

AF0600 – ACCESS FOR MINORS AND INCAPABLE ADULTS (MYHEALTHPORTAL)

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Interior Health recognizes that diversity in the workplace shapes values, attitudes, expectations, perception of self and others and in turn impacts behaviors in the workplace. The dimensions of a diverse workplace includes the protected characteristics under the human rights code of: race, color, ancestry, place of origin, political belief, religion, marital status, family status, physical disability, mental disability, sex, sexual orientation, gender identity or expression, age, criminal or summary conviction unrelated to employment.

1.0 PURPOSE

This policy provides a consistent approach to grant access to personal health information of Minors and Incapable Adults within a MyHealthPortal account. This policy aligns with provincial legislation, regulations and standards of professional practice.

2.0 DEFINITIONS

TERM	DEFINITION
<i>Health Care Provider</i>	<i>Person licensed, certified or registered in British Columbia to provide health care authorized to assess a minor's maturity and capability to consent to various forms of health care. See References for Regulated Health Professionals.</i>
<i>Immature Minor</i>	<i>For the purposes of this policy only, persons aged 12 – 18 years deemed as not sufficiently mature by a health care provider.</i>
<i>Incapable Adult</i>	<i>Persons over the age of majority incapable of exercising their information rights through MyHealthPortal.</i>
<i>Incapable Minor</i>	<i>For the purposes of this policy only, persons between the ages of 12-18 years, incapable of exercising their information rights through MyHealthPortal.</i>
<i>Mature Minor</i>	<i>For the purposes of this policy only, persons between the ages of 12-18 years, deemed 'mature' by a health care provider.</i>
<i>MyHealthPortal</i>	<i>An online application that provides secure 24/7 access to personal health information from a computer, tablet or smartphone.</i>
<i>Minor</i>	<i>Persons under the age of majority, identified as 19 years of age.</i>
<i>Minor (0-11)</i>	<i>For the purposes of this policy only, persons between the ages of 0-11 years.</i>

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3.0 POLICY

3.1 Personal Health Information in MyHealthPortal

Clients can access their results, provider reports, visit history and appointment details in MyHealthPortal. To protect the privacy and safety of clients or third parties, certain sensitive information may not be displayed. See [MyHealthPortal features](#) for more information on available content.

3.2 Access to Personal Health Record

Everyone, regardless of age, has a right to their personal health information. However, access for Minors or adults is guided by the key indicators of 'maturity' and 'capability', which help determine when an individual can manage their own health information independently.

3.3 Proxy Access

3.3.1 To grant proxy access, all parties must have a personal MyHealthPortal account. See section 4.0 for specific proxy access requirements for all user groups.

3.3.2 Parents or legal guardians can request access to the information of Minors (0-11), Incapable Minors and Incapable Adults with appropriate documentation (see section 4.0).

3.3.3 Parents, legal guardians or others directly involved in a Mature Minor's health care will only be granted access to the personal health information of a Mature Minor (aged 12 – 18) with the Mature Minor's expressed consent.

3.3.4 Clients receive bi-annual email notifications to the address linked with their MyHealthPortal account. These notifications inform and remind them of any existing proxy access and provide guidance on how to review and manage access.

3.4 Assessment of Maturity of a Minor

3.4.1 A Health Care Provider is required to assess whether a Minor between the ages of 12 – 18 years is considered 'mature' enough to have access to their personal health information.

3.5 Review of Legal Documentation

3.5.1 Health Record Services is responsible for reviewing legal documents to establish proof of guardianship for an Incapable Minor or representative for an Incapable Adult.

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- 3.5.2 Health Record Services will forward both the original Authorization for Access request form and a copy to the MyHealthPortal team. These forms will not be retained in the client's health record by Health Record Services.

4.0 PROCEDURES

4.1 Minors (0-11 Years)

- 4.1.1 Minors (0-11) are presumed to lack the capacity to understand and manage their personal health information. As such, they are not eligible to exercise their information rights through MyHealthPortal.

Proxy access to health information of a Minor (0-11) will be granted to a parent or legal guardian upon:

- Submission of a completed [Authorization for Access form](#), confirming their authority to access the Minor's record.
- Verification of the parent or legal guardian's relationship to the Minor.

- 4.1.2 If the status of the requestor's relationship to the Minor is not straightforward (not noted in the MEDITECH system as the Next of Kin or not residing at the same address), the requestor will be directed to Health Record Services to submit further documentation.

- 4.1.3 Prior to a Minor (0-11) reaching 12 years of age, the parent or legal guardian will be given email notification that their proxy access will be revoked.

4.2 Mature Minors (12 – 18 Years)

- 4.2.1 Access will be granted following:

- Submission and verification of completed [Access Request for a Mature Minor Form](#) received to the MyHealthPortal team or Health Record Services.
- Verification of the Mature Minor's identity.
- Completion of account setup, including acceptance of the user agreement.

- 4.2.2 Mature Minors may grant proxy access to others with their expressed consent. To best protect their privacy, it is strongly recommended that this access be limited to parents, legal guardians or individuals directly involved in their health care. The Mature Minor retains full control over

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their health information and may modify or revoke proxy access at any time.

- 4.2.3 When a Mature Minor with a MyHealthPortal account reaches the age of majority (19 years), all existing proxy access is automatically revoked. They will receive instruction by email on how to grant proxy access to another adult, if desired.

4.3 Immature Minors (12-18 Years)

- 4.3.1 To protect the privacy of a Minor, if a Health Care Provider determines that a Minor is not sufficiently mature to access their personal health information independently, no access will be granted to the Minor or any other individual. Access will only be considered once the Minor reaches the age of majority or is reassessed and deemed a Mature Minor.

- 4.3.2 A parent or legal guardian may submit a request to access the personal health information of an Immature Minor by contacting Health Record Services.

4.4 Incapable Minors (12-18 Years) / Incapable Adults

- 4.4.1 If a Minor or adult is deemed incapable by a health care provider, proxy access to MyHealthPortal may be granted to a parent, legal guardian or authorized representative. This requires:
- Submission of a completed Authorization for Access form.
 - Supporting documentation confirming the individual's authority.
 - An active MyHealthPortal account for the requestor.

4.5 Adults (19+)

- 4.5.1 Access will be granted upon:
- Verification of the adult's identity.
 - Confirmation of valid email address added to adult's electronic health record by the MyHealthPortal team.
 - Completion of account setup, including acceptance of the User Agreement.

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5.0 REFERENCES

1. [Age of Majority Act](#)
2. [Child, Family and Community Service Act](#)
3. [Health Care \(Consent\) and Care Facility \(Admission\) Act](#)
4. [Health Professions Act](#)
5. [Regulated Health Professionals](#)
6. [Infants Act](#)
7. [Freedom of Information and Protection of Privacy Act](#)
8. [Authorization for Access to MyHealthPortal Account for Minor 0-11, Incapable Minor or Incapable Adult](#)
9. [Access Request for a Mature Minor Form](#) (MyHealthPortal)
10. [How to sign up for MyHealthPortal](#)

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