



- 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.

WHEN DO YOU SHARE PERSONAL INFO?

SERVICE PROVIDERS, SUPPLIERS, PARTNERS, EMPLOYEES AND OTHERS

- Confidentiality agreements
 - employees, locums, nurses, social workers, volunteers
 - health authority employees working in the practice
 - third parties
- Information sharing agreements
 - health authorities and hospitals
 - vendors outsourced to
- Service contracts
 - associates and partners
 - support vendors



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In the “To Tell or Not to Tell” webinar, you learned about when it’s OK to disclose personal information.

WHEN DO YOU SHARE PERSONAL INFORMATION?

- Service providers, suppliers, partners, employees and others engaged by physicians to assist them in their practices will be exposed to personal information in the custody and control of the practice.

To make sure they understand what your expectations are to safeguard that information, you can use

- Confidentiality agreements for
 - employees, locums, nurses, social workers, volunteers,
 - health authority employees working in the practice
 - third parties and more
- Information sharing agreements when sharing data with
 - health authorities and
 - vendors to whom you’ve outsourced
- Service contracts with
 - associates, partners and
 - support vendors

Check out the Forms Tab in the Privacy Toolkit for templates you can use

WHERE DO YOU START?

- Determine the
 - personal information involved
 - purpose for sharing
 - permitted uses and disclosure restrictions
 - retention and safe destruction requirements
 - who will have custody and control
 - access requirements and conditions
 - how information will be exchanged and safeguarded
 - administrative processes for access, accuracy, breaches, incidents
 - form of agreement needed
- Obtain signed agreements before sharing personal information
- Conduct a privacy impact assessment if outsourcing



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- Determine the
 - personal information involved
 - purpose for sharing
 - permitted uses and disclosure restrictions
 - retention and safe destruction requirements
 - who will have custody and control
 - access requirements and conditions
 - how information will be exchanged and safeguarded
 - administrative processes for access requests, ensuring accuracy, managing breach and security incidents and
 - form of agreement needed
- Ensure agreements are signed before sharing personal information
- Conduct a privacy impact assessment if you're outsourcing



WHAT'S A PRIVACY IMPACT ASSESSMENT?

It's a process that helps identify and minimize the privacy risks of new processes, projects or policies.

Although it's not mandatory under PIPA it is a best practice when personal information will be involved with outsourced operations.

PRIVACY IMPACT ASSESSMENTS

▪ Considerations

- What specific personal information will be shared?
- What are the authorities under PIPA for the collection, use and disclosure?
- Will data be stored or accessed outside Canada?
- Will services be subcontracted by your vendor to a 3rd party?
- How does the information flow and how is it safeguarded/retained?
 - physical
 - organizational
 - technology
- What are the risks, mitigation strategies, impacts and likelihood?
- Will there be a collection notice for personal information?
- How is access controlled and tracked?
- Who has ownership of the data?
- How will it be kept up to date and accurate?
- Could data be used for an unauthorized purpose?



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- Here are some things to consider when outsourcing to a 3rd party
- What specific personal information will be shared?
- What are the authorities under PIPA for the collection, use and disclosure?
- Will data be stored or accessed outside Canada? – that could be a problem if you need to share information with a health authority because it will impair their compliance with FIPPA
- Will services be subcontracted by your vendor to a 3rd party? – you'll need to do an assessment on them as well
- How does the information flow and how is it safeguarded and retained?
 - physically
 - organizationally
 - through technology
- What are the risks, mitigation strategies, impacts and likelihood?
- Will there be a collection notice for personal information?
- How is access controlled and tracked?
- Who has ownership of the data?
- How will it be kept up to date and accurate?
- Could data be used for an unauthorized purpose such as research, marketing or statistics?

Go to the vendors website and read their Privacy Policy and Terms of Service

Search the internet to see if they've been in the news as a hacking or ransomware victim

Determine if their policies and practices are as good as or better than at your practice

When the services being outsourced are for a purpose an employee or patient would consider obvious or reasonable, you can rely on implied consent. The CMPA guidance indicates patient notification is required if you are outsourcing dictation or transcription services

Check out the Tools Tab in the Privacy Toolkit to learn Key Elements of a Privacy Impact Assessment

VENDOR RESEARCH

- Vendor's website
 - Privacy Policy
 - Terms of Service
- Internet search
 - Hacking
 - Ransomware
- Policies and practices as good as or better?
- Consent
 - Implied if obvious
 - Required for dictation and transcription



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Do some research by

- Going to the vendors website and reading their
 - Privacy Policy and
 - Terms of Service
- Search the internet to see if they've been in the news as a
 - hacking or
 - ransomware victim
- Do their policies and practices appear to be as good as or better than at your practice?
- When the services being outsourced are for a purpose an employee or patient would consider obvious or reasonable,
 - you can rely on implied consent.
 - The CMPA guidance indicates patient notification is required if you are outsourcing dictation or transcription services

Check out the Tools Tab in the Privacy Toolkit to learn Key Elements of a Privacy Impact Assessment

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