

SELECT HEALTH INFORMATION ACT (HIA) REVIEW COMMITTEE TERMS OF REFERENCE

1. PROPOSED SCOPE OF THE REVIEW

- To determine if the Act and its supporting policy and administration provides an appropriate balance between protection of the individual's privacy and access to health information where appropriate to provide health services and to manage the health system.

To review of the application of this Act

- a. to departments of the Government of Alberta,
 - b. to local public bodies as defined in the *Freedom of Information and Protection of Privacy Act*, and
 - c. to any other entity that is not a custodian and has information about the health of an individual in its custody and under its control.
- To consider the impact of electronic health records on the HIA rules.
 - To ensure that the recommended amendments to HIA address the harmonized rules adopted by Ministers of Health in the pan-Canadian health information privacy and confidentiality framework.

The following should be excluded from the scope of the review:

- Protection of personal information and privacy under the purview of *Protection of Personal Information Act* (PIPA) except for health information contained in employee health records.
- Access/privacy and confidentiality protection of personal information in the *Freedom of Information and Privacy Protection Act* (FOIP).

2. PROPOSED FORMAT OF THE REVIEW PROCESS

- Committee to hold initial meetings to discuss terms of reference and budget, to receive orientation and to discuss public consultation process.
- Media and advertising coverage to create awareness of the review and format.
- Discussion paper to be prepared, put on a Web site and proactively distributed to known interested parties, as well as distributed to any individual or group upon request.
- Committee to meet and discuss issues with parties from which a response to the discussion paper may not be appropriate (i.e. the Information and Privacy

Commissioner, officials of the Ministry responsible for administering the Act, or any other recognized organization that represents entities that are subject to the Act, e.g. Alberta Medical Association, Alberta College of Pharmacists, etc.)

- Committee to receive written feedback and hear stakeholder group presentations at its regulatory scheduled meetings.
- Committee to review feedback, analyze and discuss issues and prepare a preliminary report.
- Preliminary report to be put on Web site and distributed to all parties who have made submissions and any others who may request the document, for their reaction.
- Based upon any secondary reaction, the Committee may amend its report.
- Committee to submit a final report to the Legislature.

3. PROPOSED TIMELINES FOR THE REVIEW

See attached Critical Path

4. COMMITTEE STRUCTURE

4.1. Membership

- Chair
- Deputy Chair
- Members

4.2. Committee Resources

- The Legislative Assembly Office will provide administrative support.

A Technical Resource Team to provide professional support to the Committee will include representatives from Alberta Health and Wellness, Alberta Justice and the Office of the Information and Privacy Commissioner.

Attachment

3. Proposed Timelines for the Review – Critical Path

June 2004	July 2004	August 2004	September 2004	October 2004
<ul style="list-style-type: none"> • Hold briefing sessions for Committee • Send out consultation materials end-June 	<ul style="list-style-type: none"> • Conduct preliminary consultation on Three Year Review issues and pan-Canadian framework *(July – August 15, 2004) • Hold consultation meetings • Hold Committee meetings 	<ul style="list-style-type: none"> • Conduct preliminary consultation on Three Year Review issues and pan-Canadian framework *(July – August 15, 2004) • Document consultation results on framework and HIA • Hold consultation meetings • Hold Committee meetings 	<ul style="list-style-type: none"> • Recommend required amendments to framework and HIA based on consultation and further analysis • Hold Committee meetings 	<ul style="list-style-type: none"> • Engage in second round of consultations on recommended amendments to HIA • Hold Committee meetings

*Pending approval to proceed to consultation from Conference of F/P/T Deputy Ministers of Health

November 2004	December 2004	January 2005	February 2005
<ul style="list-style-type: none"> • Engage in second round of consultations with selected stakeholders on recommended amendments to HIA • Hold Committee meetings 	<ul style="list-style-type: none"> • Distribute recommended amendments to HIA as Committee's Final Report • Hold Committee meeting 	<ul style="list-style-type: none"> • Receive input on Committee's recommendations from Departments and key stakeholders as appropriate • Finalize recommended HIA amendments 	<ul style="list-style-type: none"> • Conclude Special Committee of Legislative Assembly work