

Health Information Management

Release of Information of Deceased Persons

Under the *Personal Health Information Protection Act* (“PHIPA”), an individual’s right to privacy in respect of their personal health information continues after they are deceased. Once an individual passes, only their legally authorized representative has a right of access to their personal health information. Please note that a Power of Attorney does not apply to the right of access to personal health information of a deceased patient.

If you wish to submit an access request, **you must complete all three pages of our request form and provide documentation verifying your authority to access the information you are requesting. Please also review the below:**

- **If you are the Executor or Estate Trustee**, please submit your Request for Access to Information of a Deceased Individual form along with a copy of the Will (first and last page) **and** proof of death (if the patient did not pass at SJHH).
- **If you are requesting records of a deceased person without a Will**, please submit your Request for Access to Information of a Deceased Individual form along with the “Certificate of Appointment of Estate Trustee” **and** proof of death (if the patient did not pass at SJHH).
 - We may provide access to the Executor or Estate Trustee, or the person who has assumed responsibility for the administration of the deceased’s estate, if the estate does not have an Estate Trustee.
- **If you do not have a copy of the Will or the Certificate of Appointment of Estate Trustee**, please submit your Request for Access to Information of a Deceased Individual form along with any documentation supporting your authority

Please note:

- PHIPA provides limited discretion to health information custodians to disclose information under limited and specific circumstances.
- We may not be able to provide access to information about a deceased individual in all cases.
- Each request is reviewed individually by the SJHH Privacy Office.
- Please contact the Privacy Office directly with questions or concerns.