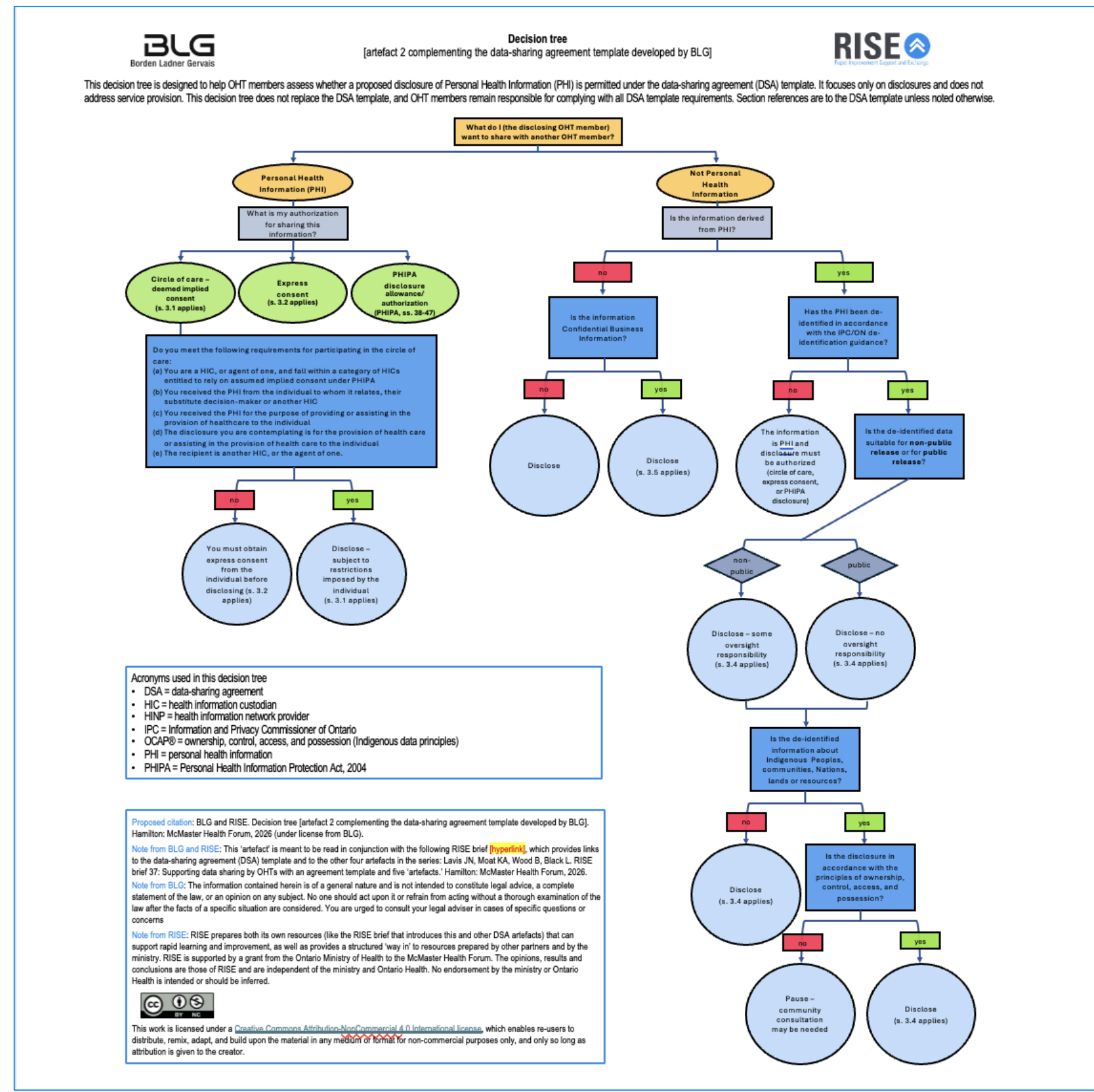


Decision tree

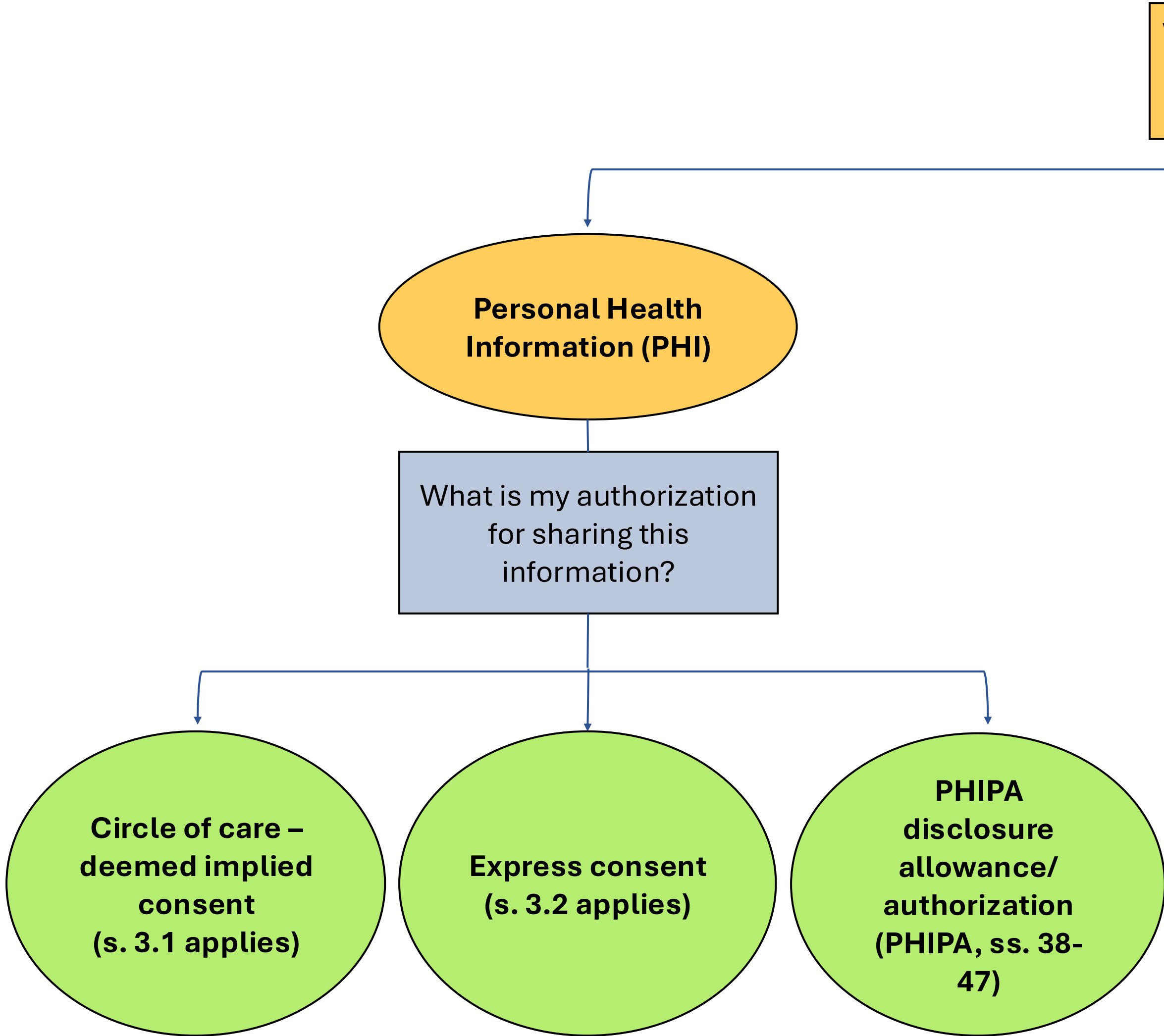
[tool 2 complementing the data-sharing agreement template developed by BLG]

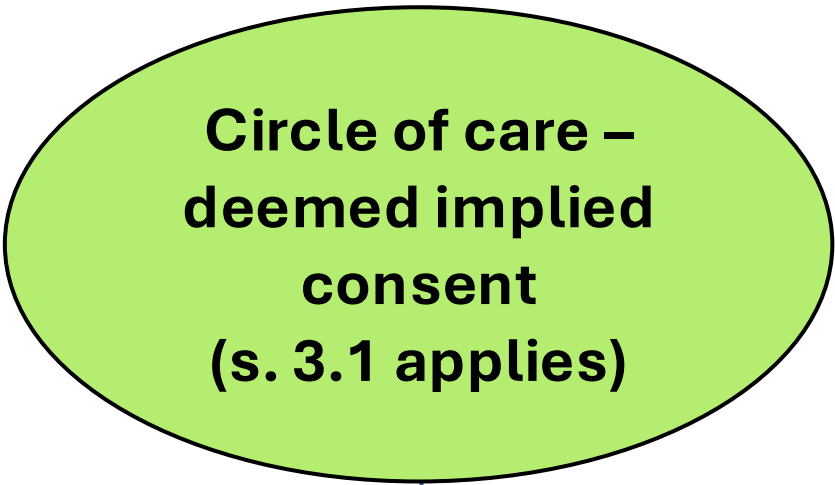
This decision tree is designed to help OHT members assess whether a proposed disclosure of Personal Health Information (PHI) is permitted under the data-sharing agreement (DSA) template. It focuses only on disclosures and does not address service provision. This decision tree does not replace the DSA template, and OHT members remain responsible for complying with all DSA template requirements. Section references are to the DSA template unless noted otherwise.



Acronyms used in this decision tree

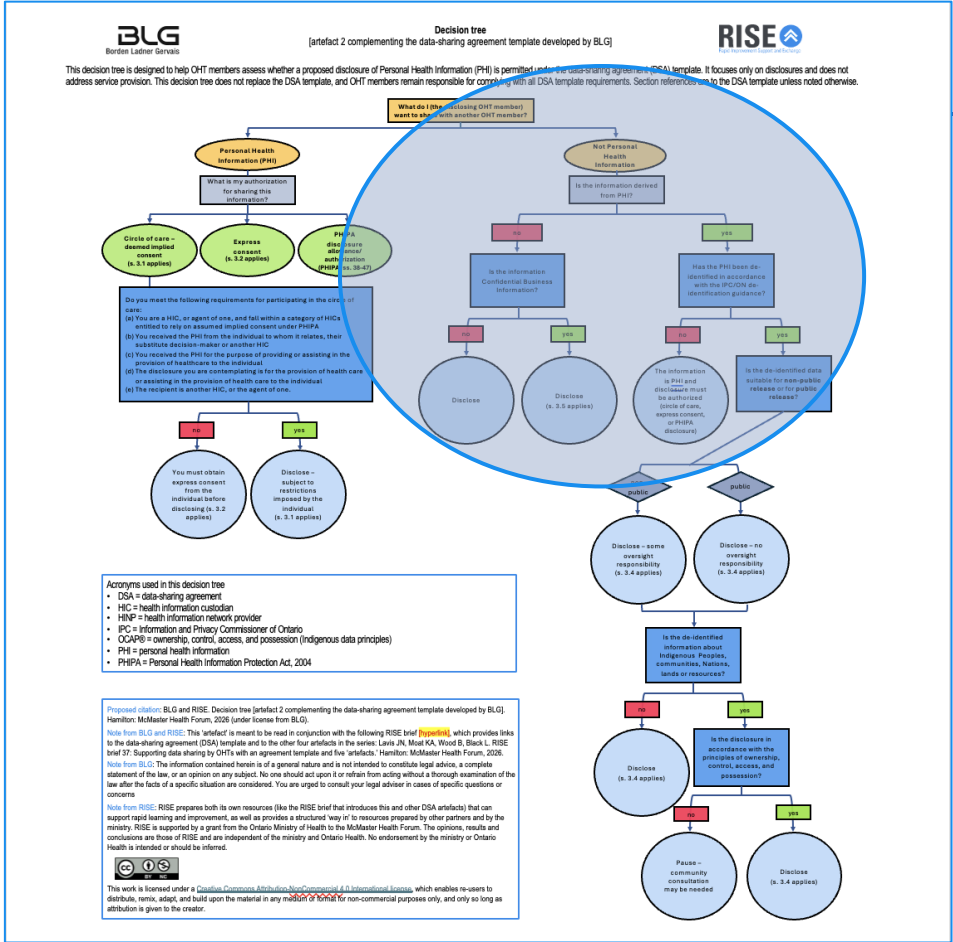
- DSA = data-sharing agreement
- HIC = health information custodian
- HINP = health information network provider
- IPC = Information and Privacy Commissioner of Ontario
- OCAP® = ownership, control, access, and possession (Indigenous data principles)
- PHI = personal health information
- PHIPA = Personal Health Information Protection Act, 2004





- (a) You are a HIC, or agent of one, and fall within a category of HICs entitled to rely on assumed implied consent under PHIPA
- (b) You received the PHI from the individual to whom it relates, their substitute decision-maker or another HIC
- (c) You received the PHI for the purpose of providing or assisting in the provision of healthcare to the individual
- (d) The disclosure you are contemplating is for the provision of health care or assisting in the provision of health care to the individual
- (e) The recipient is another HIC, or the agent of one.

What do I (the disclosing OHT member) want to share with another OHT member?



Not Personal Health Information

Is the information derived from PHI?

no

yes

Is the information Confidential Business Information?

Has the PHI been de-identified in accordance with the IPC/ON de-identification guidance?

no

yes

no

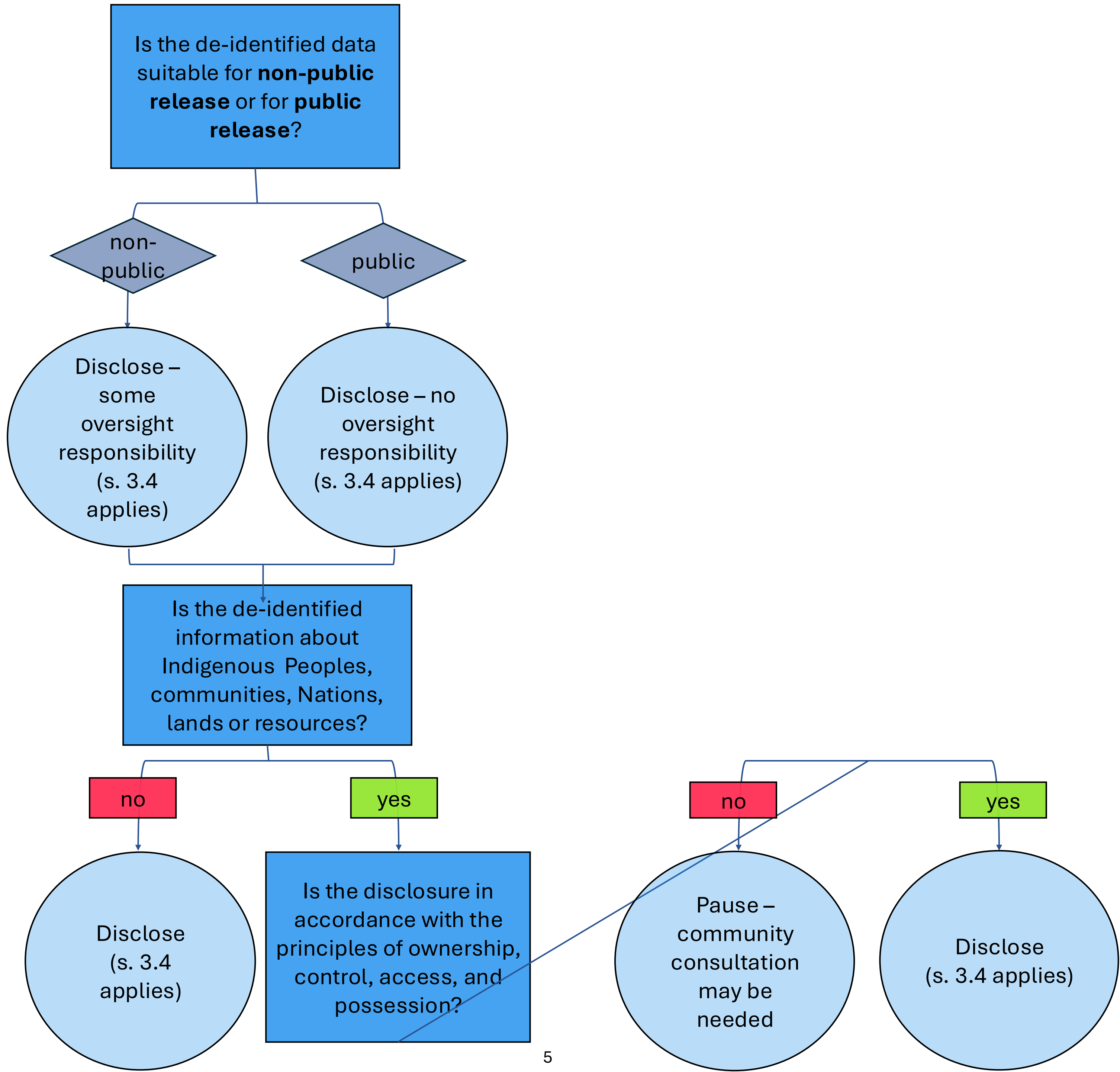
yes

Disclose

Disclose (s. 3.5 applies)

The information is PHI and disclosure must be authorized (circle of care, express consent, or PHIPA disclosure)

Is the de-identified data suitable for **non-public release** or for **public release**?



Proposed citation: BLG and RISE. Decision tree [tool 2 complementing the data-sharing agreement template developed by BLG]. Hamilton: McMaster Health Forum, 2026 (under license from BLG).

Note from BLG and RISE: This tool is meant to be read in conjunction with the following [RISE brief](#), which provides links to the data-sharing agreement (DSA) template and to the other three tools in the series: Lavis JN, Moat KA, Wood B, Black L. RISE brief 37: Supporting data sharing by OHTs with an agreement template and four tools. Hamilton: McMaster Health Forum, 2026.

Note from BLG: The information contained herein is of a general nature and is not intended to constitute legal advice, a complete statement of the law, or an opinion on any subject. No one should act upon it or refrain from acting without a thorough examination of the law after the facts of a specific situation are considered. You are urged to consult your legal adviser in cases of specific questions or concerns

Note from RISE: RISE prepares both its own resources (like the RISE brief that introduces this and other DSA tools) that can support rapid learning and improvement, as well as provides a structured ‘way in’ to resources prepared by other partners and by the ministry. RISE is supported by a grant from the Ontario Ministry of Health to the McMaster Health Forum. The opinions, results and conclusions are those of RISE and are independent of the ministry and Ontario Health. No endorsement by the ministry or Ontario Health is intended or should be inferred.



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