

- (a) Ministerial Order M21/2019, is rescinded; and
- (b) the attached Client Registry System/Enterprise Master Patient Index Designation Order is made.

April 9 / 2020
Date


Minister of Health

(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, section 3*
Other (specify):-

CLIENT REGISTRY SYSTEM / ENTERPRISE MASTER PATIENT INDEX

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) **“Client Demographic Information”** means the following types of Personal Health Information:
 - i. personal health number,
 - ii. source system identifier (such as medical record number),
 - iii. full name,
 - iv. date of birth,
 - v. date of death (if applicable),
 - vi. gender,
 - vii. address,
 - viii. telephone number; and
 - ix. email address.
- (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 Health Information”** means personal health information that is collected, used or disclosed through the Registry pursuant to the terms of this order;
- (e) **“Registry”** means the following systems, managed by and in the custody or under the control of the Ministry of Health, which together act as a central registry of Client Demographic Information:
 - i. the Client Registry System (CRS), a legacy system that assigns and manages personal health numbers and provides some identity management functionality, and
 - ii. the Enterprise Master Patient Index (EMPI), an information system that manages the identity of individuals who need or are receiving health services, including by providing probabilistic matching processes to reconcile multiple identity records for individuals.

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 Health Information
- Schedule B - Permitted Purposes for Collection, Use and Disclosure
- Schedule C - Disclosure of Personal Health Information

1.4 The division of this order into Articles, and the insertion of headings and descriptive text enclosed in square brackets, is 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 Client Demographic Information of individuals who need or who have received health services in British Columbia. The source of the information is the individual who the information is about or one of the persons listed in Schedule A (*Sources of Personal Health Information*).
- 2.3 Personal Health 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 Health Information may be indirectly collected into the Registry from one or more of the persons listed in Schedule A (*Sources of Personal Health Information*).

ARTICLE 3 – Authorizations

- 3.1 The chief data steward is authorized to collect Personal Health 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 Health 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 Health Information contained in the Registry in accordance with Schedule C (*Disclosure of Personal Health Information*).

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

- 3.4 Medical practitioners engaged in private practice in British Columbia are authorized to disclose Personal Health Information to the chief data steward for inclusion in the Registry.

ARTICLE 4 –Disclosure Directives

- 4.1 Further to the data stewardship committee’s recommendation, made on April 24, 2013, the making of disclosure directives in relation to the Registry is not authorized.

SCHEDULE A

SOURCES OF PERSONAL HEALTH INFORMATION

- (a) the Ministry of Health and the Medical Services Commission, including from records held in:
 - i. PharmaNet, being prescribed information management technology under the *Pharmaceutical Services Act*;
 - ii. the Registration and Premium Information Determination (RAPID) database;
 - iii. the Vital Events Registry of the Vital Statistics Agency;
 - iv. the BC-Yukon instance of the Panorama Pan-Canadian Public Health Surveillance System;
- (b) regional health boards designated under the *Health Authorities Act*;
- (c) Provincial Health Services Authority;
- (d) denominational hospitals designated under the *Hospital Act* that have entered into an affiliation agreement under the Master Denominational Agreement;
- (e) medical practitioners engaged in private practice in British Columbia;
- (f) the provincial identity information services provider designated under section 69.2 of the *Freedom of Information and Protection of Privacy Act* to provide identity information services in relation to the BC Services Card;
- (g) PBC Health Benefits Society, doing business as Pacific Blue Cross.

SCHEDULE B

PERMITTED PURPOSES FOR COLLECTION, USE AND DISCLOSURE

- (a) to identify an individual who needs or is receiving health services; [Act s. 4(a)]
- (b) to provide health services to, or facilitate the care of, an individual; [Act s. 4(b)]
- (c) to prevent or manage chronic conditions, at an 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 assess and address public health needs; [Act s. 4(f)]
- (f) 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)]
- (g) to conduct or facilitate research into health issues; [Act s. 4(h)]
- (h) to assess and address threats to public health. [Act s. 4(i)]

SCHEDULE C

DISCLOSURE OF PERSONAL HEALTH INFORMATION

1. Personal Health 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 (a.4) British Columbia Emergency Health Services (a.5) the Forensic Psychiatric Services Commission (a.6) a denominational hospital designated under the <i>Hospital Act</i> that has entered into an affiliation agreement under the Master Denominational Agreement	A purpose listed in paragraph (a), (b), (c), (d), (e), (f) or (h) of Schedule B (<i>Permitted Purposes for Collection, Use and Disclosure</i>).
(b.1) a medical practitioner engaged in private practice in British Columbia (b.2) a pharmacist entitled to practice in British Columbia (b.3) Ministry of Children and Family Development (Child and Youth Mental Health) (b.4) a nurse practitioner (b.5) First Nations Health Authority	A purpose listed in paragraph (a), (b), (c) or (d) of Schedule B (<i>Permitted Purposes for Collection, Use and Disclosure</i>).
(c.1) Canadian Blood Services - Société Canadienne du Sang	A purpose listed in paragraph (a), (f) or (h) of Schedule B (<i>Permitted Purposes for Collection, Use and Disclosure</i>).
(d.1) Insurance Corporation of British Columbia (d.2) Ministry of Attorney General (d.3) Ministry of Social Development and Poverty Reduction	A purpose listed in paragraph (d) of Schedule B (<i>Permitted Purposes for Collection, Use and Disclosure</i>).

(e.1) LifeLabs BC LP	A purpose listed in paragraph (a), (b) or (d) of Schedule B (<i>Permitted Purposes for Collection, Use and Disclosure</i>).
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* for greater certainty, Personal Health Information contained in the Registry may be disclosed to the Ministry of Health pursuant to this Schedule and retained in other records and databases of the Ministry, including PharmaNet, RAPID, and the Health*Ideas* decision support system.

2. Personal Health 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 Health 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 Health 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 Health Information pursuant to this Schedule is subject to the following conditions:
 - (a) all persons to whom Personal Health Information contained in the Registry is disclosed must comply with the applicable privacy and security standards described in the Conformance Standards;
 - (b) Personal Health Information contained in the Registry may only be disclosed outside of Canada for a purpose listed in paragraph (g) or (h) of Schedule B (*Permitted Purposes for Collection, Use and Disclosure*);
 - (c) all persons to whom Personal Health 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.