

Custodians as defined in the *Health Information Act*

A custodian is defined in the *Health Information Act*.

For example, the following are custodians:

1. Alberta Health;
2. Alberta Health Services;
3. Covenant Health;
4. Health Service Providers as designated in the *Health Information Regulation* – these include physicians and surgeons, nurses, pharmacists, dentists, dental hygienists, and chiropractors; and
5. Boards, agencies, committees, etc. as designated in the *Health Information Regulation*.

For the definition of custodian from HIA section 1(1)(f), please see Appendix A.

To see a full list of health service providers and boards, agencies and committees designated in the *Health Information Regulation*, please see Appendix B.

Appendix A – Definition of Custodian

Health Information Act section 1(1)(f)

“custodian” means

- (i) the board of an approved hospital as defined in the Hospitals Act other than an approved hospital that is
 - (A) owned and operated by a regional health authority established under the Regional Health Authorities Act, or
 - (B) repealed 2008 cH-4.3 s18;
- (ii) the operator of a nursing home as defined in the Nursing Homes Act other than a nursing home that is owned and operated by a regional health authority established under the Regional Health Authorities Act;
- (ii.1) an ambulance operator as defined in the Emergency Health Services Act;
- (iii) a provincial health board established pursuant to regulations made under section 17(1)(a) of the Regional Health Authorities Act;
- (iv) a regional health authority established under the Regional Health Authorities Act;
- (v) a community health council as defined in the Regional Health Authorities Act;
- (vi) a subsidiary health corporation as defined in the Regional Health Authorities Act;
- (vii) repealed 2008 cH-5.3 s18;
- (viii) a board, council, committee, commission, panel or agency that is created by a custodian referred to in subclauses (i) to (vii), if all or a majority of its members are appointed by, or on behalf of, that custodian, but does not include a committee that has as its primary purpose the carrying out of quality assurance activities within the meaning of section 9 of the Alberta Evidence Act;
- (ix) a health services provider who is designated in the regulations as a custodian, or who is within a class of health services providers that is designated in the regulations for the purpose of this subclause;
- (ix.1) the Health Quality Council of Alberta;
- (x) a licensed pharmacy as defined in the Pharmacy and Drug Act;
- (xi) repealed 2009 c25 s2;
- (xii) the Department;
- (xiii) the Minister;
- (xiv) an individual or board, council, committee, commission, panel, agency, corporation or other entity designated in the regulations as a custodian,
- (xv) repealed 2008 cH-4.3 s18,
- (xvi) repealed 2013 cB-7.5 s11;

Appendix B - Custodians designated

Health Information Regulation (70/2001)

Boards, Agencies, Committees, etc. Designated as Custodians

2(1) For the purposes of section 1(1)(f)(xiv) of the Act, the following are designated as custodians:

- (a) Alberta Rare Diseases Clinical Review Panel;
- (b) claims reassessment committees established under the Alberta Health Care Insurance Act;
- (c) Covenant Health;
- (c.1) Health Advocate;
- (d) Hospital Privileges Appeal Board;
- (e) Mental Health Patient Advocate;
- (f) MS Drug Review Panel;
- (g) a non-regional health authority Family Care Clinic approved by the Minister;
- (h) Out-of-Country Health Services Appeal Panel;
- (i) Out-of-Country Health Services Committee;
- (j) review panels appointed under the Mental Health Act.

Health Care Providers

(2) For the purposes of section 1(1)(f)(ix) of the Act, the following are designated as custodians:

- (a) regulated members of the Alberta College and Association of Chiropractors;
- (b) regulated members of the Alberta College of Optometrists;
- (c) regulated members of the Alberta College of Pharmacists;
- (d) regulated members of the Alberta Dental Association and College;
- (e) regulated members of the College and Association of Registered Nurses of Alberta;
- (f) regulated members of the College of Alberta Denturists;
- (g) registered members of the College of Midwives of Alberta;
- (h) regulated members of the College of Opticians of Alberta;
- (i) regulated members of the College of Physicians and Surgeons of Alberta;
- (j) regulated members of the College of Podiatric Physicians of Alberta;
- (k) regulated members of the College of Registered Dental Hygienists of Alberta.

AR 70/2001 s2;14/2007;119/2010;155/2010;168/2013;49/2014