

# LEGISLATION, AGREEMENTS, ROLES AND RESPONSIBILITIES

## PROVINCIAL LEVEL

The [Health Protection Act \(HPA\)](#) is provincial legislation designed to protect the health of the public. The most recent version came into effect on November 1, 2005.

The *HPA* 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. It deals with notifiable diseases and conditions, communicable diseases, health hazards, public health emergencies and food safety. The *HPA* outlines the roles and responsibilities of public health officials and of the responsible Ministers and accords sufficient weight to ethical values, especially individual liberty, protection of the public from harm, reciprocity, privacy and confidentiality of health information.

In addition, the *HPA* lays out the requirements for public health surveillance in Nova Scotia. The *HPA* requires the Chief Medical Officer of Health (CMOH) to develop plans for ongoing surveillance of notifiable diseases and conditions, communicable diseases and dangerous diseases. Links to the *Health Protection Act*, its Regulations and the User's Guide may be found on the following website: <http://novascotia.ca/dhw/cdpc/acts-and-legislation.asp>. Further details regarding reporting requirements are contained in the Regulations and disease specific guidelines.

### Reporting of Notifiable Diseases and Conditions Regulations

The list of diseases and conditions that are notifiable in Nova Scotia, as well as the timing of reporting are outlined on the "It's the Law: Reporting Notifiable Diseases and Conditions" poster, available online at [http://novascotia.ca/DHW/CDPC/documents/06026\\_ItsTheLawPoster\\_En.pdf](http://novascotia.ca/DHW/CDPC/documents/06026_ItsTheLawPoster_En.pdf). Provincial public health legislation applies on all First Nations reserves. However, public health services are delivered by Band-employed Community Health Nurses and First Nations and Inuit Health (FNIH)-employed Environmental Health Officers. Notifiable diseases and conditions are reported to Public Health Services who may work with the Community Health Nurses on case management.

### Communicable Disease Regulations

These regulations describe the powers and duties of Medical Officers of Health and the responsibilities of physicians and persons with communicable diseases (as well as their contacts).

Medical Officers of Health (or their delegates) are responsible for:

- Investigating reports of communicable diseases
- Investigating situations where a communicable disease is suspected and taking steps to protect the health of the public
- Ensuring adequate control measures are in place
- Requesting a laboratory to forward samples to a public health laboratory for further testing
- Obtaining pertinent information from cases and their contacts
- Applying exclusion criteria (i.e. excluding cases from school, child care, work etc.)
- Prohibiting public gatherings when necessary
- Investigating outbreaks and putting measures in place to stop disease transmission

Physicians are responsible for:

- Reporting notifiable diseases and conditions to public health
- Reporting to a MOH if a person fails to continue treatment for a communicable disease
- Taking adequate steps to prevent further disease transmission while a report is being made to the MOH

Persons with a communicable disease (and their contacts) are responsible for:

- Providing all relevant and necessary information to the MOH

The district MOH ensures that all reports are followed up as per the procedures outlined in the provincial Communicable Disease Manual and in disease specific sections of the Guidelines. Individuals required to report cases of notifiable diseases and conditions must provide to the district MOH all relevant demographic, clinical, personal, and epidemiological details. The MOH may also request any additional information (e.g. copies of class lists, absentee reports, daily logs etc.) required to complete the necessary follow-up.

### **Confidentiality Regulations**

Medical Officers of Health may acquire a considerable amount of information about an identifiable individual or business. The MOH is required to keep this information secure. Information can be shared or released as allowed for in the *HPA*.

All identifiable case information shared between the DHAs and DHW must be sent in a confidential manner, as outlined in the disease-specific chapters in this manual. **Email communication should never be used to share identifying information about a case.**