

# THE 2020 LEGAL GUIDE TO PRIVACY & INFORMATION MANAGEMENT IN HEALTHCARE

Privacy laws in healthcare are complex. Now more than ever, missteps can lead to regulatory investigations, costly litigation and reputational damage.

Spend a day with Canada's leading health and privacy law experts – you will get the knowledge and practical tools your organization needs including:

- Health privacy lessons learned from COVID-19
- Integrating or expanding artificial intelligence (AI) in the health sector
- Sharing of personal health information between Ontario Health Teams (OHTs)
- The application of de-identification of data in the health sector
- Protecting yourself and your organization from a cyber attack

## Keynote Speaker:

**Patricia Kosseim**

Commissioner, Office of the Information and Privacy Commissioner of Ontario

*"An Update on PHIPA from the IPC"*

## Program Chair

Mary Jane Dykeman

DDO Health Law & INQ Data Law

## Date and Time

November 3, 2020

9:00 a.m. – 4:15 p.m. EST

Online Replay: December 3, 2020

## Location

ONLINE – Live, Interactive

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# THE 2020 LEGAL GUIDE TO Privacy & Information Management in Healthcare

Recent high-profile cases along with the current health pandemic highlight how critical it has become to ensure personal health information is protected and not misused.

If you are a healthcare risk manager, privacy officer, director of care/professional practice, lawyer advising on privacy and information management issues, nurse or nurse educator, allied health professional or other healthcare worker, it is more important than ever that you keep on top of the latest legal developments, and have a solid, current understanding of the key issues.

Learning from a faculty of legal and health experts you will:

- Leave with an overview of the latest changes to *PHIPA* and their potential impact
- Gain an understanding of the techniques and application of artificial intelligence (AI) in healthcare
- Understand what the transition to Ontario Health Teams (OHTs) means for the sharing of personal health information, client privacy and *PHIPA* compliance
- Learn how to protect against a cyber attack

## Who Should Attend

- Privacy officers and other privacy professionals working in healthcare settings
- Family health teams
- Nurses; nurse educators; unit administrators; managers
- Directors/VPs of nursing
- Patient care managers
- Healthcare risk managers
- Privacy officers in healthcare
- Directors of professional practice
- Directors of care
- In-house counsel
- Lawyers advising on privacy issues and information technology
- Human resource professionals in healthcare
- Marketing and communications executives in healthcare

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## Agenda

8:30 a.m.

Program Log-in

9:00 a.m.

Welcome from the Chair

Mary Jane Dykeman

DDO Health Law & INQ Data Law

9:15 a.m.

Changes to *PHIPA*, Government Consultations and Recent Policy Papers

Mary Jane Dykeman

DDO Health Law & INQ Data Law

To open the day, we will walk through and discuss changes to the *Personal Health Information Protection Act*, highlighting significant changes to be aware of. We will also review government consultations around overarching private sector privacy reform and data interoperability along with the latest policy papers on derived data and de-identification.

10:00 a.m.

Artificial Intelligence (AI) in Healthcare: A Primer

Carole Piovesan

INQ Data Law

This primer on AI is designed to provide a foundational understanding of AI techniques and their application in the health industry. You will leave with an understanding of:

- What is Artificial Intelligence (AI)
- What does it look like in the health sector?
  - operational tasks – billing, documentation, risk adjustment coding, quality measurement

- clinical activities – diagnostics, surgical techniques
- patient engagement programs involving care management and call center routing
- Is AI the solution to the needs of your organization?
  - what problems are you trying to solve?
  - what are you looking for in your data?
  - what data do you have access to?
  - is your data reliable?
- Determining next steps – the path forward

**11:00 a.m.**

### Wellness Break

**11:15 a.m.**

### COVID: Privacy Lessons Learned

#### Nyranne Martin

General Counsel and Chief Privacy Officer, The Ottawa Hospital

In this session, you will get a first-hand account of the patient and staff experience during the COVID-19 first wave from a hospital perspective, including:

- Virtual care
- The remote workforce
- Evolving legislative/regulatory landscape
- Managing patient & staff concerns & requests
- What did they do well?
- What were the challenges?

**12:00 p.m.**

### Keynote Address

#### Patricia Kosseim

Commissioner, Office of the Information and Privacy Commissioner of Ontario

*“An Update on PHIPA from the IPC”*

**12:30 p.m.**

### Lunch Break

**1:15 p.m.**

### Personal Health Information (PHI) Sharing between Ontario Health Teams (OHT's)

The transition towards Ontario Health Teams (OHTs) raises important questions about the sharing of personal health information (PHI), client privacy and compliance with *PHIPA*. Understanding what these changes means for your organization requires an understanding of the following:

- What is an Ontario Health Team?
- What are the goals of information sharing between OHTs?
  - better health outcomes
  - better client, family and caregiver experience
  - better provider experience
- How will OHTs manage *PHIPA* requirements?
- What safeguards are being deployed to protect patient privacy?
  - harmonized privacy policies, training, data sharing agreements, codes of conduct, privacy leads

**2:15 p.m.**

### De-Identification of Personal Health Information

#### Gillian Kafka

Legal Counsel and Chief Privacy Officer, Hamilton Health Sciences

- What is de-identification?
- What is its application in the health sector?
- What does the practice of de-identification look like?
- Anonymization vs. de-identification
- Mandatory de-identification vs. business risk de-identification

- What does re-identification look like and in what circumstances is it appropriate?

**3:00 p.m.**

### Wellness Break

**3:15 p.m.**

### Protecting Against Cyber Attacks

#### Mary Jane Dykeman

DDO Health Law and INQ Data Law

- Understanding what a cyber-attack is and its impact on the health system
- What data can be compromised?
- Are medical devices vulnerable?
- Who is responsible in the event of a cyber-attack?
- What to do in the event of a cyber-attack
- Do you have a contingency plan in place?
- How to protect yourself and your organization from a cyber attack

**4:00 p.m.**

### Wrap-Up/Q&A Session

**4:15 p.m.**

### Program Concludes

*“This is always a well thought out program addressing current trends, pressures and changes regarding privacy in healthcare. I attend every year. Kudos to Mary Jane and the team for a very worthwhile day.”*  
(2019)

*“Overall an excellent forum; relevant and timely information; format works well (online).”*  
(2019)

## Chair

**Mary Jane Dykeman**  
DDO Health Law & INQ Data Law

## Keynote Speaker

**Patricia Kosseim**  
Commissioner, Office of the Information and  
Privacy Commissioner of Ontario

## Faculty Includes

**Mary Jane Dykeman**  
DDO health Law &  
INQ Data Law

**Nyranne Martin**  
General Counsel and  
Chief Privacy Officer,  
The Ottawa Hospital

**Gillian Kafka**  
Legal Counsel and  
Chief Privacy Officer,  
Hamilton Health Sciences

**Carole Piovesan**  
INQ Data Law

*“The ability to interact with so many subject matter experts and regulators about real life day to day privacy challenges in healthcare is so beneficial.”*

**Mary Gavel**  
Privacy Lead, Critical Ontario Program at Hamilton Health Sciences  
(2019)

*“The content was on-point, the materials are comprehensive and the presenters were clear and engaging.”*

(2019)

## Registration Details

**Fee per Delegate: \$545 plus HST**

**Newly Licensed Rate (2017 – Present): \$272.50 plus HST**

Fees include attendance, electronic program materials and technical support. Group discounts are available. Visit [www.osgoodepd.ca/group-discounts](http://www.osgoodepd.ca/group-discounts) for details. Please inquire about financial assistance.

### Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

### Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 14 days prior to the program date. If a cancellation request is made with less than 14 days notice, a \$75 administration fee will apply. No other refund is available.



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### MAINTENANCE OF CERTIFICATION

Attendance at this program entitles certified Canadian College of Health Leaders members (CHE/Fellow) to **3 Category II credits** towards their maintenance of certification requirement.



The presentation, The 2020 Legal Guide to Privacy and Information Management in Healthcare, is eligible for 6.0 CHIMA CPE credits.



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