

Health Protection and Promotion Act

R.S.O. 1990, CHAPTER H.7

Amended by: 1992, c. 32, s. 16; 1994, c. 26, s. 71; 1996, c. 2, s. 67; 1997, c. 15, s. 5; 1997, c. 26, Sched.; 1997, c. 30, Sched. D, ss. 1-16; 1998, c. 18, Sched. G, s. 55; 1999, c. 2, s. 36; 1999, c. 12, Sched. J, s. 32; 2000, c. 5, s. 14; 2001, c. 13, s. 17; 2001, c. 25, s. 477; 2001, c. 30; 2002, c. 17, Sched. F, Table; 2002, c. 18, Sched. I, s. 9; 2002, c. 32, s. 171; 2003, c. 1, s. 15; 2004, c. 3, Sched. A, s. 86; 2004, c. 30.

Duty to report disease

25. (1) A physician or a practitioner as defined in subsection (2) who, while providing professional services to a person who is not a patient in or an out-patient of a hospital, forms the opinion that the person has or may have a reportable disease shall, as soon as possible after forming the opinion, report thereon to the medical officer of health of the health unit in which the professional services are provided. R.S.O. 1990, c. H.7, s. 25; 1998, c. 18, Sched. G, s. 55 (2).

Definition

(2) In subsection (1),
“practitioner” means,

- (a) a member of the College of Chiropractors of Ontario,
- (b) a member of the Royal College of Dental Surgeons of Ontario,
- (c) a member of the College of Nurses of Ontario,
- (d) a member of the Ontario College of Pharmacists,
- (e) a member of the College of Optometrists of Ontario, or
- (f) a person registered as a drugless practitioner under the *Drugless Practitioners Act*. 1998, c. 18, Sched. G, s. 55 (3).

Confidentiality

39. (1) No person shall disclose to any other person the name of or any other information that will or is likely to identify a person in respect of whom an application, order, certificate or report is made in respect of a communicable disease, a reportable disease, a virulent disease or a reportable event following the administration of an immunizing agent. R.S.O. 1990, c. H.7, s. 39 (1).

Exceptions

(2) Subsection (1) does not apply,

(a) in respect of an application by a medical officer of health to the Ontario Court of Justice that is heard in public at the request of the person who is the subject of the application;

(b) where the disclosure is made with the consent of the person in respect of whom the application, order, certificate or report is made;

(c) where the disclosure is made for the purposes of public health administration;

(d) in connection with the administration of or a proceeding under this Act, the *Regulated Health Professions Act, 1991*, a health profession Act as defined in subsection 1 (1) of that Act, the *Public Hospitals Act*, the *Health Insurance Act*, the *Canada Health Act* or the *Criminal Code* (Canada), or regulations made thereunder; or

(e) to prevent the reporting of information under section 72 of the *Child and Family Services Act* in respect of a child who is or may be in need of protection. R.S.O. 1990, c. H.7, s. 39 (2); 1998, c. 18, Sched. G, s. 55 (5); 1999, c. 2, s. 36; 2002, c. 18, Sched. I, s. 9 (5).