



College of Respiratory
Therapists of Ontario

Ordre des thérapeutes
respiratoires de l'Ontario

DISCLOSURE OF PERSONAL HEALTH INFORMATION

Practice FAQs

Summer 2016

QUESTION

I work for a home care company and have a client who is on a high litre flow and continues to smoke while wearing his oxygen. He has been warned (both verbally and in writing) about the dangers to both himself and those around him (he lives in a small apartment building). However, he refuses to stop and if he continues we will need to remove his oxygen equipment. In the meantime, I think we should inform the fire department about the potential risk. Can I share this information without the client's consent?

ANSWER

Yes. The [*Personal Health Information Protection Act \(PHIPA\)*](#) allows for the sharing of personal health information with persons outside of the patient's circle of care in circumstances where there is believed to be a risk of harm to the patient or others. Therefore, a patient's consent is not required to share information "*for the purpose of eliminating or reducing a significant risk of serious bodily harm to a person or group of persons*". [PIHIPA. (2004). s.40 (1) – **Disclosure Related to Risks**]

Please note that it must be the Healthcare Custodian who discloses the information, and so it would have to come from your organization (individual RTs are considered to be Agents of the Custodian).