How the *Health Protection Act* Relates to Day Care Operators

What is the *Health Protection Act*?

- The Health Protection Act is legislation designed to protect the health of the public. It comes into force on July 4, 2005
- The Act
  - provides the legal framework enabling public health officials to protect the public and to prevent, detect, manage, and contain health threats without unduly interfering with civil rights and liberties
  - deals with notifiable diseases or conditions, communicable diseases, health hazards, public health emergencies and good safety
  - lays out the duties and responsibilities of public health officials and of the Ministers responsible
  - accords sufficient weight to ethical values especially individual liberty, protection of the public from harm, reciprocity, and privacy and confidentiality of health information

What are the responsibilities of day care operators under this Act?

A day care operator

- *must ensure that an appropriate reporting system is in place*

  A day care operator must ensure that an appropriate system is in place so that all reports are made in accordance with the regulations. See bullets below for more specific information. *[S7 of Reporting of Notifiable diseases and Conditions Regulations]*

- *must report notifiable diseases or conditions*

  A day care operator must report to a medical officer of health if they have reasonable and probable grounds to believe that a child who attends the day care facility has or may have a notifiable disease or condition or has recently had a notifiable disease or condition. [*S31(1)]*

  The list of notifiable diseases and conditions appears in Schedule A of the reporting of Notifiable Diseases and Conditions Regulations.

- *must report unexpectedly high rates of diseases and rare or unusual forms of disease*

  A day care operator must report to the MOH if an illness is serious and occurring at a higher rate than normal, i.e., a disease that is occurring more frequently than would normally be expected or in a rare or unusual form. [*S31(5)]*

How are reports made to the Medical Officer of Health?

The report

- is made to a Medical Officer of Health who has jurisdiction in the area in which the day care operator works *[S5 of Reporting of Notifiable Diseases and Conditions Regulations]*
- should include the following information (if available) on the person with the notifiable disease or condition:
  - name, age, address, ethnicity, and gender
  - the name of the notifiable disease or condition that is being reported
  - clinical and epidemiological details that are pertinent to the diagnosis and follow-up
  - name, profession, and contact information for the reporting person, and other information required by a Medical Officer of Health for case management and prevention of transmission of the notifiable disease or condition or the illness *[S8 of Reporting of Notifiable Diseases and Conditions Regulations]*

What other information should a day care operator know?

- A day care operator must provide the medical officer of health, upon request, with copies of records such as attendance records, daily logs, infant and toddler records and menus as requested by the medical officer or as required by the Nova Scotia Surveillance Guidelines for Notifiable Diseases and Conditions. *[S10(1) of Reporting of Notifiable Diseases and Conditions Regulations]*
- A medical officer of health may prohibit a day care operator from admitting any person who has a communicable disease or has been in contact with a communicable disease until a medical officer authorizes their admission. *[S7 Communicable Disease Regulations]*