

# TRANSFER OF RECORDS CONTAINING PERSONAL INFORMATION

(PLEASE PRINT)

## To be completed by Recipient Registrant:

Pursuant to Bylaws, s. 97<sup>1</sup>, I, \_\_\_\_\_, Registration No. \_\_\_\_\_, declare that I received the personal information and medical and other records (the "records") from the disposing registrant, \_\_\_\_\_,

on \_\_\_\_/\_\_\_\_/\_\_\_\_. Pursuant to Bylaws, s. 97(4), I confirm that I have notified the patients in question of the transfer.  
Month Day Year

Pursuant to Bylaws, s.105<sup>2</sup>, these records will be located at \_\_\_\_\_ (ADDRESS)

effective \_\_\_\_/\_\_\_\_/\_\_\_\_.  
Month Day Year

Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Month Day Year

## To be completed by Disposing Registrant:

Pursuant to Bylaws, s. 103<sup>3</sup>, I, \_\_\_\_\_, Registration No. \_\_\_\_\_, declare that I am the owner of the personal information and medical and other records (the "records") located at \_\_\_\_\_ (ADDRESS)

\_\_\_\_\_. Pursuant to Bylaws, s. 97, I am disposing of these records by transferring them with the consent of the patients to the Recipient Registrant \_\_\_\_\_ effective \_\_\_\_/\_\_\_\_/\_\_\_\_.  
Month Day Year

Signature: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_  
Month Day Year

<sup>1</sup> 97 (1) A registrant must ensure that records containing personal information are disposed of only by

- (a) transferring the records with the consent of the patient, to
  - (i) another registrant,
  - (ii) a BC optometric corporation,
  - (iii) an ophthalmologist registered with the College of Physicians and Surgeons of British Columbia,
  - (iv) a hospital as defined in section 1 of the Hospital Act, or
  - (v) the Armed Forces of Canada.
- (b) effectively destroying physical records by utilizing a shredder or by complete burning,
- (c) erasing information recorded or stored by electronic methods on memory devices, disks, tapes, or other media in a manner that ensures that the information cannot be reconstructed, or
- (d) transferring the records to the patient.

- (2) A registrant who disposes of records by transferring them pursuant to subsection (1)(a) has a right to review them for a period of seven years after transferring them.
- (3) A registrant who disposes of records by transferring them pursuant to subsection (1)(a) may, subject to these bylaws, transfer copies of the records and retain the originals.
- (4) A registrant who receives personal information transferred in accordance with this section must notify any patient concerned of the transfer.

2 98 (1) A registrant who ceases to practise for any reason must

- (a) dispose of records containing personal information in accordance with this Part,
- (b) notify the college, and
- (c) provide the college with a written summary of the steps he or she has taken to dispose of the personal information.

- (2) A registrant must make appropriate arrangements to ensure that, in the event that the registrant dies or becomes unable to practise for any reason and is unable to dispose of the personal information, the personal information will be safely and securely transferred to
  - (a) another registrant,
  - (b) a BC optometric corporation,

- (c) an ophthalmologist registered with the College of Physicians and Surgeons of British Columbia,
- (d) a hospital as defined in section 1 of the Hospital Act, or
- (e) the Armed Forces of Canada.

(3) In the event that a registrant ceases to practise and fails to dispose of or make arrangements to dispose of personal information as required by this Part, the board may appoint

- (a) another registrant,
- (b) a BC optometric corporation,
- (c) an ophthalmologist registered with the College of Physicians and Surgeons of British Columbia, 35
- (d) a hospital as defined in section 1 of the Hospital Act, or
- (e) the Armed Forces of Canada.

(4) A registrant who receives personal information transferred in accordance with this section must notify any patient concerned of the transfer.

(5) For the purpose of this section, a registrant who is temporarily suspended for no more than six months does not cease to practise.

<sup>3</sup> 103 (1) A registrant must ensure that all records containing personal information of his or her patients are owned by

- (a) the registrant,
- (b) another registrant by whom the registrant is employed or for whom the registrant is a contractor,
- (c) a BC optometric corporation,
- (d) an ophthalmologist registered with the College of Physicians and Surgeons of British Columbia,
- (e) a hospital as defined in section 1 of the Hospital Act, or
- (f) the Armed Forces of Canada.

(2) If a registrant employs or is employed by another registrant, or is employed by a BC optometric corporation, the registrant must secure a written agreement with the other registrant or BC optometric corporation establishing which of them owns the records referred to in subsection (1).

<sup>4</sup> 105 A registrant must notify the registrar in writing immediately upon moving records from the registrant's place of practice or other storage location to a new location.