

The information provided in this Practice Support checklist is intended to provide general guidance to assist registrants in identifying issues and options that should be considered, and implementing strategies to address issues, resolve problems and improve practice, with respect to a particular aspect of psychology practice. No checklist can anticipate all variables that might be relevant to a specific professional decision or circumstance, but the checklist can provide general guidance to registrants dealing with the identified practice issue. Registrants are also invited to contact the Practice Support Service with any questions.

Readers are advised that documents provided by the Practice Support Service are not legal advice, and do not supplant any applicable legislation, the College's Code of Conduct, or any other official College communications. While an effort has been made to be comprehensive, the information in this checklist is not exhaustive, and the College makes no warranty or representation as to its currency, completeness or accuracy. The College accepts no responsibility for any errors or omissions, and expressly disclaims any such responsibility.

This checklist does not establish standards, limits or conditions for registrants' practice for the purposes of the Health Professions Act, and it is not intended to impose mandatory requirements to the extent that such requirements are not established under the Code of Conduct. In the case of any inconsistency between this checklist and any Code standard, the Code standard governs. The final decision on the course of action to be taken in any practice situation is made by the registrant, and checklists are not intended as a substitute for the professional judgment and responsibility of the registrant. Exclusive reliance on checklists is imprudent, as every practice decision depends on its own particular circumstances.

This document may not be copied in part. Registrants wishing to copy it in its entirety must keep this disclaimer attached and must identify it as a College of Psychologists of B.C. Practice Support document. For ease of reference, select Code standards are indicated in brackets following checklist items. Registrants are obligated to consider any other Code standards and legislation that may be relevant to a specific practice situation. All references to the Code of Conduct and other legislation is current to the date indicated at the beginning of each checklist.

Responding to Requests for Release of Information Checklist

This document is intended to be of assistance to registrants who have received a request for release of confidential information. Relevant Code standards are indicated in brackets following the checklist items.

- I have identified all of my current and/or past clients in the situation, and obtained the signed informed consent of all necessary parties to release the information. **(1.2, 5.9, 6.2, 6.3)**
- I have where appropriate obtained the signed informed assent of any clients lacking legal capacity to provide me with their informed consent to release the information. **(1.1, 4.3, 4.4)**
- In the event the client is deceased or there are other special circumstances related to the request, I have determined whether the individual making the information request is the legal representative of the client, including by seeking legal consultation as necessary. **(6.2)**
- I have carefully considered all requirements related to any third party involvement, including but not limited to any contractual or employment obligations I may have related to releasing information. **(5.13, 6.4)**
- If I have been retained by a lawyer for a legal matter relating to the client, I have advised the lawyer of any request for the release of practice records, test materials, or test results prior to releasing any part of that material. **(6.13)**
- I have considered which parts of the record are relevant to the purpose of the information request. **(6.13)**
- I have considered the nature of the documents in my practice record and determined which documents, if any, are test materials and which are test results according to Code of Conduct definitions. **(6.13)**
- I have considered the nature of the information potentially to be disclosed, and whether there is a significant likelihood that disclosure of the information would cause substantial adverse effect on the client's physical, mental, or emotional health, or harm to a third party. **(6.12)**
- In the event I have determined there is significant likelihood that disclosure would cause substantial harm to the client or third party, I have advised the authorizing party and offered a summary or redacted version of the record. **(6.12, 6.13)**
- I am in compliance with all other applicable legal requirements concerning disclosure of potentially harmful materials or the privacy interests of third persons. **(3.8, 6.13, 7.17, 18.1)**
- I have determined whether the release of test material without a court order would put me in breach of contractual obligations to a test publisher or otherwise violate applicable law, and acted accordingly, including by seeking legal consultation as necessary. **(3.8, 6.2, 6.13, 11.16, 18.1)**
- I have considered professional and ethical requirements for protecting the security and integrity of testing materials. **(11.14, 11.16)**

- If a court order or other legal action is required to release the test material, I have advised the authorizing party of that fact and the basis for the requirement, and offered to provide information helpful to the purpose of the request or to provide a summary of results, with explanations to provide meaning and context, without providing copies of test material. **(3.8, 6.13, 11.16, 18.1)**
- If unable to release test material without a court order except to another registrant or to a regulated psychological service provider in another jurisdiction, I have offered to release the test material as so permitted. **(3.8, 6.13, 11.16, 18.1)**
- Where another lawful provision has been engaged, I have acted in accordance with the engaged provision. **(3.8, 7.17, 18.1)**
- If releasing test results to another registrant or a regulated psychological service provider in another jurisdiction, I have done so in compliance with the requirements of Standard 6.13 and I have done so within a reasonable time. **(6.13, 11.12)**
- If the intended recipient of the test results is not another registrant or a regulated psychological service provider in another jurisdiction, I have offered to provide the information to another registrant or to a regulated psychological service provider in another jurisdiction. **(6.13)**
- I have advised the recipient of any test results, in writing, that the College of Psychologists of British Columbia is of the view that test data may easily be misinterpreted, and should be discussed with a professional competent to use or analyze such data. **(6.13)**
- I have advised the recipient of my practice records, or any summaries or redacted versions thereof, in writing, of the confidential nature of the documents and the potential harm to the public of improper use of the information by unqualified individuals. **(6.13)**
- I have documented all steps taken in responding to the request for release of information, including any bases for releasing and/or withholding information, alternatives offered, any and all consents signed by the client(s), and any other information necessary to document my actions. **(7.19, 13.6)**
- If I am being asked to prepare a report or provide an opinion, as opposed to being asked to release my file contents, I have considered whether I can comply with this request, including by reviewing my obligations under the *Code of Conduct*, or whether I must either offer a modified service or refer the request to an appropriate independent party. **(3.6, 5.10, 5.11, 5.12, 11.24, 11.29)**