

# *If you wanted to know...*

## *Can I get health information about my deceased relative?*

*... Read on ...*

### **Can I access health information about my relative if it is held by a health care provider?**

#### ***If you are the substitute decision-maker***

If you are the substitute decision-maker for your relative, you generally have a right to obtain your relative's health information from his or her health care provider. You would be the substitute decision-maker if you are your relative's estate trustee, or if you have assumed responsibility for the administration of your relative's estate.

The IPC's fact sheet, *Obtaining Personal Health Information about a Deceased Relative*, has more detailed information about this topic. If, after reading this, you are still unsure, you may wish to seek legal advice.

#### ***If you are not the substitute decision-maker***

If someone else is the substitute decision-maker for your relative, you may be able to get health information about your relative through that person.

The substitute decision-maker would have the legal authority to decide whether to give a health care provider permission to share your relative's health information with you. In deciding whether to give this permission, the substitute decision-maker would have to consider certain factors, such as your relative's wishes, values and beliefs regarding decisions about his or her health information. The substitute decision-maker may also be able to give you health information about your relative directly.

#### ***If you are a spouse, partner, sibling or child***

You may be able to get health information about your relative from a health care provider if you are your relative's spouse, partner, sibling or child and you need the information to make decisions about your own or your children's health care.

#### ***Other ways you may receive health information from a health care provider***

A health care provider may give you health information about your relative for the purpose of identifying him or her, or to inform you that





he or she has passed away, and to advise you about the circumstances of death.

## What kind of information can I get?

Examples of the kinds of information you could get include: information about your relative's physical or mental health, such as medical treatment, surgery, prescribed medication, test results, family medical history and medical opinions.

## Where would I find health information about my relative?

You could get health information from hospitals, doctors, nurses, physiotherapists, dentists, psychiatrists, psychologists, pharmacies, laboratories, long-term care facilities, community care access centres, ambulance services, boards of health, the Ministry of Health and Long-Term Care, and the Canadian Blood Services. These are just some examples, but there are more.

Our office oversees compliance with the *Personal Health Information Protection Act, 2004 (PHIPA)*. This is the law that applies if you want to obtain your relative's health information from a health care provider. If you believe you are eligible to receive health information about your relative, but are denied access to this information, you can complain to our office using our **Access/Correction Complaint Form**:

[http://www.ipc.on.ca/images/Resources/up-1phipa\\_accorrcmp\\_e.pdf](http://www.ipc.on.ca/images/Resources/up-1phipa_accorrcmp_e.pdf)

## What if my relative's health information is not held by a health care provider?

It may be that the health information you want about your relative is held by a provincial or municipal government organization that is not a health care provider, such as a provincial ministry (e.g., the Ministry of Labour), the Ontario Provincial Police, or a local police services board. In that case the law that applies would be either the provincial *Freedom of Information and Protection of Privacy Act (FIPPA)* or the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, which are Ontario's two public sector access and privacy laws.

### ***If you are a spouse or close relative***

If you are a spouse or close relative you may be given the information for compassionate reasons.

### ***If you are administering your relative's estate***

You might also be able to obtain your relative's health information if you are the one who is administering his or her estate.

Use this *Request Form* to make a request under *FIPPA* or *MFIPPA*:

[www.ipc.on.ca/images/Resources/up-form\\_2e.pdf](http://www.ipc.on.ca/images/Resources/up-form_2e.pdf)

If you are denied access to the information you are seeking under *FIPPA* or *MFIPPA*, you can appeal to our office using the *Appeal Form*:

[http://www.ipc.on.ca/images/Resources/up-appfrm\\_e.pdf](http://www.ipc.on.ca/images/Resources/up-appfrm_e.pdf)



## How can I get the results of a coroner's investigation?

For information on how to get the results of a coroner's investigation, including pathologist's and toxicologist's reports, you may wish to contact your Regional Supervising Coroner's Office, or the Office of the Chief Coroner, part of Ontario's Ministry of Community Safety and Correctional Services. Their office is located at 26 Grenville Street, 2<sup>nd</sup> floor, Toronto, Ontario M7A 2G9, and the phone number is (416) 314-4000.

For more information you can visit their website at:

[http://www.mcscs.jus.gov.on.ca/english/office\\_coroner/about\\_coroner/coroner\\_what/coroner\\_what.html](http://www.mcscs.jus.gov.on.ca/english/office_coroner/about_coroner/coroner_what/coroner_what.html)

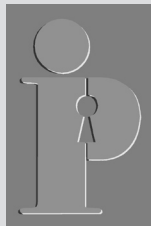
## How can I get information about my relative's cause of death?

In Ontario a medical certificate of death includes the cause of death. To request this information about your relative you would need to contact the Office of the Registrar General, part of Ontario's Ministry of Government Services.

Office of the Registrar General  
P.O. Box 4600  
189 Red River Road, 3rd Floor  
Thunder Bay ON P7B 6L8

In Toronto 416-325-8305  
Toll-free outside Toronto 1-800-461-2156  
Fax: (807) 343-7459

There may be other laws that would allow you to get health information about your relative. You may want to seek legal advice about this.



### *If you wanted to know...*

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If you have any comments regarding this publication, wish to advise of a change of address, or be added to the mailing list, please contact:

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