

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

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)

\_\_\_\_\_  
(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 or transferred only by:

- (a) transferring the records to another registrant in good standing or BC optometric corporation in good standing for the purposes of ongoing optometric care,
- (b) transferring the records to the patient,
- (c) transferring the records to any third party with the written consent of the patient,
- (d) effectively destroying those records by utilizing a shredder or by complete burning, or
- (e) 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.

(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.

<sup>2</sup> 98 (1) A registrant who ceases to practice in British Columbia for any reason or moves to another place of practice in British Columbia, or a registrant or former registrant who moves to another jurisdiction must:

- (a) dispose of or transfer records containing personal information in accordance with this Part,
- (b) notify the college within five business days of ceasing to practice, moving to another place of practice in British Columbia, or moving to another jurisdiction, and
- (c) provide the college with a written summary of the steps he or she has taken to dispose of or transfer the records containing personal information and provide the name of

the registrant who will be assuming responsibility for continuing patient care.

(2) A registrant must make appropriate arrangements to ensure that, in the event the registrant dies or becomes unable to practice for any reason and is unable to dispose of or transfer records containing personal information, the personal information will be safely and securely transferred to another registrant in good standing or BC optometric corporation in good standing.

(3) In the event that a registrant ceases to practice and fails to transfer, dispose of or make arrangements to dispose of personal information as required by this Part, the board may appoint another registrant to receive the records containing personal information.

(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 practice

<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,

(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 or former registrant must notify the registrar in writing within five business days upon moving records from the registrant's or former registrant's place of practice or other storage location to a new location.