

Privacy Matters



“Need to Know” is in and “Circle of Care” is out!

The Health Information Act follows a “Need to Know” principle when it comes to the collection, access, use, and disclosure of Personal Health Information (PHI). It is a common misconception among staff that being part of a patient/client/resident’s “Circle of Care” at some point in time means permitted access to that person’s information at any time for any reason. This is in fact NOT the case and is NOT PERMITTED by legislation.

We always need to operate by considering the minimum amount of information that will serve the purpose. For instance:

- Only accessing the information that is required to provide care in that moment
- Only disclosing the information that is required or permitted to serve the purpose
- Only collecting the information that is relevant to the purpose for which you are collecting it

Use your professional judgment and do a case-by-case assessment to determine what information is necessary in each scenario. Remember, if you are initiating the use or disclosure, you are accountable for ensuring the appropriate level of PHI is accessed or shared.

You may find the following considerations helpful when deciding if you “Need to Know”:

- Do I **need to know** this info for the purposes of my role on the client’s care team?
- What is the trigger or reason for my **need to know**?
- Will I be taking action or making a recommendation or decision as a result of accessing this information?

Questions? Visit our page on the Staff Resource Centre (<https://src.healthpei.ca/ATIP>) or reach out to the Access to Information and Privacy (ATIP) team at healthprivacy@ihis.org!