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## DECLARATION OF CONFIDENTIALITY

Subsections 140(2) and 140(3) of *The Regulated Health Professions Act* clearly states that absolute confidentiality is required of all individuals who act in an official or other capacity with the College of Physicians and Surgeons of Manitoba. All councillors, committee members, consultants, contractors and employees of the College are expected to maintain confidentiality and share information only to the extent necessary to perform their duties.

I understand, and agree to, the confidentiality clause of *The Regulated Health Professions Act*:

### Confidentiality of information

140(2) Every person employed, engaged or appointed for the purpose of administering or enforcing this Act, and every member of a council, a committee of a council or board established under this Act, must maintain as confidential all information that comes to his or her knowledge in the course of his or her duties and must not disclose this information to any other person or entity except in the following circumstances:

- a. the information is available to the public under this Act;
- b. the information is authorized or required to be disclosed under this Act;
- c. disclosure of the information is necessary to administer or enforce this Act or the regulations, bylaws, standards of practice, code of ethics or practice directions, including where disclosure is necessary to register members, issue certificates of registration or practice, permits and licences, grant approvals or authorizations, deal with complaints or allegations that a member is incapable, unfit or incompetent, deal with allegations of professional misconduct, or govern the profession;
- d. disclosure of the information is
  - i. necessary to administer or enforce *The Health Services Insurance Act* or *The Prescription Drugs Cost Assistance Act*, or
  - ii. to the medical review committee established under *The Health Services Insurance Act*;
- e. disclosure of the information is
  - i. authorized or required to be disclosed by another enactment of Manitoba or Canada, or
  - ii. for the purpose of complying with a subpoena, warrant or order issued or made by a court, person or body with jurisdiction to compel the production of information or with a rule of court that relates to the production of information;
- f. the information is disclosed to a body that has statutory authority to regulate
  - i. a profession in Manitoba, or

- ii. the practice of the same or a similar health profession in any other jurisdiction, if disclosure is necessary for that body to carry out its responsibilities;
- g. the information is disclosed to a person who employs or engages a member to provide health care, or to a hospital or regional health authority that grants privileges to a member, if the purpose of the disclosure is to protect any individual or group of individuals;
- h. the information is disclosed to a department of the government, a regional health authority or another agency of the government, or any department or agency of the government of Canada or a province or territory of Canada, dealing with health issues
  - i. if
    - A. the purpose of the disclosure is to protect any individual or group of individuals or to protect public health or safety, or
    - B. the information concerns the practice of a health profession in any jurisdiction, and
  - ii. the information does not reveal personal health information;
- i. disclosure of the information is necessary to obtain legal advice or legal services;
- j. the information is disclosed with the written consent of the person to whom the information relates.

**Limits on disclosure of personal information and personal health information**

140(3) When disclosing information under subsection (2), the following rules apply:

- a. personal information and personal health information must be disclosed only if non-identifying information will not accomplish the purpose for which the information is disclosed;
- b. any personal information or personal health information disclosed must be limited to the minimum amount necessary to accomplish the purpose for which it is disclosed.

I understand that failure to comply with this clause may result in disciplinary action from Council or the Registrar of the College of Physicians and Surgeons of Manitoba or dismissal.

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Date

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Signature

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(Name in Print)