PIPA SHORTS

BC's **P**ersonal **I**nformation **P**rotection **A**ct

WHAT'S THE PURPOSE

doctors of bc
British Columbia Medical Association

Office of the Information & Privacy Commissioner for British Columbia
Protecting privacy. Promoting transparency.

- Welcome to a webinar about understanding BC's Personal Information Protection Act or PIPA for short.

- If you're a physician or MOA working in a private practice, this webinar is for you.

IDENTIFY PURPOSE

- For every piece of personal information you collect, ask yourself
  - Why do you need it?
  - How will you use it?
  - To whom will you disclose it?

- Are these things obvious?
  - Would it make sense to the patient or employee?
  - Do you need to explain it?

- Should the explanation be documented?
  - Patient or employee records?
  - Policies and procedures?

IDENTIFYING THE PURPOSE
is the first step in determining if you need the information or not

For every piece of personal information you collect, ask yourself
- why you need it
- how you will use it and
- to whom you will disclose it

- Are these things obvious?
- Would a patient or employee automatically know why you're asking for it?
- In some cases you may need to explain and the best time to do that is before or at the time you collect it

- Do you need to document your explanation?
- in the patient or employee record?
- in your policies and procedures?

Going through this process will help you identify the information you don't need and you can stop collecting it

Before privacy legislation existed, this was very often the case

I recall when social insurance numbers were used by insurers as ID numbers for their customers.
That's no longer the case because they can only be used for income tax related purposes.
There were lots of other cases when a SIN would be a very handy ID to use for another purpose.

"Need to know" always trumps "nice to know"

WHERE DO YOU START?

- Make an inventory of all personal information collected from patients and employees

- Document
  - why each type of personal information is collected
  - how a person is informed about
    - why it's collected (the purpose)
    - how it will be used
    - to whom it will be disclosed
  - the notification process for a new purpose

- Train employees to use information only for authorized purposes

WHERE DO YOU START?
- Make an inventory of all personal information you collect from both patient and employees
- Even if it's obvious, document
  - why it's collected (examples include identification and contact)
  - how a person is informed about
    - why it's collected (the purpose)
    - how it will be used (for example, patient care or payroll administration and tax reporting)
    - to whom it will be disclosed (like others in the circle of care or regulatory bodies like CRA) and
  - the notification process if you want to use the information for another purpose
- Be sure to train employees to use the information only for authorized purposes based on express or implied consent or as authorized by PIPA
  A few examples from section 15 of PIPA include when it's:
  clearly in the interests of the patient and consent cannot be obtained in a timely way
  during emergency response where someone's life, health or security is threatened or as required by law
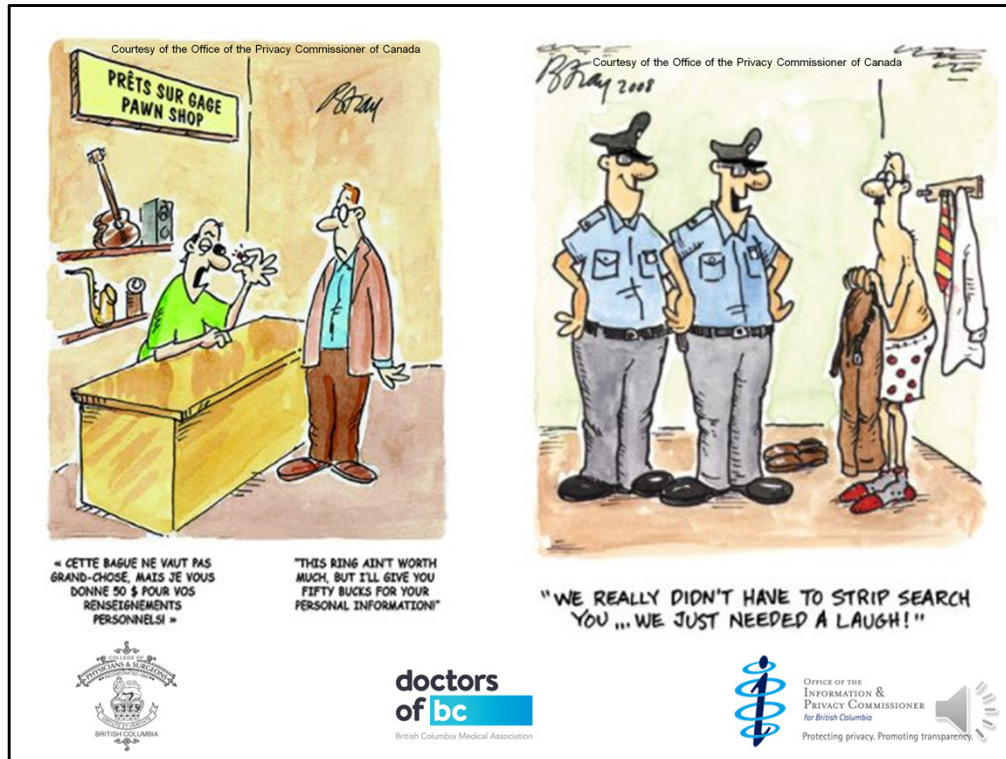
- Personal information would never be collected just for the sake of collecting it

- And it would never be collected for the purpose of humiliating someone

WEBINAR RESOURCES

- College Standards and Guidelines
  https://www.cpsbc.ca/for-physicians/standards-guidelines

- Doctors of BC Privacy Toolkit and webinar notes (PDF)
  https://www.doctorsofbc.ca/privacy-toolkit-webinars

- Office of the Information & Privacy Commissioner for BC:
  - Guide to PIPA
  - Privacy Breach Tools and Resources
  - Accountability Tips
  - Getting Accountability Right
  - Self-Assessment Tool for Securing Personal Information
  - Cloud Computing Guidelines
  - Guidance Document: Information Sharing Agreements
  https://www.oipc.bc.ca/guidance/guidance-documents/

Links to these Resources are in a PDF document on the Webinars page of the Privacy Toolkit
- College Standards and Guidelines
- Doctors of BC Privacy Toolkit and webinar notes
- and Privacy Commissioner guides, tips and resources

Let us know if you have any questions about complying with PIPA