

## SP 19.0 Custodianship of Health Records

Effective: April 2001  
Amended: July 1, 2010

### **Purpose and Objective**

As a regulated profession, and as specified by the Health Information Act, ACAC members must assume responsibility for the care and control of health records (patient files).

### **Definition(s)**

Health records (patient files) are a gathering of health information with respect to any patient under a members' care.

Only a registered member of a regulated health care profession may be designated as a health record custodian. Professional Corporations are not eligible.

The chiropractor who produced the patient file is the initial custodian of the patient file, unless there is a written agreement naming another qualified custodian (such as may occur in the context of group practice where the practice principal is sometimes named as the custodian of all patient files).

Custodianship can be transferred from the initial custodian:

1. In the situation where a patient transfers their care to a different provider in the facility, the current care provider will be considered the current custodian of the patient file.
2. In the situation where the custodian ceases practice, file custodianship may be transferred by the execution of a written agreement between the current custodian and another qualified custodian. The agreement must specify the parties involved and the date of the transfer and the ongoing location of patient files.

It is the professional responsibility of the custodian to provide reasonable and sufficient notice to those parties affected by a change in custodianship and/or a change in the location of the patient files.

### **Enforceability**

Any member identified to the Complaints Director as non-compliant in the Standard of Practice related to custodianship of health records is subject to the investigations and complaints process under Part 4 of the *Health Professions Act*. Identification of non-compliance may occur as a result of the Practice Visit process, patient complaint or any other means by which this information may be brought to the attention of the Complaints Director.

