



Patient Record Retention

The **Standards of Practice** of the College of Physicians & Surgeons of Alberta (“the College”) are the minimum standards of professional behavior and ethical conduct expected of all regulated members registered in Alberta. Standards of Practice are enforceable under the *Health Professions Act* and will be referenced in the management of complaints and in discipline hearings. The College of Physicians & Surgeons of Alberta also provides **Advice to the Profession** to support the implementation of the Standards of Practice.

- (1) A regulated member **must** ensure a patient record¹:
 - (a) is compliant with relevant legislation;
 - (b) is stored in a manner that protects patient confidentiality through administrative, technical and physical safeguards;
 - (c) is under the custody and control of a custodian as defined in the *Health Information Act (HIA)*;
 - (d) is retrievable and available for authorized sharing within a reasonable time period to facilitate continuity of patient care; and
 - (e) facilitates the:
 - (i) collection of data for quality improvement activities; and
 - (ii) sharing of standardized data sets to the Alberta Electronic Health Record (Netcare) or equivalent.
- (2) A regulated member acting as a custodian² **must** have policies and procedures in place in accordance with the *HIA* that:
 - (a) includes an information manager agreement, if an information manager has been identified;
 - (b) establishes processes for the retention, protection, access, disclosure and secure destruction of patient health information; and
 - (c) clarifies roles, expectations and accountabilities of all parties.
- (3) A regulated member acting as a custodian who shares patient information with other custodian(s) **must** have an information sharing agreement that clarifies access, transfer and return of patient records.

¹ Refers to either a paper-based or electronic record.

² Regulated members are designated custodians under the *Health Information Regulation*.

Terms used in the Standards of Practice:

- “Regulated member” means any person who is registered or who is required to be registered as a member of this College. The College regulates physicians, surgeons and osteopaths.
- “Must” refers to a mandatory requirement.
- “May” means that the physician may exercise reasonable discretion.
- “Patient” includes, where applicable, the patient’s legal guardian or substitute decision maker.

- (4) A regulated member acting as a custodian **must** designate a successor custodian³ to ensure the retention and accessibility of patient records in the event the regulated member is unable to continue as custodian.
- (5) A regulated member **must** complete a privacy impact assessment⁴ prior to changing or implementing any administrative practice or information system relating to the collection, use and disclosure of individually identifiable patient health information.
- (6) A regulated member **must** ensure patient records are retained and accessible for a minimum of:
 - (a) ten (10) years from the date of last record entry for an adult patient; and
 - (b) ten (10) years after the date of last record entry for a minor patient, or two years after the patient reaches or would have reached the age of eighteen (18), whichever is longer.
- (7) At the request of a patient, a regulated member **must** provide the patient with timely access to the patient's record in accordance with the *HIA*.
- (8) A regulated member **may** charge a fee in accordance with the *HIA* for providing a patient with a copy of the patient's record.
- (9) A regulated member **must not** charge a fee for providing another healthcare provider with limited patient information.

³ Reference; Health Information Act Section 35(1)(q)

⁴ Reference: *Health Information Act* Section 64

Terms used in the Standards of Practice:

- “*Regulated member*” means any person who is registered or who is required to be registered as a member of this College. The College regulates physicians, surgeons and osteopaths.
- “*Must*” refers to a mandatory requirement.
- “*May*” means that the physician may exercise reasonable discretion.
- “*Patient*” includes, where applicable, the patient’s legal guardian or substitute decision maker.