



- 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.

## RETAINING PERSONAL INFORMATION

- Legal and regulatory requirements
- PIPA requires documents to be destroyed when retention is no longer necessary for legal or business purposes and they no longer serve the purpose for the collection
- The College requires medical records to be kept a minimum of 16 years from either the date of last entry or age of majority, whichever is later, except as otherwise required by law
- Operational needs



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### HOW LONG SHOULD YOU RETAIN PERSONAL INFORMATION?

- Learning what the law and regulators expect is the first step  
Certain legislation and regulatory directives stipulate how long patient information is required for ongoing care and treatment.
- PIPA requires documents to be destroyed when retention is no longer necessary for legal or business purposes and they no longer serve the purpose for the collection.
- The College requires medical records be kept for a minimum of 16 years from either the date of the last entry or from the age of majority, whichever is later, except as otherwise required by law.
- Take your operational needs into account as well.

Examples of when it might have to be kept for longer would be if an estate is in dispute or there is other litigation underway

## PURPOSES FOR KEEPING RECORDS

- **Legal**                      Compliance with laws and regulations  
(e.g., PIPA, Income Tax Act, Workers Comp. Act)
- **Evidential**              Record of steps taken  
(e.g., audit trails, medical procedures)
- **Historical**                Changes over time  
(e.g., policies, procedures, etc.)
- **Financial**                Document financial transactions  
(e.g., claims, invoices, receipts, payments)



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### PURPOSES FOR KEEPING RECORDS INCLUDE

- Legal – to comply with laws and regulations like PIPA, the Income Tax Act and the Workers Compensation Act
- Evidential – to document steps like an audit trail or medical procedure
- Historical – to indicate how a process has changed over time
- Financial – to document financial transactions

## WHERE DO YOU START?

- Classify records and understand retention requirements
  - Temporary    until no longer needed
  - Operational   2-7 years based on operational needs
  - Financial      7 years to comply with the Income Tax Act
  - Medical        16+ years to comply with the College Standards
- Document retention periods in policies
- Formalize procedures to
  - store the information by classification
  - schedule records for safe disposal
- Review the need for information periodically
- Train employees



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## WHERE DO YOU START?

- It helps to classify records into categories that align with operational and legal requirements
  - Temporary records can be kept until no longer needed
    - They could include notes, drafts and copies kept for reference
    - If they contain any personal information they should be shredded when being disposed of
  - Operational records can be kept 2-7 years based on operational needs
  - Financial records must be kept 7 years to comply with the Income Tax Act
  - Medical must be kept 16 or more years to comply with the College Standards
- Then you can document retention periods in your policies
- Formalize procedures to
  - store the information by classification and
  - schedule them for safe disposal
- Conduct regular reviews to determine whether information is still required and
- Train employees so they know how to manage personal information



With technology, it becomes much harder to comply with retention requirements. Once something is on the internet or in the cloud, it's virtually impossible to destroy. In the long run, it pays to take measures to store information in an organized and secure way so it can be identified for destruction when it's no longer needed.

## 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/>



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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



# PIPA SHORTS

BC's Personal Information Protection Act

**QUESTIONS?**

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 **doctors of bc**  
British Columbia Medical Association

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