Health PEI

Privacy and Access Odds & Ends: Third Party Redaction Edition

Release of Information

➢ Health PEI receives many requests for copies of health records. These requests may be from individuals or other organizations, such as law firms and insurance companies.

➢ In compliance with the Health Information Act (HIA), Health PEI is responsible for responding to these requests and must do so within 30 days.

➢ The *Access, Disclosure, and Correction of Personal Health Information Protocol* is an excellent resource for understanding how to properly process these requests for release of information, including how to prepare the records for release.

➢ One aspect of preparing records for release includes redacting any identifiable third-party information from the records; this is a topic we receive many questions about. Check out the guidance below on what types of information should be protected and some helpful examples.

Effective Methods of Redaction

➢ When completing your redactions, ensure you are using a method that prevents the re-identification of the information and makes it clear that the information has been redacted.

➢ One way to do your redacting is using a black marker on printed records and then providing a photocopied version of the records with redaction to the requestor. TIP: If using this method, hold the photocopied version up to the light to ensure none of the redacted information can be seen.

➢ Another option to complete your redactions is to use electronic software products that have a redaction function, such as Adobe Professional.

➢ Do not use correction tape as a redaction method!

WHAT IS THIRD PARTY INFORMATION?

➢ Third Party Information is defined in the *Protocol* as "information in a record, including PHI or other personal information, about a person other than the individual to whom the record belongs, but not including names of staff or other health care providers."

➢ The key phrase in that definition is "about a person other than the individual to whom the record belongs." Ask yourself, does this information belong to the individual whose record I'm reviewing?

➢ If the information belongs to someone else, consider whether the information is identifiable and redact any of those identifying details.

➢ Let's get into some examples. Perhaps a note in the health record states that the patient's father John Doe has a history of Chron's disease. Does that info belong to the patient and is it identifiable? The information belongs to the patient's father but only his name identifies him. Thus, the father's name should be redacted.

➢ Another example would be pre-natal information. It is common for a mother's health history to be detailed in a child's health record. That info belongs to the mother and so it should be redacted when the child's record is being released.

➢ Remember that the names of staff or other health care providers should not be redacted from the record.