

COVID-19 Circular-2021-19
Revised COVID-19 Incident Reporting Procedure and Form

Attachment 1: Legislative Authority to Collect Health Information

Child Care Regulation 62/86

Child Care Centres and Nursery Schools

6(3) Every licensee shall keep information concerning a child or the child's family, obtained under subsection 6(1), 6(2), 10(2.2), 10(6), 11(3), 11(6), 14(12) or 14(15), strictly confidential, but

- a) the child's parents or guardians shall have access to such information upon request; and
- b) the information can be disclosed
 - (i) with the written consent of the child's parent or guardian, or
 - (ii) in accordance with the provisions of any legislation or a court order.

Family and Group Child Care Homes

23(3) Every licensee shall keep information concerning a child or the child's family, obtained under subsection 23(1), 23(2), 25(3), 26(1.2), 27(2.1), 29(7) or 29(9), strictly confidential, but

- a) the child's parents or guardians shall have access to such information upon request; and
- b) the information can be disclosed
 - (i) with the written consent of the child's parent or guardian, or
 - (ii) in accordance with the provisions of any legislation or a court order.

Personal Health Information Act

"trustee" means a health professional, health care facility, public body, or health services agency that collects or maintains personal health information.

Disclosure without individual's consent

22(2) A trustee may disclose personal health information without the consent of the individual the information is about if the disclosure is:

- a) to a person who is or will be providing or has provided health care to the individual, to the extent necessary to provide health care to the individual, unless the individual has instructed the trustee not to make the disclosure;
- b) to any person, if the trustee reasonably believes that the disclosure is necessary to prevent or lessen
 - (i) a risk of harm to the health or safety of a minor, or
 - (ii) a risk of serious harm to the health or safety of the individual the information is about or another individual, or to public health or public safety;