

## Record of User Activity

The *Personal Health Information Act (PHIA)* is Nova Scotia's health privacy law. *PHIA* governs how health care providers and organizations such as hospitals, long term care facilities and the Department of Health and Wellness collect, use, disclose and maintain your personal health information.

Under *PHIA* you have the right to see who has looked at your electronic health record.

### What is a Record of User Activity?

A Record of User Activity (RUA) is a report, produced at the request of an individual, for a list of users who accessed the individual's personal information on an electronic information system for a time period specified by the individual.

This means that, if you have some questions or concerns or you believe that your personal health information may have been breached, you have the right to request a Record of User Activity.

### What should a RUA include?

A RUA generated from an audit log must include at least the following:

- your name
- an identification number assigned to you by the custodian, i.e. your health card number, your hospital number
- the name of the person that accessed your personal health information
- any other identifier of the person that accessed your record that may be generated by the system
- a description of the information accessed; if this is not possible then the report should include all the information that could have been accessed
- the date and time your record was accessed or a range of dates when the information could have been accessed.

### How is the Record of User Activity generated?

A RUA may be generated manually or electronically.

For your privacy questions,  
contact

[phia@gov.ns.ca](mailto:phia@gov.ns.ca)

902-424-5419

or toll free

1-855-640-4765

If your personal health information is stored in an electronic information system that has an audit log the RUA may be generated by taking specific fields from the audit log and producing a report to be given to you upon request.

### **What happens if the electronic system does not have an audit log?**

All electronic information systems may not have an audit log or the capability of producing a record of user activity electronically. In this case, the custodian may write a report describing the information that may have been accessed, a range of dates, as well as all the individuals that possibly may have accessed the information.

### **What else should I know about the RUA?**

You should know that:

- the record of user activity must be produced free of charge
- a response to a request for a record of user activity must be given within 30 days
- the custodian can refuse to produce a record of user activity if they consider the request frivolous or vexatious (see our fact sheet on frivolous or vexatious)
- the custodian must keep the information used to produce the record of user activity for at least one year

### **Timelines**

The custodian must respond to your request for a record of user activity within 30 days.

### **Requesting a Review**

If you are not satisfied with the custodian's response or decision you have the right to make a complaint to the Review Officer. The contact information is:

#### **Review Officer**

Personal Health Information Act  
PO Box 181  
Halifax, NS B3J 2M4  
Toll-free: 1-866-243-1564  
(902) 424-4684  
Fax: 902-424-8303  
[www.foipop.ns.ca](http://www.foipop.ns.ca)