



Queen's
UNIVERSITY

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Protocol for Requesting Access to Personal Health Information in a Queen's University Record for a Research Purpose

The *Tri-Council Policy Statement on Ethical Conduct for Research Involving Humans*—known as [TCPS2 \(2018\)](#)—requires the approval of a Research Ethics Board (REB) for secondary use of information for a research purpose. Secondary use means using information collected originally for a purpose other than the current research purpose, such as records created for administration or operations, or records created for a different research project. Article 5.5 requires that REB approval be sought for the secondary use of both identifiable information and de-identified/anonymized information. [Article 5.5A](#) specifically permits the use of identifiable information without consent under certain circumstances.

Personal health information is, by definition, identifiable information.* The *Personal Health Information Protection Act* (“PHIPA”) permits the disclosure of personal health information by a **Health Information Custodian**, or **HIC**, for a research purpose in situations where it is impractical for the researcher to seek consent from the individuals to whom the information relates.

In accordance with [section 44\(1\) of PHIPA](#), Queen's University's HICs (see Schedule A below) may authorize disclosure of personal health information for a research purpose if the researcher:

- 1) submits to the University:
 - (a) an application in writing,
 - (b) a research plan that meets the requirements of [section 44\(2\) of PHIPA](#), and
 - (c) a copy of the decision of a research ethics board that approves the research plan; and
- 2) enters into the agreement required by [section 44\(5\)](#).

The **flow chart below** outlines the process for accessing records containing personal health information from a Queen's University HIC. Researchers with a connection to Queen's University will follow the normal process for approval through a [research ethics board](#) with the goal of obtaining a data transfer agreement. Researchers without a connection to Queen's University will apply through the University's [Privacy Office](#) with the goal of obtaining a research agreement.

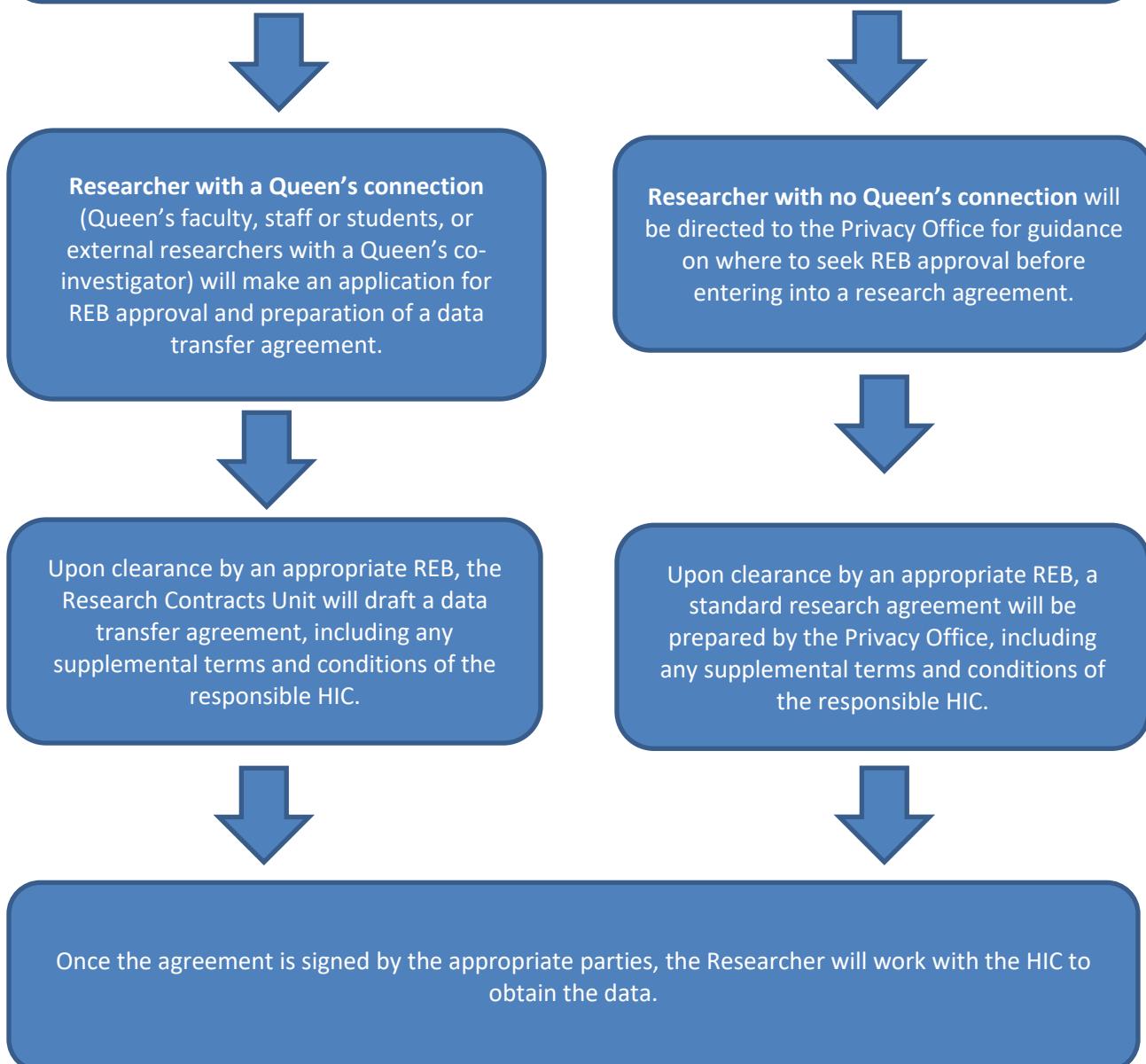
Access to records containing personal health information that have been transferred to the Queen's University Archives will be coordinated by the [University Archivist](#).

N.B. Requests from individuals for access to their own PHI can be treated in accordance with normal unit access procedures or as a [FIPPA request](#) through the Records Management and Privacy Office.

* If information is not identifiable (e.g., if it has been de-identified or anonymized), then it is not personal health information and this protocol does not apply.

Procedure

Researcher will first consult with the HIC responsible for the records to discuss the feasibility of the project. If the PHI can be anonymized or is already de-identified, then the data may be provided to the Researcher by the HIC through a signed data transfer agreement or research agreement (after obtaining REB approval), and this protocol does not apply. If anonymization is not possible, the HIC will direct the Researcher as follows:



Schedule A: Queen's University Health Information Custodians (HICs)

Health Information Custodian	Contact
Department of Family Medicine School of Medicine Faculty of Health Sciences	Clinic Manager
The Physical Therapy Clinic at Queen's University School of Rehabilitation Therapy Faculty of Health Sciences	Clinic Manager
Psychology Clinic at Queen's University Department of Psychology Faculty of Arts and Science	Clinic Director
Student Wellness Services <ul style="list-style-type: none">• Health Services• Counselling Services Division of Student Affairs	Executive Director
Regional Assessment and Resource Centre Division of Student Affairs	Clinical Director
Q Sports Medicine Athletics and Recreation Division of Student Affairs	Coordinator
Developmental Disabilities Consulting Program Department of Psychiatry School of Medicine	Clinical Director