



Prepared by: Yun hui Cheng Approved by: Information Management Committee Revised by:	Department Medical Records	Effective Date: May 3, 2021
Policy: <input type="checkbox"/> Procedure: <input checked="" type="checkbox"/>	Obtaining a copy of KMHC Medical Records	Review Dates: <u>2024-10-16</u> _____ _____

PURPOSE

To serve as an user guide to obtain a copy of Medical Records of Kateri Memorial Hospital Centre (KMHC) for reasons including, but not limited to: medical consultation, insurance claim, legal purpose, personal interest.

If one only needs to obtain the results of laboratory tests done at KMHC, please contact laboratory clerk at Telephone # 450-638-3930, ext. 2304.

PROCEDURE

The medical records contain a user’s health information. The medical records are confidential and belong to the Kateri Memorial Hospital Centre. The reproduction of the medical records is prohibited without the authorization of the user or his/her legal representativeⁱ; except for situations authorized by law. (such as, CNESST, RAMQ, IVAC. ⁱⁱ)

A user is a person who uses health and social services, such as, a patient.

1. User or his/her legal representative must complete and sign the Authorization form for obtaining a copy of medical records. In the meantime, the Witness to the user’s signature must sign and date the Authorization form.

 **Must specify the document required and the reason of request ⁱⁱⁱ**

(NB: The dynamic Authorization form to release information contained in the medical records is available on KMHC website)

For a user who is 14 years and older,

- The user himself/herself or,
- A legal guardian or,
- A person who is a Power of Attorney (POA) for making the user’s medical decision or,



KATERI MEMORIAL HOSPITAL CENTRE
TEHSAKOTITSÉN:THA

- A person carrying out a mandate for a dependent user 18 years of age or over

✚ **Wife/Husband: User's written authorization/consent is needed.**

For a user who is less than 14 years of age,^{iv}

- A parent (father or mother) or,
- The legal guardian or,
- The Director of Youth Protection.

✚ **In specific circumstances, we will need certain legal documents in order to process the request, such as, mandate, POA, legal guardian, etc.**

✚ **We cannot legally disclose any information identifying the natural parents of an adopted user. Requests must be sent to the Youth Center, Adoption sector.**

For a deceased user,

- Spouse of deceased or,
- Child of deceased or,
- Parent of deceased or,
- Legal heir or,
- Liquidator of succession or,
- Beneficiary of insurance policy or,
- Other, please specify

✚ **Must provide document attesting the title, such as, birth and/or death certificate, mandate, will, proof of a last will search, copy of insurance policy/pension, etc.**

✚ **For a deceased user, the medical chart is less accessible because of the laws. Please check the law article 23:**

An Act Respecting Health Services and Social Services Article 23:

*23. The heirs, legatees by particular title and legal representatives of a deceased user are entitled to be given communication of information contained in his record to the extent that **such communication is necessary for the exercise of their rights in such capacity.** The same applies to the person entitled to the payment of a benefit under an insurance policy on the life of the user or under a pension plan of the user.*

Spouse and family.

The spouse, ascendants or direct descendants of a deceased user are entitled to be given communication of information relating to the cause of death of the user, unless the deceased user entered in writing in his record his refusal to grant such right of access.

Communication of the information.



The holder of parental authority is entitled to be given communication of the information contained in the record of a user under 14 years of age even if the user is deceased. However, that right of access does not extend to information of a psychosocial nature.

Hereditary disease.

Notwithstanding the second paragraph, persons related by blood to a deceased user may be given communication of information contained in his record to the extent that such communication is necessary to verify the existence of a genetic or hereditary disease.

1991, c. 42, s. 23; 1999, c. 40, s. 269; 2005, c. 32, s. 5.

2. Send a written request and Authorization to Medical Records Service by mail or in person

- 1) Mailing address:

Medical Records Service
Kateri Memorial Hospital Centre
P.O. BOX 10
Kahnawake, QC J0L 1B0

- 2) If coming in person, Medicare card (or other photo ID) is required.
- 3) The request is acceptable by fax. This process is only applicable in urgent cases between physicians and other establishments.

✚ Requests sent by email are not accepted.

3. Once a request for release of medical records has been received, we have, by law, 20 working days to process, this may be extended by an additional 10 days.^v

In case of an emergency, and with user's Authorization as user is consulting a physician or under medical examination or treatment, the physician or the health professional can call Medical Records Service at KMHC and the information will be sent to him/her by fax at once.

4. Cost and making a payment^{vi}
 - Minimum charge of \$10.00 for the first ten pages,
 - \$1.00 of each page after ten pages,
 - Maximum charge of \$300.00 for 300 pages and more
 - Depending on the request, other specific charges may apply.
 - There is no charge for a copy of medical records requested by a physician and/or health professional elsewhere; the requested documents are sent directly to the physician or other health professional.

A Cheque or Cash in the exact fee amount is acceptable for the payment.



✚ There are restrictions to the right of access health information and/or obtaining a copy of medical records. The request might be refused in certain circumstances by law. ^{vii}

For more questions or concerns, please contact Medical Records Service at telephone #: 450-638-3930, ext. 2228

ⁱ An Act Respecting Health Services and Social Services, Article 12, 22,23

An Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information, Article 53

ⁱⁱ An Act Respecting Health Services and Social Services, Article 19, 19.0.1.

ⁱⁱⁱ An Act Respecting Health Services and Social Services, Article 23

An Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information, Article 42

^{iv} An Act Respecting Health Services and Social Services, Article 20

An Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information, Article 83

^v An Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information, Article 47

^{vi} An Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information, Article 85

^{vii} An Act Respecting Health Services and Social Services, Article 18, 21

An Act Respecting Access to Documents Held by Public Bodies and the Protection of Personal Information, Article 86, 86.1, 87, 87.1, 88, 88.1