



<p>Team Name: Quality, Planning & Performance</p> <p>Team Lead: Regional Lead - Quality, Planning & Performance</p> <p>Approved by: Chief Executive Officer</p>	<p>Reference Number: ORG.1810.PL.010</p> <p>Program Area: Quality, Planning & Performance</p> <p>Policy Section: General</p>
<p>Issue Date: March 27, 2023</p> <p>Review Date: October 26, 2023</p> <p>Revision Date: January 1, 2024</p>	<p>Subject: Mandatory Reporting</p>

Use of pre-printed documents: Users are to refer to the electronic version of this document located on the Southern Health-Santé Sud Health Provider Site to ensure the most current document is consulted.

POLICY SUBJECT:

Mandatory reporting.

PURPOSE:

- To define the reporting procedure for mandatory reporting related to healthcare.
- To meet the legislative requirements for mandatory reporting provincially and federally.
- To guide healthcare professionals on their ethical duty to warn/report information to law enforcement, government agencies, or other stakeholders, if there is an assessed risk of serious harm to the individual and/or public safety.

BOARD POLICY REFERENCE:

Executive Limitation (EL-2) Treatment of Clients

POLICY:

Any healthcare provider in Southern Health-Santé Sud who is made aware of a reportable event is to follow the applicable checklists outlined in the policy for mandatory reporting. Reporting is strongly encouraged to support safety of the overall health system.

All employees are educated and understand their roles and responsibilities with respect to reporting requirements of a reportable event according to the specified checklists.

DEFINITIONS:

Adult Abuse: includes physical, sexual, mental, emotional and financial mistreatment. Any of these, alone or in combination, is considered “abuse” if the mistreatment causes or is reasonably likely to cause death, serious harm or significant loss of property.

Adult Neglect: includes mistreatment that deprives a patient of adequate care, adequate medical attention or other necessities of life or a combination of any of them and causes or is

reasonably likely to cause death of a patient, or serious physical or psychological harm to a patient.

Adverse Events Following Immunization (AEFI): is any untoward medical occurrence which follows immunization/vaccine administration which does not necessarily have a causal relationship with the usage of the vaccine. The adverse event may be any unfavorable or unintended sign, abnormal laboratory finding, symptom or disease.

Child Abuse: means an act or omission of any person where the act or omission results in physical injury to the child, emotional disability of a permanent nature in the child or is likely to result in such a disability, or sexual exploitation of the child with or without the child's consent.

Child and Family Services (CFS): receives and investigates reports of suspected child abuse and neglect.

Child Neglect: is the failure of a child's primary caregiver to provide adequate food, clothing, shelter, supervision and/or medical care. Child neglect is an act of omission by a parent or guardian, resulting in (or likely to result in) harm or risk of harm to a child.

Critical Incident (CI): An unintended event that occurs when health services are provided to an individual and result in a consequence to him or her that is serious and undesired such as death, disability, injury or harm, unplanned admission to hospital or unusual extension of a hospital stay; and does *not* result from the individual's underlying health condition or from a risk inherent in providing health services.

Duty to Report: A legal obligation exists in law making disclosure of Information mandatory, regardless of consent of the individual/representative. A legal provision exists and provides overriding authority for disclosure of Information to ensure individual or public safety, despite any ethical duty or oath of confidentiality.

Gunshot and Stab Wound: a wound that is caused by a gun or rifle, knife or other sharp or pointed instrument and appears to have been inflicted by another person.

Hospital: is a facility that is licensed, approved or designated as a hospital by a province or territory, in accordance with the laws or territory, to provide care or treatment to persons suffering from any form of disease or illness; or is operated by the government of Canada and provides health services to in-patients.

Legally Privileged: Legally privileged means that there is special protection that exempts certain documents and other forms of communication from having to be disclosed in legal proceedings.

Local Police Service: refers to the local police service or Royal Canadian Mounted Police detachment that is responsible for providing law enforcement services to the area in which a health care facility is located.

Manitoba Advocate for Children and Youth (MACY): is an independent office of the Manitoba legislature. The Manitoba Advocate is empowered by legislation to support and advise children, youth, and young adults and families of their rights and the services which should be available to them. MACY also has the responsibilities to conduct child-centred research, to investigate and to monitor the serious injuries and deaths of young people, to issue formal recommendations to improve public services, and to monitor and report on compliance regarding the implementation of recommendations made by the Manitoba Advocate. The Manitoba Advocate may review serious injury to a child/youth who was receiving, or whose family was receiving, a reviewable service (Mental Health & Addictions Services) at the time of the injury or in the year before the injury.

Manitoba Advocate for Children and Youth (MACY) – Definition of “Serious injury”: means an injury that is life-threatening; requires admission to a hospital or other health care facility and is reasonably expected to cause serious or long-term physical or psychological impairment; OR is the result of a sexual assault that causes serious physical harm or is reasonably expected to cause long-term psychological impairment.

Medical Device Incident (MDI): is an incident related to a failure of a medical device or a deterioration in its effectiveness, or any inadequacy in its labelling or in its directions for use, and has led to the death or a serious deterioration in the state of health of a patient, user, or other person, or could so were it to recur.

Protection for Persons in Care Office (PPCO): receives and investigates reports of suspected adult patient/resident/client abuse and neglect.

Reportable Disease – a disease or condition listed in Schedule B of the Manitoba Public Health Act, Reporting of Diseases and Conditions Regulation.

Serious Adverse Drug Reaction (SADR): is a noxious and unintended response to a drug that occurs at any dose and that results in any of the below:

- requires in-patient hospitalization or prolongation of existing hospitalization,
- causes congenital malformation,
- results in persistent or significant disability or incapacity,
- is life-threatening,
- results in death.

Sexually Transmitted and Blood-Borne Infections: are infections that are spread primarily through person-to-person sexual contact. The second major route of transmission for some STIs is blood-to-blood contact, such as that which occurs when sharing needles among injection drug users. They can also be transmitted from mother to child during pregnancy and childbirth. The following are reportable in Manitoba: Chlamydia; Chancroid; Gonorrhoea; Lymphogranuloma venereum (LGV); Hepatitis B & C; HIV; Syphilis.

Therapeutic Product: A drug or device or any combination of drugs and devices. This includes:

- pharmaceuticals (prescription and non-prescription),
- biologic drugs (excluding vaccines administered under a routine immunization program of a province or territory),
- radiopharmaceutical drugs (Schedule C to the Food and Drugs Act),
- disinfectants,
- medical devices (Section 1 of the Medical Devices Regulations).

This does not include natural health products within the meaning of the Natural Health Products Regulations.

Transitional Health Care Center: Transitional Care Facilities focuses on providing long-term care rather than acute care.

IMPORTANT POINTS TO CONSIDER:

All mandatory reporting requires some degree of education in order for staff to be properly informed related to their roles and responsibilities. Staff are required to be familiar with the policy and checklist requirements for each type of Mandatory Reporting that is part of their practice setting.

Reporting requirements will be identified at the top of each specified checklist.

Additional education is included at the top of each specified checklist if required.

Under Manitoba's Child and Family Services Act (CFS Act), people can be fined or imprisoned for failing to report suspected child abuse.

If a patient/client/resident is at risk of self harm or there is a potential risk towards another individual (group) &/or public safety based on clinical assessment/consultation. Refer to *Personal Health Information Disclosure Due to Risk of Serious Harm Policy CLI.4110.PL.016 22* (2) (b) and *Disclosure of Personal Health Information to Police ORG.1411.PL.505*.

When a "Serious Injury Report" of a child/youth is made to MACY all other applicable legislative requirements remain in force i.e.) Suspected child abuse/neglect if applicable as it require its own reporting processes to these entities.

PROCEDURE:

1. For all critical incidents (CI) follow the Safety Event Reporting Policy ORG.1810.PL.001 - Management of a Critical Incident Checklist (ORG.1810.PL.001.SD.02).
2. For all SADR and MDI follow the Management of Serious Adverse Drug Reactions and Medical Device Incidents Checklist (ORG.1810.PL.010.SD.01).
3. For all AEFI follow the Management of an Adverse Event Following Immunization (AEFI) Checklist (ORG.1810.PL.010.SD.02).
4. For all gunshot and stab wounds follow the Management of Gunshot and Stab Wound Checklist (ORG.1810.PL.010.SD.03).
5. For all suspected adult abuse/neglect follow the Management of Suspected Adult Abuse and Neglect Checklist (ORG.1810.PL.010.SD.04).

6. For all suspected child abuse/neglect follow the Management of Suspected Child Abuse and Neglect Checklist (ORG.1810.PL.010.SD.05).
7. For all Sexually Transmitted and Blood-Borne Infections follow the Management of a Sexually Transmitted and Blood-Borne Infection Checklist (ORG.1810.PL.010.SD.06)
8. For all medical conditions that may make it dangerous for a patient to operate a motor vehicle follow the Management of a Reportable Medical Condition for Safe Operation of a Motor Vehicle Checklist (ORG.1810.PL.010.SD.07)
9. For all reportable diseases and conditions follow the Management of Reportable Diseases and Conditions Checklist (ORG.1810.PL.010.SD.08)
10. For all serious injuries of children (age 0-17) who was receiving, or whose family was receiving Mental Health/Addictions services for children and youth at the time of the serious injury or in the year before the injury follow the Management of Manitoba Advocate for Children and Youth (MACY) Checklist (ORG.1810.PL.010.SD.09)
11. Mandatory Reporting Poster is to be posted in all applicable clinical areas to assist staff in reporting requirements and ease of access to the checklists and forms.

SUPPORTING DOCUMENTS:

ORG.1810.PL.010.FORM.01	Gunshot and Stab Wound Mandatory Reporting Form
ORG.1810.PL.010.FORM.02	Serious Injury Report Form (MACY)
ORG.1810.PL.010.SD.01	Management of Serious Adverse Drug Reactions (SADR) and Medical Device Incidents (MDI) Checklist
ORG.1810.PL.010.SD.02	Management of an Adverse Event Following Immunization (AEFI) Checklist
ORG.1810.PL.010.SD.03	Management of a Gunshot and Stab Wound Checklist
ORG.1810.PL.010.SD.04	Management of Suspected Adult Abuse and Neglect Checklist
ORG.1810.PL.010.SD.05	Management of Suspected Child Abuse and Neglect Checklist
ORG.1810.PL.010.SD.06	Management of a Sexually Transmitted and Blood-Borne Infection Checklist
ORG.1810.PL.010.SD.07	Management of a Reportable Medical Condition for Safe Operation of a Motor Vehicle Checklist.
ORG.1810.PL.010.SD.08	Management of Reportable Diseases and Conditions Checklist
ORG.1810.PL.010.SD.09	Management of Manitoba Advocate for Children and Youth (MACY) Checklist
ORG.1810.PL.010.SD.10	Mandatory Reporting Poster

REFERENCES:

- Government of Canada [Mandatory Reporting Requirements for Hospitals - Canada.ca](#) accessed on July 20, 2022
- Government of Canada [Reporting Adverse Events Following Immunization \(AEFI\) in Canada: User Guide to Completion and Submission of the AEFI Reports - Canada.ca](#) accessed on July 20, 2022
- Government of Canada (2014) *Protecting Canadians from Unsafe Drugs Act (Vanessa's Law)* (Bill C-17), S.C., c. 24

Government of Canada (2019) *Regulations Amending the Food and Drug Regulations (Serious Adverse Drug Reaction Reporting-Hospitals)*: Canada Gazette, Part II, Volume 153, Number 13

Government of Canada (2019) *Regulations Amending the Medical Devices Regulations (Medical Device Incident Reporting-Hospitals)*: Canada Gazette, Part II, Volume 153, Number 13

Manitoba Advocate for Children and Youth (MACY) [Manitoba Advocate](#) accessed on October 26, 2023

Manitoba Advocate for Children and Youth Act [C.C.S.M.c. A.6.7 \(gov.mb.ca\)](#) accessed on November 3, 2023

Manitoba Health-[The Health System Governance and Accountability Act](#) accessed on October 26, 2023

Manitoba Health-[Form Specific Guidance-MHSU 6781-Provider Report Form for Sexually Transmitted and Blood-Borne Infections \(STBI\) and STI Treatment](#) accessed December 14, 2022.

Manitoba Public Insurance [Manitoba Public Insurance Driver Fitness Form](#) accessed December 28, 2022

Southern Health-Santé Sud- [Disclosure of Personal Health Information to Police](#) ORG.1411.PL.505 - February 4, 2020

Southern Health-Santé Sud- [Freedom from Abuse or Neglect of Patients and Residents in a Health Care Facility](#) CLI.4110.PL.012-July 6, 2023

Southern Health-Santé Sud - [Personal Health Information Disclosure Due to Risk of Serious Harm](#) - CLI.4110.PL.016 June 4, 2019

Southern Health-Santé Sud - [Safety Event Reporting](#) - ORG.1810.PL.001 – March 27, 2023

The College of Physicians & Surgeons of Manitoba Standards of Practice of Medicine Duty to Report-Self, Colleague, or Patient July 1, 2021

The Legislative Assembly of Manitoba [The Child and Family Services Act](#) accessed on October 26, 2023

The Legislative Assembly of Manitoba [The Gunshot and Stab Wounds Mandatory Reporting Act](#) (Bill 20)

The Legislative Assembly of Manitoba [The Highway Traffic Act](#) accessed on October 26, 2023

The Legislative Assembly of Manitoba [The Protection for Person in Care Act](#) accessed on October 26, 2023