



Policy Name:	HOSPITAL EMERGENCIES AND INVESTIGATIONS		
Policy #:	OP 4.28	Last Updated:	2022-03-03
Issued By:	COMMUNITY POLICING BUREAU	Approved By:	SURREY POLICE BOARD
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RELATED POLICIES

AD 9.18 Security and Confidentiality of Records and Information

OP 2.3 Authority to Use Force to Provide Medical Assistance

OP 4.34.10 Sex Offences

OP 4.36.4 Collision Investigations

OP 4.36.7 Impaired Driving Investigations

OP 4.41 Poisoning

OP 4.46 Sudden Death Investigations

OP 4.50 Workplace / Industrial Accidents

OP 7.4 Guarding Prisoners in Hospital

OP 8.7 Use of Force Reporting (SBOR)

1. PURPOSE

1.1. To ensure Surrey Police Service (SPS) Members respond appropriately to hospital emergency calls.

2. SCOPE

2.1. This policy applies to all Members.

3. POLICY

- 3.1. Members may be required to attend local hospitals to follow-up investigations relating to federal or provincial offences, *Mental Health Act* apprehensions, or for calls for assistance from health care professionals at the hospital.
- 3.2. In emergency situations, Members must ensure their Supervisor and the Operational Communications Centre (OCC) is notified of their attendance at a hospital.

4. PROCEDURE

- 4.1. When attending to hospital emergency calls, Members must notify their Supervisors and the Operational Communications Centre (OCC) of the purpose for attendance.
- 4.2. When completing investigations during hospital emergency calls, Members must work collaboratively with healthcare professionals and prioritize human life over the need for immediate investigation.
- 4.3. Members must not interfere with medical intervention on a person unless necessary to prevent serious harm to other persons (see OP 2.3 *Authority to Use Force to Provide Medical Assistance*; OP 7.4 *Guarding Prisoners in Hospital*).
- 4.4. Members may be required to attend hospitals, within and outside the City of Surrey to investigate the following incidents where the victim, witness or suspect is transported to hospital:
 - i. gunshot and knife wounds (see OP 4.34.11 *Firearms and Weapons Offences*);
 - ii. poisoning and gassing (see OP 4.41 *Poisoning*);
 - iii. sexual assaults (see OP 4.34.10 *Sex Offences*);
 - iv. industrial accidents of a serious nature (see OP 4.50 *Workplace / Industrial Accidents*);
 - v. serious injuries as a result of an assault (see OP 4.34.3 *Assault Investigations*);
 - vi. any injuries resulting in death where there are suspicious circumstances or when the attending physician has refused to sign a death certificate (see OP 4.46 *Sudden Death Investigations*);
 - vii. injuries received as a result of a motor vehicle incident when police were not in attendance at the scene (see OP 4.36.4 *Collision Investigations*);
 - viii. impaired driving investigations where the suspect driver is injured (see OP 4.36.7 *Impaired Driving Investigations*); and
 - ix. any admission of a Patient, or other circumstances, in which healthcare personnel require the assistance of the police to keep the peace, restrain or arrest person, or assist in providing life saving medical aid (see OP 7.4 *Guarding Prisoners in Hospital*; OP 2.3 *Authority to Use Force to Provide Medical Assistance*).

- 4.5. A Member wanting to interview or arrest a person inside or admitted to hospital must consult hospital security and hospital healthcare personnel to determine an appropriate time and location to interview or arrest the person. Members have legal authority to interview Patients, visitors and hospital personnel unless clinically contraindicated or police intervention would compromise delivery of care.
- 4.6. A Member wanting to interview a person upon their discharge from hospital may make arrangements with hospital authorities to notify OCC before the Patient is discharged. However, hospital authorities have discretionary authority to tell police when a Patient will be discharged and their medical prognosis.

Disclosure of a Patient's Records

- 4.7. Except in limited circumstances such as discretionary disclosures under the *Freedom of Information and Protection of Privacy Act* and mandatory disclosures under the *Gunshot and Stab Wound Disclosure Act* or by execution of a search warrant or production order, hospitals will not disclose Personal Information of a Patient without the Patient's consent.
- 4.8. Despite section 4.7, hospitals administered by the Fraser Health Authority (FHA) and Vancouver Coastal Health Authority (VCHA) have discretionary authority under their policies to disclose personal information about patients, hospital personnel and other persons under the *Freedom of Information and Protection of Privacy Act*.
- 4.9. Under the *Freedom of Information and Protection of Privacy Act* and at common law, hospital personnel are required to disclose information about a significant risk or danger to a specific person's health or safety, or an imminent risk to public safety. There is a high threshold to meet these criteria and the duty only exists in the most serious situations (see AD 9.18 *Security and Confidentiality of Records and Information*). For assistance with this type of disclosure, consult the SPS Manager, Information and Privacy.

APPENDIX A: DEFINITIONS

“Member” means a sworn Police Officer appointed by the Surrey Police Board.

“Patient” means a person who receives care or services from British Columbia Emergency Health Services.

“Personal Information” means any information about an identifiable individual.

“Supervisor” means a Sergeant, Staff Sergeant, Inspector, Superintendent, Deputy Chief Constable, Chief Constable, and any other person acting in a Supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

APPENDIX B: REFERENCES

Criminal Code, R.S.C. 1985, c. C-46

Freedom of Information and Protection of Privacy Act, R.S.B.C. 1996, c. 165

Gunshot and Stab Wound Disclosure Act, S.B.C. 2010, c. 7

Health Care (Consent) and Care Facility (Admission) Act, R.S.B.C. 1996, c. 181

Mental Health Act, R.S.B.C. 1996, c. 288

Release of Patient Personal Information to Police in Urgent or Emergency Situations, BC Emergency Health Services Policy BCEHS OPS 002

Providing Patient / Resident/ Client Information to Law Enforcement Agencies (Routine/Urgent/ Emergent Situations), Fraser Health Authority Policy