Custodians as defined in the Health Information Act

A custodian is defined in the Health Information Act.

For example, the following are custodians:

1. Alberta Health;
2. Alberta Health Services;
3. Covenant Health;
4. Health Service Providers as designated in the Health Information Regulation – these include physicians and surgeons, nurses, pharmacists, dentists, dental hygienists, and chiropractors; and
5. Boards, agencies, committees, etc. as designated in the Health Information Regulation.

For the definition of custodian from HIA section 1(1)(f), please see Appendix A.

To see a full list of health service providers and boards, agencies and committees designated in the Health Information Regulation, please see Appendix B.
Appendix A – Definition of Custodian

Health Information Act section 1(1)(f)

“custodian” means

(i) the board of an approved hospital as defined in the Hospitals Act other than an approved hospital that is
   (A) owned and operated by a regional health authority established under the Regional Health Authorities
   Act, or
   (B) repealed 2008 cH-4.3 s18;

(ii) the operator of a nursing home as defined in the Nursing Homes Act other than a nursing home that is owned
    and operated by a regional health authority established under the Regional Health Authorities Act;

(ii.1) an ambulance operator as defined in the Emergency Health Services Act;

(iii) a provincial health board established pursuant to regulations made under section 17(1)(a) of the
     Regional Health Authorities Act;

(iv) a regional health authority established under the Regional Health Authorities Act;

(v) a community health council as defined in the Regional Health Authorities Act;

(vi) a subsidiary health corporation as defined in the Regional Health Authorities Act;

(vii) repealed 2008 cH-5.3 s18;

(viii) a board, council, committee, commission, panel or agency that is created by a custodian referred to in
       subclauses (i) to (vii), if all or a majority of its members are appointed by, or on behalf of, that custodian, but does
       not include a committee that has as its primary purpose the carrying out of quality assurance activities within the
       meaning of section 9 of the Alberta Evidence Act;

(ix) a health services provider who is designated in the regulations as a custodian, or who is within a class of health
     services providers that is designated in the regulations for the purpose of this subclause;

(ix.1) the Health Quality Council of Alberta;

(x) a licensed pharmacy as defined in the Pharmacy and Drug Act;

(xi) repealed 2009 c25 s2;

(xii) the Department;

(xiii) the Minister;

(xiv) an individual or board, council, committee, commission, panel, agency, corporation or other entity designated
      in the regulations as a custodian,

(xv) repealed 2008 cH-4.3 s18,

(xvi) repealed 2013 cB-7.5 s11;
Appendix B - Custodians designated

Health Information Regulation (70/2001)

Boards, Agencies, Committees, etc. Designated as Custodians
2(1) For the purposes of section 1(1)(f)(xiv) of the Act, the following are designated as custodians:
(a) Alberta Rare Diseases Clinical Review Panel;
(b) claims reassessment committees established under the Alberta Health Care Insurance Act;
(c) Covenant Health;
(c.1) Health Advocate;
(d) Hospital Privileges Appeal Board;
(e) Mental Health Patient Advocate;
(f) MS Drug Review Panel;
(g) a non-regional health authority Family Care Clinic approved by the Minister;
(h) Out-of-Country Health Services Appeal Panel;
(i) Out-of-Country Health Services Committee;
(j) review panels appointed under the Mental Health Act.

Health Care Providers
(2) For the purposes of section 1(1)(f)(ix) of the Act, the following are designated as custodians:
(a) regulated members of the Alberta College and Association of Chiropractors;
(b) regulated members of the Alberta College of Optometrists;
(c) regulated members of the Alberta College of Pharmacists;
(d) regulated members of the Alberta Dental Association and College;
(e) regulated members of the College and Association of Registered Nurses of Alberta;
(f) regulated members of the College of Alberta Denturists;
(g) registered members of the College of Midwives of Alberta;
(h) regulated members of the College of Opticians of Alberta;
(i) regulated members of the College of Physicians and Surgeons of Alberta;
(j) regulated members of the College of Podiatric Physicians of Alberta;
(k) regulated members of the College of Registered Dental Hygienists of Alberta.