

Caution:

This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

CONSULTATION DRAFT

ONTARIO REGULATION

to be made under the

PERSONAL HEALTH INFORMATION PROTECTION ACT, 2004

Amending O. Reg. 329/04

(GENERAL)

1. (1) Ontario Regulation 329/04 is amended by adding the following section:

Ontario Health

6.1.1 If, pursuant to an order made under subsection 40 (1) of the *Connecting Care Act, 2019*, Ontario Health assumes the operations, activities and affairs of eHealth Ontario, Ontario Health shall put in place administrative, technical and physical safeguards, practices and procedures to protect both the privacy of the individuals in relation to whose personal health information it provides services and the confidentiality of such information, and that,

- (a) permit compliance with the Act by health information custodians who rely on services supplied by Ontario Health to use electronic means to collect, use, modify, disclose, retain or dispose of personal health information; and
- (b) permit Ontario Health to comply with sections 6 and 6.2 of this Regulation, as applicable.

(2) Clause 6.1.1 (b) of the Regulation, as made by subsection (1), is revoked and the following substituted:

- (b) permit Ontario Health to comply with section 6 of this Regulation.

2. (1) The Regulation is amended by adding the following section:

Transfer of eHealth Ontario

6.2.1 If, pursuant to an order made under subsection 40 (1) of the *Connecting Care Act, 2019*, Ontario Health assumes the operations, activities and affairs of eHealth Ontario, all of the obligations that apply to eHealth Ontario under section 6.2 of this Regulation apply to Ontario Health, with necessary modification.

(2) Section 6.2.1 of the Regulation, as made by subsection (1), is revoked.

3. Subsection 13 (1) of the Regulation is amended by adding the following paragraph:

6.1 Ontario Health in respect of the Ontario Cancer Screening Registry.

4. Subsection 18 (1) of the Regulation is amended by adding the following paragraph:

5. Ontario Health.

O. Reg 331/11

5. Subsection 3 (2) of Ontario Regulation 331/11 is amended by striking out “January 1, 2020” at the end and substituting “January 1, 2021”.

Commencement

6. [Commencement]