

## RESEARCH

A custodian may use personal health information for research if, before commencing the research, the custodian:

- prepares and submits a written research plan to a research ethics board;
- receives the approval of the research ethics board; and
- meets any conditions imposed by the research ethics board.

A custodian may disclose personal health information about an individual to a researcher if the researcher:

(a) submits to the custodian

- an application in writing,
- a research plan that meets the requirements of Section 59, and
- a copy of the submission to and decision of a research ethics board that approves the research plan; and

(b) enters into a confidentiality agreement that, among other things, commits the researcher to comply with any terms and conditions imposed by both the research ethics board and the custodian of the personal health information.

A custodian may disclose personal health information about an individual to a researcher without the consent of the subject individual if:

(a) the researcher has met the requirements above;

(b) a research ethics board has determined that the consent of the subject individuals is not required;

(c) the custodian is satisfied that

- the research cannot be conducted without using the personal health information,
- the personal health information is limited to that necessary to accomplish the purpose of the research,
- the personal health information is in the most de-identified form possible for the conduct of the research,
- the personal health information will be used in a manner that ensures its confidentiality, and
- it is impracticable to obtain consent; and

(d) the custodian informs the Review Officer.

**Reference:** NS Personal Health and Information Act (PHIA) sections 52-60