



Clinical Records: Access, Corrections & Disputes

All the information about the behavioural services that you or your family member receives is part of your or your family members' clinical record. The clinical record can include items such as notes from meetings or phone calls with your behaviour analyst, data sheets, assessment reports, treatment plans, consent forms, and other information related to behavioural services.

Your clinical record is the property of your behaviour analyst or the agency/organization responsible for the delivery of your behavioural services. They are responsible to create, manage, store, retain, and eventually destroy the record. They cannot give you their copy of the clinical record when your services are complete.

Did you know?

1. You can request access to your clinical record to see what is included in it. You can also request copies of all or part of your clinical record. It is often helpful to work with your behaviour analyst to determine what specific parts of your record would be most helpful to you. You might have to pay a reasonable fee for copying or scanning the record.
2. When you make a written request for access to all or part of your clinical record, your behaviour analyst must respond within 30 days. They will either provide the requested information or let you know that they will need another 30 days. In certain settings, there might be parts of your clinical record that are restricted by law, which you are not permitted to access.
3. If you find an error in part of your clinical record, you can ask to have the error corrected. If your behaviour analyst agrees that the information is incorrect, they are required to correct the record. Anyone with a copy of the record should receive a corrected copy or a notice of correction.
4. If you disagree with something in your or your family members' clinical record, you can ask your behaviour analyst to change it. If your behaviour analyst thinks the record is accurate, they will provide a notice of refusal to you. You can provide a statement of disagreement to be attached to the record for all future access. If that record is still relevant to your or your family member's care, you can ask for your statement of disagreement to be sent to those with existing copies of the disputed record.
5. If your behaviour analyst has not given you access to your record within 30 days of a written request, or after a 30-day extension to that request, or if they have refused to correct your disputed record, you can make a complaint to the Information and Privacy Commissioner of Ontario.

More ABA Facts for Individuals and Families can be found at www.ontaba.org