

# The Personal Health Information Act:

Access to Personal Health Information and Privacy

## The Personal Health Information Act (PHIA)

## Which “trustees” are covered by PHIA?

Interested in getting access to your personal health information or concerned about the privacy of your personal health information?

PHIA provides you with a right of access to your personal health information from persons or organizations called “trustees” and controls how your personal health information is to be handled by trustees.

### The Ombudsman

The Ombudsman may be able to investigate your complaint about:

- access to your personal health information, if you have difficulty getting it from the trustee
- privacy of your personal health information, if you think it has not been managed properly by the trustee

PHIA gives the Ombudsman the power to investigate your complaints.

The Ombudsman is an independent officer of the Legislative Assembly (the provincial politicians elected by the public). The Ombudsman is not part of any government department or agency, and the Ombudsman is not considered a trustee under PHIA.

- Health professionals
- Health care facilities
- Regional health authorities
- Health services agencies
- Provincial government departments and agencies
- Executive Council (Cabinet)
- City of Winnipeg
- Other municipal governments
- Local government districts, planning districts and conservation districts
- School divisions and districts
- Universities and colleges

Other brochures in this series:

*The Freedom of Information and Protection of Privacy Act: Access to Information and Privacy:* Interested in getting access to records or concerned about the privacy of your information?

*The Ombudsman Act: Fair Treatment by Government:* Concerned that an action or decision of the provincial government or a municipal government has been unfair?

*The Public Interest Disclosure (Whistleblower Protection) Act: Disclosure of Wrongdoing:* Do you believe that a serious wrongdoing has been committed in the provincial government?

### Contact us

In Winnipeg  
750-500 Portage Avenue  
Winnipeg, MB R3C 3X1  
204.982.9130  
1.800.665.0531 (toll free)  
204.942.7803 (fax)

In Brandon  
202-1011 Rosser Avenue  
Brandon, MB R7A 0L5  
204.571.5151  
1.888.543.8230 (toll free)  
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On the web  
[www.ombudsman.mb.ca](http://www.ombudsman.mb.ca)

Services disponibles en français



Manitoba  
Ombudsman

Upholding Your  
Information Access and Privacy Rights

What are your access rights under PHIA?	What are your privacy rights under PHIA?	How do you make a complaint to the Ombudsman?	What happens when the Ombudsman investigates your complaint?
<p>PHIA gives you the right to obtain a copy of your personal health information, subject to certain exceptions. You may be required to make your request in writing.</p> <p>PHIA gives you the right to complain to the Ombudsman about not getting access, or any concern you may have about the handling of your PHIA request for information.</p> <p>For example, you can complain that:</p> <ul style="list-style-type: none"> <li>the trustee did not respond to your PHIA information request within the time frame specified in the Act</li> <li>you think fees for your personal health information are too high</li> <li>you did not get access to all or some of the personal health information you wanted</li> <li>the trustee has refused to correct personal health information about you that you think is inaccurate</li> </ul>	<p>PHIA requires that trustees protect the privacy of your personal health information.</p> <p>PHIA gives you the right of complaint to the Ombudsman if you think the trustee:</p> <ul style="list-style-type: none"> <li>should not have collected your personal health information or collected it in a manner contrary to PHIA</li> <li>used your personal health information for some purpose differently from how you expected it to be used</li> <li>disclosed your personal health information to some other person or organization and you think this is wrong</li> <li>failed to protect your personal health information in a secure manner</li> </ul>	<p>To make a complaint about a personal health information matter, write a letter to our office explaining your concern. Include your name, address and telephone number.</p> <p>Additional information to assist you in making a complaint is available on our website.</p> <p>If you have questions about how to make a complaint, contact us at 204.982.9130 or toll free at 1.800.665.0531.</p> <p>There is no fee for our services.</p>	<p>We will:</p> <ul style="list-style-type: none"> <li>contact you and the trustee about your complaint</li> <li>investigate your complaint under PHIA</li> <li>decide if the decision, act or failure to act that you complained about was contrary to PHIA</li> <li>tell you about our decision regarding your complaint</li> <li>try to resolve your complaint with the trustee if we support your complaint</li> <li>make a recommendation to the trustee as a result of your complaint if we cannot resolve your complaint</li> </ul>
<p><i>upholding your information access and privacy rights</i></p>			