



Mar. 13, 2024

Early last week, amendments to the *Privacy and Health Information Act (PHIA)* were tabled under Bill No. 419, the *Financial Measures (2024) Act*, that will allow the government to make regulations under *PHIA* that would require custodians (physicians) to disclose patients' personal health information to the Minister of Health and Wellness "for the purposes of planning and managing the health system, resource allocation and creating or maintaining electronic health record programs and services."

While I know that you may be concerned that these changes risk giving the Minister unrestricted access to physicians' EMR data, the good news is the government has committed to work with us to address that risk and the concerns of physicians and Doctors Nova Scotia.

I understand that the Minister intends to use this access to support the government's efforts to empower Nova Scotians by enabling them to access their own health information via the YourHealthNS app. Doctors Nova Scotia is supportive of that initiative. We believe putting patient health information directly in patients' hands supports better health care.

I also want you to know that I've had many conversations with senior government leaders and with Premier Tim Houston directly. I've raised the importance of putting in place protections that support physicians as custodians of the data and protect the confidentiality inherent in the therapeutic relationship between physicians and our patients. Doctors Nova Scotia has secured a commitment from the Premier that ensures the Minister's access to data will be appropriately restricted.

Doctors Nova Scotia and the government will work together to establish a Data Governance Framework that will provide a formal commitment outlining the parameters for the collection, use, disclosure, retention and disposal of information extracted from physicians' EMRs for the purpose of the YourHealthNS app. In addition, we will create a Standing Committee on Data Governance to oversee data governance for this initiative and future innovations.

We will begin this work immediately to ensure physicians and patients are protected and supported as this initiative moves forward.

Sincerely,

Colin Audain, MD, FRCPC  
President