



The College of Naturopaths of Ontario

# Regulatory Guidance

## Privacy Issues When a Patient is Suicidal

There is an expectation that all health care providers, including naturopathic doctors, understand the importance of protecting a patient's privacy. This includes acquiring patient consent for the collection, use and disclosure of all personal health information.

Ontario's privacy laws are in place to allow patients to have control over who has access to their personal health information. However, they are not meant to prevent health care providers from immediately disclosing personal health information in specific and limited circumstances.

One such circumstance is when a registrant has a patient who has expressed suicidal thoughts. If the registrant has reasonable grounds to believe that the patient may seriously harm themselves, or possibly others, the *Personal Health Information Protection Act, 2004* (PHIPA) permits disclosure without obtaining the patient's consent.

The registrant is expected to use their professional judgment when assessing the situation to determine if there are reasonable grounds to believe that serious harm will occur and if it is therefore appropriate to disclose such information.

The courts have set out circumstances where concern for public safety may warrant the disclosure of information obtained by a health care provider to reduce or eliminate risk of harm. The factors for consideration are as follows:

- there is a clear risk to an identifiable person or a group of persons,
- there is a risk of serious bodily harm or death, and
- the danger is imminent.

There are no restrictions on the types of persons to whom the information may be disclosed. The registrant should use their best judgment to determine who would be the most appropriate person to contact. Depending on the situation, a family member, the patient's family doctor or mental health care provider would be appropriate. In some urgent cases it may be more appropriate to call 911 for emergency services.

If the registrant is uncertain as to whether disclosure should be made, they should contact a lawyer or the [Information and Privacy Commissioner Of Ontario](#). The registrant should document all disclosures in the patient chart.

### **Additional resources:**

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[Personal Health Information Protection Act, 2004 \(PHIPA\)](#)

[Disclosure of Information Permitted in Emergency or other Urgent Circumstances](#)

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10 King Street East, Suite 1001, Toronto, ON, M5C 1C3

T 416.583.6010 F 416.583.6011

[collegeofnaturopaths.on.ca](http://collegeofnaturopaths.on.ca)