

PRIVACY UNLOCKED

~ Your source for privacy best practices ~

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~ Releasing Information Without Consent~

When is consent not required?

The *Health Information Act* (HIA) outlines situations in which disclosure of PHI without consent is either permitted or required. Such as:

- For the provision of care (unless the individual has expressly asked us not to disclose).
- For investigations, audits or disciplinary purposes.
- For health and safety purposes.
- To comply with subpoenas, warrants, etc.
- When other legislation such as *Child Protection Act*, *Adult Protection Act*, *Child & Youth Advocate Act*, *PEI Ombudsperson Act*, and many others, require disclosure without consent.

What to do...

When you receive a request for information, review it carefully. It should include things like:

- The name & additional identifier(s) of the person(s) that the information is about.
- The specific information being requested.
- The name and contact information of the person making the request.
- The reason the request is being made.
- An explanation or description of the legislation that permits them to access the information, including the section of the relevant Act.
- Use professional judgment, consider the minimum amount of PHI needed, reach out to the requestor for clarification if needed & document the disclosure.

Available Resources

[Releasing Info Without Consent Guidance](#)

For more information, contact the Access to Information and Privacy (ATIP) team at [**healthprivacy@ihis.org**](mailto:healthprivacy@ihis.org)