

## ***The Personal Health Information Act***

### **About Reports with Recommendations and Response**

If our report contains recommendations about an access or privacy complaint, a trustee must respond in writing to the Ombudsman within the time period set out in PHIA. The trustee's response must indicate whether the recommendations are accepted.

If the response indicates that the recommendations are accepted, the trustee must describe any action it will take to implement the recommendations. PHIA sets out a time period for the trustee to comply with the recommendations.

If the response indicates that the recommendations are not accepted, the trustee must provide reasons for refusing to take action to implement the recommendations.

The Ombudsman must notify the complainant of the trustee's response to the recommendations.

If the trustee does not follow the Ombudsman's recommendations, the Ombudsman may ask the Information and Privacy Adjudicator to review the matter. The Ombudsman may request a review in the following circumstances:

- the response indicates that the trustee refuses to take action to implement any of the recommendations;
- the response indicates an acceptance of the recommendations, but action is not taken to implement them within the required time; or
- the trustee fails to respond to the Ombudsman as required by PHIA.

After completing a review, the Information and Privacy Adjudicator makes an order about the matter.