

# HIA Fact Sheet: Collection notices

The *Health Information Act* (HIA) sets requirements for collection notices

Collection notices are required under the HIA and Alberta's other privacy legislation: the *Protection of Privacy Act* and the *Personal Information Protection Act*.

Collection notices inform individuals why a custodian is collecting their health information and provide contact information for questions.

## Collection notice requirements

Collection notices must include:

- the purpose of the collection
- the specific legal authority for the collection
- contact information for an affiliate of the custodian who can answer questions about the collection
- whether the information will be entered into an automated system, if applicable

## Legal authority for collection

Section 22(1) of the HIA authorizes direct collection. Section 22(2) authorizes indirect collection (collecting an individual's health information from another source) in certain circumstances. A collection notice is not required if the collection is indirect.

For example, when a physician shares patient information with a surgeon as part of a referral, the surgeon is not collecting the information directly from the patient. In this case, a collection notice is not required.

Collection notices must cite the specific legal authority under the HIA for the collection.

Section 20(a) authorizes collection where it is expressly authorized by an enactment of Alberta or Canada. The notice should also refer to the authorizing enactment.

Section 20(b) authorizes collection where the information is required for a purpose authorized under section 27 of the HIA.

## Manner of giving notice

Notice may be provided in various formats and does not have to be in writing. However, written notice may be preferable, depending on the circumstances.

Examples include:

- posting a collection notice in a clinic
- providing a recorded message before the caller is connected to reception
- including a statement in the header or footer of a form
- requiring acknowledgement through a pop-up in an online application

## Examples

Red text indicates content custodians must identify for their specific collection notice.

### Standard Notice

The health information collected through (form name/website/program/service) is for (purpose). This collection is authorized by (sections 20(b) and (27(X)(X) of the *Health Information Act*) or (section 20(a) and name of applicable legislation).

For questions about the collection of personal information, contact (email at [email address], or telephone number or [other contact information]).

### Notice with automated system use:

The health information collected through (form name/website/program/service) is for (purpose) and will be input into an automated system to (purpose). This collection is authorized by (sections 20(b) and (27(X)(X) of the *Health Information Act*) or (section 20(a) and name of applicable legislation).

For questions about the collection of personal information, contact (email at [email address], or telephone number or [other contact information]).

## Related resources

- Fact Sheet: Automated Systems

## Contact

HIA Help Desk provides general information about the HIA and health information privacy in Alberta.

- Phone: [780-427-8089](tel:780-427-8089) or Toll free: [310-0000](tel:310-0000) before the phone number (in Alberta)
- Email: [hiahelpdesk@gov.ab.ca](mailto:hiahelpdesk@gov.ab.ca)