



# **BILL NO. 76**

*Government Bill*

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*4th Session, 61st General Assembly  
Nova Scotia  
61 Elizabeth II, 2012*

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## **An Act to Amend Chapter 41 of the Acts of 2010, the Personal Health Information Act**

CHAPTER 31  
ACTS OF 2012

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR  
MAY 17, 2012**

The Honourable Maureen MacDonald  
*Minister of Health and Wellness*

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*Halifax, Nova Scotia  
Printed by Authority of the Speaker of the House of Assembly*

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**An Act to Amend Chapter 41  
of the Acts of 2010,  
the Personal Health Information Act**

Be it enacted by the Governor and Assembly as follows:

**1 Section 3 of Chapter 41 of the Acts of 2010, the *Personal Health Information Act*, is amended by**

- (a) striking out sub-clause (f)(iii); and**
- (b) adding “and Wellness” immediately after “Health” in the first line of clause (p).**

**2 Subsection 26(2) of Chapter 41 of the Acts of 2010, the *Personal Health Information Act*, is amended by adding “, use or disclose” immediately after “collect” in the second line.**

**3 Section 31 of Chapter 41 is amended by**

- (a) striking out “or the Minister of Health Promotion and Protection” in the first and second lines of clause (l); and**
- (b) striking out “or Minister of Health Promotion and Protection” in the first and second lines of clause (o).**

**4 Subsection 35(1) of Chapter 41 is amended by adding immediately after clause (h) the follow clause:**

(ha) for the purpose of creating or maintaining an electronic health record, if the custodian is the Minister and the information was collected from another custodian for that purpose;

**5 Subsection 38(1) is amended by**

- (a) striking out “and the Minister of Health Promotion and Protection” in the first and second lines of clause (g); and**
- (b) striking out “or the Minister of Health Promotion and Protection” in the first and second lines of clause (u).**

**6 Section 55 of Chapter 41 is amended by**

- (a) striking out clause (b); and**
- (b) striking out “the” the second time it appears in clause (c) and substituting “a”.**

**7 Clause 57(a) of Chapter 41 is amended by striking out “55” and substituting “56”.**

**8 Section 83 of Chapter 41 is amended by striking out “or the Minister of Health Promotion and Protection” in the last line.**

**9 Section 87 of Chapter 41 is amended by adding immediately after subsection (2) the following subsection:**

(3) Where, due to subsection (2), the custodian does not grant a request for a correction, the custodian shall provide written notice to the individual.

**10 Section 90 of Chapter 41 is amended by striking out “under” in the first line and substituting “provided under subsection 87(3) or”.**

**11 Subsection 103(4) of Chapter 41 is amended by adding “of Justice” immediately after “Minister” in the first line.**

**12 Subsection 110(1) is amended by**

**(a) striking out “clause 10(2)(b)” in the first line of clause (g) and substituting “subsection 8(3)”; and**

**(b) striking out “, 45(4) or 69(1)” in the second line of clause (h) and substituting “or 45(4) or Section 69”.**

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