



DOES THIS RESEARCH REQUIRE PROVINCIAL HEALTH RESEARCH PRIVACY COMMITTEE (PHRPC) REVIEW?

1. Overview:

- 1.1. As of January 1, 2022, amendments to the Personal Health Information Act (PHIA) were proclaimed. The PHIA amendments bring a **NEW REQUIREMENT** for researchers. Importantly, the Health Information Privacy Committee (HIPC) was replaced by the new Provincial Health Research Privacy Committee (PHRPC).
- 1.2. Effective January 1, 2022, PHRPC is the **ONLY** committee that has authority to provide approval for research projects requesting **USE** of personal health information (PHI), maintained by any Manitoba Trustee, including by government or government agency.
 - 1.2.1. PHRPC review and approval is subject to the requirements of PHIA and is not required in all cases. This document is intended to highlight the **SCOPE** of PHRPC in the context of the PHIA requirements. Review of this document in its entirety, should guide researchers to a conclusion about the need to complete and submit a PHRPC application.
- 1.3. It is important to note that **Trustees (see definition below)** retain the authority to approve **DISCLOSURE** of personal health information maintained by that Trustee (grant access and provide data). This means that researchers requesting disclosure of PHI must provide the Trustee:
 - 1.3.1. Information supporting the request for **USE and DISCLOSURE** of PHI for research in all applicable research applications (this information is required for Trustee consideration, regardless of whether PHRPC approval is required or not);
 - 1.3.2. Approval issued by PHRPC for the **USE** of the PHI requested for research purposes, if applicable.

2. Which Research Projects Require PHRPC Review?

- 2.1. Research studies that request or require the use or disclosure of PHI that:
 - 2.1.1. is maintained by government or a government agency where authorization for use was previously determined by the HIPC;



- 2.1.2. is maintained by any Manitoba Trustee where there will be no contact with the individuals that may be participating in the study and no plan to obtain consent from those individuals regarding the use of PHI;
- 2.1.3. is maintained by a Trustee to identify eligibility and/or contact patients to discuss participation in a study and all potential patients have not already provided consent to be contacted for the purposes of research;
- 2.1.4. is required to link data from multiple Trustees (e.g., more than one health care institutional Trustees); or
- 2.1.5. involves the collection of PHINs by the researcher.

3. Which Research Projects DO Not Require PHRPC Review?

- 3.1. Research studies that do not request or require use or disclosure of PHI maintained by a Trustee or the collection or use of PHINs by the researcher.
- 3.2. Research studies that request or require use or disclosure of PHI maintained by a Trustee and:
 - 3.2.1. Patients have provided or will be asked to provide consent to be contacted for the purpose of research in any of the following ways:
 - 3.2.1.1. Patients have previously provided consent to the Trustee to be contacted for research;
 - 3.2.1.2. The Trustee will be requesting consent from patients under its care, to be contacted by the research team; or
 - 3.2.1.3. Patients contact the research team directly through an active recruitment process (e.g., posters and/or social media adds), where PHI was not required by the research team to develop the process; and
 - 3.2.1.4. Once contacted, the researcher will obtain consent from study participants prior to accessing personal health information about the participants maintained by the Trustee.
- 3.3. A study conducted by a Trustee that only uses personal health information maintained by the same Trustee for the purpose of:
 - 3.3.1. Establishing, monitoring, or evaluating health care services or treatment options provided by the Trustee for a patient population; or



- 3.3.2. Research and planning that relates to the provision of health care or payment for health care by the Trustee.
- 3.4. A research study, including clinical trials, where:
 - 3.4.1. The full research team is part of the clinical health care team providing care to potential study participants; and
 - 3.4.2. The research team within the health care institution will approach the patients under their care directly to discuss participating in the research as an extension of their health care treatment plan options; and
 - 3.4.3. Informed consent will be obtained prior to access of PHI for the study
- 3.5. Any study where a review by the health information privacy committee (HIPC) and/or an institutional research review committee commenced, and the review/approval was not completed, prior to January 1, 2022. The committees that initiated a review prior to January 1, 2022, will complete the review.

4. Definitions and Acronyms

- 4.1. Personal Health Information (PHI) (from PHIA s. 1(1)).:
 - 4.1.1. Personal Health Information. Recorded information about an identifiable individual that relates to: (a) the individual's health, or health care history, including genetic information about the individual, (b) the provision of health care to the individual, or (c) payment for health care provided to the individual and includes (d) the PHIN and any other identifying number, symbol or particular assigned to an individual, and (e) any identifying information about the individual that is collected in the course of, and is incidental to, the provision of health care or payment for health care.
- 4.2. Personal Health Information Number (PHIN) (from PHIA s. 1(1)).:
 - 4.2.1. The Personal Health Identification Number (PHIN) is a unique nine-digit numeric identifier assigned by Manitoba Health to every person registered for health insurance in Manitoba, and to non-residents who are treated in Manitoba at facilities which submit claims electronically.



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4.3. ¹Trustee (from PHIA s. 1(1)).:

4.3.1. A health professional, health care facility, public body, or health services agency that collects or maintains personal health information.

4.4. Consent (see PHIA s. 19)

¹ The definition provided is directly from PHIA. This definition is specific to Manitoba Trustees and includes government and government agencies.