

Guideline for Completing the “Consent to Disclose Personal Health Information Form (PHI)”

The Personal Health Information Act (PHIA) permits trustee's to disclose PHI without the consent of an individual or a person permitted to exercise the rights of an individual, under specific circumstances. This form is to be used **only** when a trustee is required to disclose PHI for a purpose that requires consent from the individual or a person permitted to exercise the rights of an individual.

Part 1: Consent from Patient/Client/Resident.

- Record the last name, first name, date of birth, health card number (the 9 digit PHIN in Manitoba or another jurisdictions health card number), address (in full) and telephone numbers of the individual the information is about.

Part 2: Details of Consent

- Indicate the name of the hospital, personal care home, clinic, community health centre, and/or program such as midwifery, home care, public health, mental health etc that is requesting consent to disclose the PHI
- Specify the PHI that is to be disclosed.
- Specify to whom the PHI will be disclosed.
- Specify the purpose for which the PHI is to be disclosed.
- Indicate if the request is for the individual's own PHI, if so check “yes”, if not check “no” and complete Part 2.

Part 3: Person Permitted to Exercise the Rights of an Individual

- Record the last name, first name, complete address and phone numbers of the person permitted to exercise the rights of an individual the information is about.
- Indicate your authority to exercise the rights of the individual from the following list.
 - (a) any person with written authorization from the individual to act on the individual's behalf;
 - (b) a proxy appointed by the individual under The Health Care Directives Act;
 - (c) a committee appointed for the individual under The Mental Health Act if the committee has the power to make health care decisions on the individual's behalf;
 - (d) a substitute decision maker for personal care appointed for the individual under The Vulnerable Persons Living with a Mental Disability Act if the exercise of the right relates to the powers and duties of the substitute decision maker;
 - (e) the parent or guardian of an individual who is a minor, if the minor does not have the capacity to make health care decisions;
 - (f) if the individual is deceased, his or her Personal Representative.

If it is reasonable to believe that no person listed in any clause above exists or is available, the adult person listed first in the following clauses who is readily available and willing to act may exercise the rights of an individual who lacks the capacity to do so:

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| (a) the individual's spouse, or common-law partner,
with whom the individual is cohabiting; | (f) a grandparent; |
| (b) a son or daughter; | (g) a grandchild; |
| (c) a parent, if the individual is an adult; | (h) an aunt or uncle; |
| (d) a brother or sister; | (i) a nephew or niece. |
| (e) a person with whom the individual is known to
have a close personal relationship; | |

Ranking: The older or oldest of two or more relatives described in any clause of the above is to be preferred to another of those relatives.

Part 4: Sign Off

- Indicate if the request is valid for one year, is valid for this request only or has an expiration date by placing a check mark in the appropriate box. If the consent has an expiration date, specify the date.
- Signature of the patient/client/resident or person permitted to exercise the rights of the individual (as described in Parts 1 or 3).
- Record the date consent is obtained.
- File the completed Consent to Disclose PHI Form on the patient's/client's/ resident's health record.