

**Ministry of the Solicitor General**

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**MEMORANDUM TO:** All Chiefs of Police and  
Commissioner Thomas Carrique  
Chairs, Police Services Boards

**FROM:** Richard Stubbings  
Assistant Deputy Minister  
Public Safety Division and Public Safety Training Division

**SUBJECT:** **Disclosure of COVID-19 Status Information by  
Laboratories and Public Health Units**

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|------------------------|----------------------|
| <b>DATE OF ISSUE:</b>  | <b>April 6, 2020</b> |
| <b>CLASSIFICATION:</b> | <b>For Action</b>    |
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| <b>PRIORITY:</b>       | <b>High</b>          |

As part of the effort to support emergency frontline responders and contain the spread of COVID-19, the government has made an emergency order under the *Emergency Management and Civil Protection Act* that would enable police services to obtain COVID-19 status information from specified custodians (i.e., medical officers of health and licensed laboratories). For your reference, the order can be found online at: <https://www.ontario.ca/laws/regulation/200120>.

COVID-19 status information consists of name, address, date of birth, and whether the individual has had a positive test result.

Through this emergency order, the government recognizes that it is critical that first responders have access to COVID-19 status information (positive status only) of individuals they are coming into contact with to help protect and reduce the potential spread of the virus to first responders and those they come into contact with in the community.

Please note this will be implemented through a centralized mechanism/application; therefore, outreach to licensed laboratories and Medical Officers of Health is not recommended (refer to Implementation Section below).

## **Disclosure to Police Requirements**

COVID-19 (positive) status information may be requested by members of police services, including municipal and First Nations police services, and other emergency response personnel (e.g., firefighters and paramedics).

The emergency order will allow police services to request the COVID-19 (positive) status information and require specified custodians to provide it for the 14 days it is in effect (until April 17, 2020) or longer if the emergency order is renewed. The government will continue to assess the need for COVID-19 status information on an ongoing basis.

Personal health information about the COVID-19 (positive) status of an individual must only be used to prevent, respond to or alleviate the effects of the COVID-19 emergency, such as ensuring appropriate measures are taken to protect police personnel when responding to a call. It cannot be used for any other purpose. Consistent with the purpose of the emergency order, policing personnel may continue to confirm the COVID-19 (positive) status information of an individual they have interacted with after the interaction while this emergency order remains in effect. This information is subject to any relevant law with respect to privacy and confidentiality when the declared emergency is terminated, including the *Police Services Act* and, as applicable, the *Municipal Freedom of Information and Protection of Privacy Act* or the *Freedom of Information and Protection of Privacy Act*. The confidentiality and protection of this personal health information is paramount.

This approach ensures consistency with other “premise warnings” issued by communication and dispatch services to first responders to such things as mental health concerns and weapons.

Having access to COVID-19 (positive) status information is one precautionary measure. Police services should also consider information about community spread of COVID-19, and risk assessments should happen for any contact with members of the public including on route to situations and on scene. Police services should also adapt current practices to allow for physical distancing where possible and seek advice from their occupational health and safety/infection prevention and control experts on personal protective equipment based on provincial guidance. Please continue to exercise caution during interactions as there may be times when individuals who are positive for COVID-19 may not have been tested for the virus or may not be showing symptoms that indicate COVID-19.

## **Implementation**

### *Centralized Access*

The ministry is urgently working with the Ministry of Health to develop an information portal that would enable police services to query COVID-19 status information. Once this mechanism/application becomes available, the ministry will notify police services. As indicated earlier, outreach to licensed laboratories and Medical Officers of Health is not recommended.

The ministry recommends chiefs of police centralize access to COVID-19 status information through their communication and dispatch service to ensure internal control measures are in place for the disclosure of information within the police service and provide oversight by a supervisor. Access to COVID-19 (positive) status information within police services should be limited to the greatest extent possible.

### *Policies and Procedures*

The ministry encourages police services boards to develop policies related to the disclosure of COVID-19 (positive) status information by a chief of police within a police service. The policy should include the circumstances that a chief of police may provide COVID-19 status information to policing personnel and how such information is stored within policing information systems.

The ministry recommends police services boards and chiefs of police institute policies and procedures that prohibit access to COVID-19 (positive) status information at the conclusion of the provincial emergency and ensure destruction of the information as soon as permitted by law.

In addition, chiefs of police should develop procedures on the access to and disclosure of such information, including the need for the supervisor of the police communication and dispatch services to ensure that information is only disclosed within the police service for the protection of officer safety when they are on route to specified calls for service. Please note that clause 6(1)(a) of O. Reg. 3/99 under the *Police Services Act* already requires police communication and dispatch services to be supervised 24 hours a day by a member of a police service.

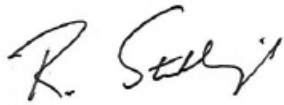
## **Communication and Dispatch Service's Screening Protocol**

The ministry also encourages chiefs of police to institute a COVID-19 active screening protocol for communication and dispatch services. Call-takers should endeavor to obtain the necessary COVID-19 status information from callers when applicable. Please ensure that policing personnel continue to prioritize the response to calls for service in accordance with the police service's standard procedure.

To support the development of your screening protocol, I am sharing with you the protocol instituted by the Ministry of Health for Central Ambulance Communications Centres. Please find the protocol attached.

I hope this is of assistance to you.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Stubbings'.

Richard Stubbings  
Assistant Deputy Minister  
Public Safety Division and Public Safety Training Division

Attachment