

# THE OSGOODE CERTIFICATE IN PRIVACY LAW AND INFORMATION MANAGEMENT IN HEALTHCARE

## PROGRAM DIRECTOR

Kate Dewhirst

Kate Dewhirst Health Law

## REGISTRATION DETAILS

January 18, 25,

February 1, 8, 15, 2022

9:00 a.m. – 4:30 p.m. ET

Online, Live

*Day 5 (February 15, 2022)  
must be done Live, Online to  
obtain the Certificate*

*Can't make the date?  
Registration includes 120-day  
unlimited, online access to the  
recorded program.*

Register today at:

[osgoodepd.ca/  
privacy](https://osgoodepd.ca/privacy)

Ensure health information is safeguarded.

Designed for Privacy Officers and other professionals tasked with collecting, storing or managing health records, this is an intensive deep dive to help you understand your obligations, and proactively mitigate and prevent risks.

Bringing together a multidisciplinary and national faculty of leading experts, get the skills you need to avoid costly missteps, including:

- Demystify what is considered health information
- Unlock a deeper knowledge of the legal and regulatory landscape that define your duties and responsibilities
- Discover the broad needs of all stakeholders around healthcare information, including the sharing of information across borders and cloud solutions
- Using real world scenarios, learn how to prevent, spot and react to a breach
- How has COVID-19 impacted privacy and information management in healthcare settings?
- Develop strategies on how to develop effective policies and protocols
- Review data sharing agreements and their implications



Endorsed by



# THE OSGOODE CERTIFICATE IN Privacy Law and Information Management in Healthcare

Register today at:

[osgoodepd.ca/  
privacy](https://osgoodepd.ca/privacy)

COVID-19 has changed how we look at privacy and health. With the pandemic as the backdrop, this course will provide critical information on how the current situation has impacted privacy and the management of health information.

Can't make a  
live session?

All delegates will have 120-day online access to the captured program modules.

**NOTE: Module 5**  
(February 15, 2022)  
**MUST be done LIVE ONLINE**  
to obtain the Certificate.

The legal and regulatory regimes governing health information are constantly evolving. The current COVID-19 environment has made it more imperative for those involved in health privacy or health records management to know what your obligations are and have the skills and strategies in place to safeguard patient information.

Learning from a truly exceptional, diverse faculty of leading experts, the **Osgoode Certificate in Privacy Law and Information Management in Healthcare** will enhance your understanding of the legal and regulatory regimes governing health information, arming you with the knowledge and insights to identify potential privacy risks, incorporate policies and know how to effectively respond to a breach.

Over five intensive modules, this one-of-a-kind, focused and practical Certificate brings together a multidisciplinary faculty, comprised of caregivers, providers, tech leaders and lawyers who will offer a multidisciplinary perspective on why privacy and health information management is important. You'll learn what works, what to avoid and how to achieve privacy compliance with limited resources.

## Practical and Experiential Learning

The program will focus on **practical, real world situations** and provide many opportunities for **hands-on learning**, questions and class discussion. Under the guidance of faculty, you will have the opportunity to examine and work through sample exercises, including how to identify a breach, draft information management policies and guidelines for sharing information. You will also take a deep dive and learn best practices pertaining to record management and the process of contracting for and implementing solutions.

In addition to instructional sessions, you will benefit from learn-by-doing workshops where you will be able to apply what you have learned and get **feedback** on your approach. In small groups, you will complete a risk assessment and respond to a breach. You will be able to explore new information technology solutions that will revolutionize healthcare.



## Get Practical Tips and Strategies in Areas Including:

- Understanding your role, the role of the regulator and what is 'personal health information'
- Protecting patient rights, including consent, access and duty to assist
- What has been the impact of COVID-19 on the collection of health information and protection of patient privacy
- Vendor management, including managing data sharing agreements with vendors and other patient services
- Effective data management and data integrity
- Privacy impact assessments: determining and minimizing risk
- Data verification and audit requirements
- Guidelines for cross border data sharing (particularly in cloud-based services)
- Medical device regulation
- Big data and AI: what do you need to know? Lessons learned from Europe and the U.S.
- Implication of new technologies and protocols
- Optimized electronic health record models
- Effective responses to a privacy breach
- Creating effective consent directives and managing patient expectations

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[osgoodepd.ca/privacy](https://osgoodepd.ca/privacy)

## Who Should Attend

The certificate bridges a gap that exists today between specialist and generalist knowledge in this multidisciplinary field. Ideal for anyone with a keen interest in privacy, health or IT, including:

- Privacy officers and other privacy professionals working in healthcare settings
- Health records leaders/custodians
- Lawyers advising on privacy issues and information technology or health law
- IT security managers
- Nursing Administration
- Risk Managers
- Regional Health Authorities
- Patient advocates
- Family Councils
- Board members
- Class action litigators
- Government Policy Makers
- eMR vendors
- Clinicians

# Agenda

## MODULE 1:

January 18, 2022

The Fundamentals – Overview of the Legal and Regulatory Regimes; Understanding What Privacy Is and Why it Matters to you

### Personal Health Information

- What is a record of personal health information?
- Paper records versus electronic records
- Provincial, Canadian and local shared electronic systems
- What exists now?
- What is the future of health information recordkeeping and sharing?

### Privacy Principles

- Why is privacy important?
- What are the issues you care most about?
- What opportunities exist?
- What barriers exist?

### The Regulatory Landscape

- What laws apply to health information privacy in Canada?
  - PHIPA, PIPEDA, MFIPPA, FIPPA
- Interprovincial regulatory variation
- What is the role of the regulators such as the Information and Privacy Commissioner (IPC)?

### Privacy laws in specific healthcare contexts

- Mental Health
- Public Health
- Long-term care
- Indigenous health privacy

- Medical Research
- COVID-19

## MODULE 2:

January 25, 2022

Exercising Meaningful Privacy Rights

### Understanding and Managing Patient Rights

- Consent, capacity and substitute decision-making
- Consent directives
- Access to information
- Correction requests
- Duty to assist
- Bringing class actions to enforce privacy rights
- Frivolous and vexatious requests
- Impact of COVID-19

### The Challenge of Navigating the System

- Patient, health care provider, organizational and IT perspective

### Communicating with Patients

- What agreements are needed?
- Drafting privacy posters or website agreements
- Essential elements of an email disclaimer form
- Best practices when using email forms

### Health Privacy Rights and Challenges for Racialized Communities

### Privacy Breach Litigation: Perspectives of Counsel

## MODULE 3:

February 1, 2022

Administrative Enablers for Managing Privacy and Personal Information

### Privacy by Design

- How can healthcare organizations proactively design for privacy compliance and maximize patient rights and choices

### Privacy, data and technological supports

- Data asset identification, sensitivity classification and handling obligations
- Optimized electronic health record models
- User accountability controls (e.g. declaration of relationship, proactive alerts)
- Surveillance Anomaly Detection Audits

### Effectively Using Contracts to Share Information

- Data sharing agreements
- Electronic health record access agreements
- Agency agreements
- Health Information Network Provider agreements

### Vendor Contracts

- Using privacy checklists to simplify what the agreements mean
- Tactics for vendor management
- Designing contracts so that provisions are reasonable and manageable

### Creating and Drafting Policies

- What must be included?

- Plain language challenges

### Cyber breach and risk management

- Latest developments in cyber breaches
- Risk management strategies

### Privacy and Medical Research

#### MODULE 4:

February 8, 2022

### Health and Service Delivery in an Emerging Digital Environment

#### Health and Service Delivery in an Emerging Digital Environment

- What are the new technological solutions supporting healthcare?
- How are medical devices and apps regulated?
- Should we be afraid of technology? Is big data and artificial intelligence a threat to individual privacy?
- How does the blockchain impact the healthcare industry?

#### Perspectives on Health Service Delivery

- What are the legal and hospital perspectives in an emerging digital environment?
- What can we expect to see from Ontario Health around health service delivery?

#### International Privacy Trends

- What do Canadians need to know about privacy developments in Europe and the United States?
- Lessons to be learned from other jurisdictions and current trends that may impact Canada

#### Cross border Information Management and Cloud Based Storage Issues

- Legal issues about storing information in the cloud
- Clarifying of your obligations

#### Information Security Stakeholder security perspectives: IT Security; Police

- Hacking, ransomware, phishing
- Security issues with medical devices
- Lost or stolen devices (laptops, USB keys, portable hard drives)
- Phone safety protocols and best practices

#### MODULE 5:

February 15, 2022

### Privacy Breach Workshop

Putting what you have learned into practice, you will work through a real-life scenario and – in small groups – you will:

- Identify whether or not a breach has occurred
- Develop the investigation plan
- Conduct the risk assessment
- Suggest strategies for managing the breach, including communication protocols
- Proper responses to a breach

As a group, you will then discuss what you can learn from breaches, including:

- Compliance monitoring
- System/process improvements
- Policy improvements
- Audits – how to do an audit
  - Surveillance Anomaly Detection Audits vs. Investigative Audits
- Where is tech going to help re: compliance

- Consequences of breaches
  - Reputation
  - Social media issues

During the workshop, **you will get feedback from faculty members**, and be able to apply what you have learned in a supportive learning environment.

#### Litigation: Cases to discuss

- Learn from the litigators who are developing new privacy case law

*“The content and delivery were excellent. It was very relevant to my privacy work.”*

**Michelle McAdams**  
Canadian Mental Health Association

*“This was the smoothest online course that I have taken.”*

(2020)

*“Exceeded my expectations – very high caliber presenters.”*



Drawing on expertise and experience of leading privacy officers, information managers, legal counsel, and health leaders from a range of institutions:

## Program Director



**Kate Dewhirst**

Kate Dewhirst Health Law

## Advisory Board

**Abigail Carter-Langford**

Vice President, Governance, Risk & Compliance, Chief Privacy Officer, Canada Health Infoway Inc.

**Mary Gavel**

Chief Privacy Officer, Indoc Research and Privacy Officer Ontario Health Data Platform

**Anna Gibson-Olajos**

Executive Director, Powassan & Area Family Health Team

**Martina Munden**

General Counsel, Nova Scotia Health Authority (NSHA)

**Cathy Yaskow**

Director of Information Stewardship, Access & Privacy, Vancouver Island Health Authority

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## Program Faculty

**Imran Ahmad**, Blake, Cassels & Graydon LLP

**Michael Borts**, Director, Operations, Vitality Solutions

**Rodney Burns**, Chief Information Officer, Alliance for Healthier Communities

**Rosario Cartagena**, Chief Privacy and Legal Officer, ICES

**Abigail Carter-Langford**, Vice President, Governance, Risk & Compliance, Chief Privacy Officer, Canada Health Infoway Inc.

**Natalie Comeau**, MHSC, Certified Information Privacy Professional (she/her); Manager – Privacy, FIPPA & Information Access, Unity Health Toronto

**Lisa Corrente**, Torkin Manes LLP

**Logan Crowell**, Borden Ladner Gervais LLP

**Dr. David Daïen**, Summerville Family Health Team

**Laura Davison**, Director, Compliance & Ethics, Privacy & Access to Information, Export Development Canada

**Kate Dewhirst**, Kate Dewhirst Health Law

**Persia Etemadi**, Solicitor, Toronto Public Health, City of Toronto

**Sari Feferman**, Rosen Sunshine LLP

**Joanna Fine**, Osler, Hoskin & Harcourt LLP

**Bonnie Freedman**, Borden Ladner Gervais LLP

**Mary Gavel**, Chief Privacy Officer, Indoc Research and Privacy Officer Ontario Health Data Platform

**Daniel Girlando**, Borden Ladner Gervais LLP

**Brendan Gray**, Legal counsel, Office of the Information and Privacy Commissioner of Ontario

**Emilia Jasnic**, Manager of Information Technology, Criticall Ontario

**Gillian Kafka**, Legal Counsel, Chief Privacy Officer and Chief Information Security Officer, Winterlight Labs

**Akwatu Khenti**, Scientist, Institute for Mental Health Policy Research, Centre for Addiction and Mental Health (CAMH)

**David Krebs**, Miller Thompson LLP

**Michael McEvoy**, Information and Privacy commissioner, British Columbia

**Martina Munden**, General Counsel, Nova Scotia Health Authority (NSHA)

**Kendra Naidoo**, Legal Counsel, Centre for Addiction and Mental Health (CAMH)

**Kopiha Nathan**, Privacy and Compliance Officer, Healthcare Insurance Reciprocal of Canada (HIROC)

**Robyn Rowe**, Indigenous Scholar and PhD Candidate, Laurentian University

**Dr. Nelson Shen**, Post-Doctoral Fellow, Centre for Addiction and Mental Health (CAMH)

**Karen Simpson**, Executive Director, Arnprior & District Family Health Team

**Nicole Waldron**, OCO Caregiver Advisory Group, The Ontario Caregiver Organization

**Dr. David Wiljer**, Executive Director, Education, Technology & Innovation, University Health Network

**Erica Zarkovich**, VP, General Counsel, Chief Privacy Officer and Corporate Secretary, LifeLabs

# Registration Details

**Fee per Delegate: \$3,495 plus tax**

**Newly Licensed\*: 50% off regular rate plus tax**

*\*This fee applies to newly licensed professionals within the past 2 years*

Fees include attendance, electronic materials and technical support.

Visit [www.osgoodepd.ca/financial-assistance](http://www.osgoodepd.ca/financial-assistance) for details 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 21 days prior to the program date. If a cancellation request is made with less than 21 days notice, a \$150 administration fee will apply. No other refund is available.

## For Further Program-Related Information please contact:

Myrsini Zacharakis, Program Lawyer at 416-278-7721  
or email [mzacharakis@osgoode.yorku.ca](mailto:mzacharakis@osgoode.yorku.ca)

# Certificate of Program Completion

You will receive a certificate upon completion of **The Osgoode Certificate in Privacy Law and Information Management in Healthcare**. Participants must attend all program modules and pass the final course evaluation to receive a certificate. Live attendance is required for Module 5.

# 4 Convenient Ways to Register



Mail



Online



Fax



Call

**Register today at:**

[osgoodepd.ca/privacy](http://osgoodepd.ca/privacy)



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.

Eligible CPD Hours – LSO(ON): 35h 45m CPD (30h 45m Substantive; 2h 45m Professionalism; 2h 15m EDI)



OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact [cpd@osgoode.yorku.ca](mailto:cpd@osgoode.yorku.ca).



This program is approved for LAWPRO Risk Management Credit



The Canadian College of Health Information Management (College) is the national organization for certified health information professionals and specialists in Canada. The College requires all professional members to complete continuing professional education (CPE) activities as an integral part of their membership. This course is eligible for 32.5 CPE units.



Attendance at this program entitles certified Canadian College of Health Leaders members (CHE/Fellow) to 10 Category II credits towards their maintenance of certification requirement.

Previous attendees  
at **OsgoodePD** health  
and privacy programs  
have said:

*“The content is very thorough. The various speakers sharing their practical knowledge... is particularly valuable.”*

**Sharan Dosanjh**  
Durham Region Health Department,  
Manager, Health Information,  
Privacy & Security

*“I found the 5-day course invaluable from the materials provided, the additional information gained from the speakers and the contacts made.”*

**Julia Smith**  
Quality Assurance Manager, AYSP  
(Associated Youth Services of Peel)

*“I really liked how the program is set up. It's a course set up to assist Privacy Officers with best practices, improve what we already have and advocate for privacy! I was able to pull out best practices or recommended readings to take back to my office.”*

(2020)