

# Draft Bylaws

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## Part 5 - CPSBC records and information

### Seal

- 5-1 (1) A seal for CPSBC must be approved by the board.
- (2) The registrar must affix the seal of CPSBC to licences, permits, and such other documents as the board may direct.

### Freedom of Information and Protection of Privacy Act

- 5-2 (1) The registrar is the head of CPSBC for purposes of *FIPPA*.
- (2) The registrar must deliver a report to the board regarding the steps taken to comply with *FIPPA* in a form and at a time as directed by the board.

### Protection of personal information

- 5-3 (1) The registrar must take reasonable steps to ensure CPSBC's collection, protection, use, disclosure, and retention of personal information complies with Part 3 of *FIPPA*, subject to section 102(3)(b) of the Act.
- (2) The registrar must take reasonable measures to ensure service providers to whom CPSBC discloses personal information comply with Part 3 of *FIPPA*.

### Disposal or transfer of records containing personal information

- 5-4 (1) Where CPSBC disposes of a record containing personal information, the registrar must ensure that:
- (a) in the case of information recorded electronically, CPSBC disposes of it by erasing the information, or destroying its physical medium, in a manner that ensures the information cannot be reconstructed, and
  - (b) in the case of a physical record, CPSBC effectively destroys the record, such as by use of a shredding device.
- (2) Where CPSBC transfers a record containing personal information, the registrar must ensure the record is transferred to:
- (a) the person to whom the information is about, or
  - (b) the licensee who compiled the information.

### Records

- 5-5 (1) The board approves the CPSBC records retention and disposition policy which must comply with the Act, Regulations, these Bylaws, *FIPPA*, and other applicable laws.
- (2) The registrar must retain the following records permanently, in physical or electronic form:
- (a) a disciplinary record for each regulated health practitioner,
  - (b) the minutes of board meetings, together with all supporting records submitted for each board meeting, and

- (c) annual reports under section 398 of the Act.

## Registry

- 5-6
- (1) The registrar must maintain the CPSBC registry in an electronic format.
  - (2) For clarity, the power of the registrar to establish or adopt rules, procedures, or policies relating to records includes the CPSBC registry.
  - (3) In addition to information permitted or required to be disclosed on the registry under the Act and Regulations, the registrar may include the following information in the CPSBC registry:
    - (a) information respecting a person who has engaged in unauthorized practice, and a statement that the person is not authorized to practise in British Columbia,
    - (b) information respecting a person who has engaged in unauthorized use of title, and a statement that the person is not authorized to use the title in British Columbia and in association with the person's work,
    - (c) orders and reasons for such orders under the Act, the *Health Professions Act* and extrajurisdictional regulatory statutes as described in section 390(1)(g) of the Act, including any decision on reconsideration, review, judicial review or appeal and the reasons for the decision, and
    - (d) any public notice relating to a licensee published under sections 255 and 256 of the Act, or under section 39.3 of the *Health Professions Act*.
  - (4) Apart from information which is required to be included in the registry under the Act and Regulations, the registrar may remove information or decline to include it in the registry where the registrar reasonably believes that disclosure of the information may pose a threat to the safety of a regulated health practitioner or a third party.