

THE OSGOODE CERTIFICATE IN PRIVACY LAW AND INFORMATION MANAGEMENT IN HEALTH CARE

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 obligation, and proactively mitigate and prevent risks.

Bringing together a multidisciplinary 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 health-care information
- A guide to access and correction requests under *PHIPA*
- Using real world scenarios, learn how to prevent, spot and react to a breach
- Develop strategies on how to develop effective policies and protocols
- Review data sharing agreements and their implications

PROGRAM DIRECTOR

Gillian Kafka

Senior Legal Counsel,
Kate Dewhirst Health Law

REGISTRATION DETAILS

January 16, 23, 30 and
February 6, 13, 2024
Online (Live)

*Day 5 (February 13, 2024)
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)



Endorsed by

Health Leadership
& Learning Network

afhto association of family
health teams of ontario





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
- Health privacy rights and challenges for racialized communities
- Sharing without consent: when you are permitted or required by law to share
- Reconciling health information privacy and quality care
- Medical device regulation
- Intersection of health care, the police and CAS
- Optimized electronic health record models
- Learning from recent privacy law cases
- Effective responses to a privacy breach
- Creating effective consent directives and managing patient expectations
- The risk of harm exception

Register today at:

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 health-care 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

THE OSGOODE CERTIFICATE IN Privacy Law and Information Management in Health Care

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

COVID-19 has changed the world and has altered how we look at privacy and health. This course will provide critical information on how the health crisis has impacted privacy and the management of health information.

Can't make
one session?

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

**NOTE: Module 5
(February 13, 2024)
MUST be done LIVE ONLINE
to obtain the Certificate.**

The legal and regulatory regimes governing health information are constantly evolving. If you are involved in health privacy or health records management it is imperative you 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 Health Care** 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 faculty comprised of medical professionals, 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 participate in exercises surrounding access and correction requests, complete a risk assessment and respond to a breach. You will be able to explore new information technology solutions that will revolutionize health care.

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

Program Director



Gillian Kafka

Senior Legal Counsel,
Kate Dewhirst Health Law

Advisory Board

Abigail Carter-Langford

Executive Vice President of Governance,
Risk & Compliance and Chief Privacy &
Security Officer, Canada Health Infoway

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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osgoodepd.ca/privacy

Program Faculty

Dr. Ewan Affleck

Senior Medical Advisor, Health Informatics,
College of Physicians and Surgeons of Alberta

Imran Ahmad

Partner, Canadian Head of Technology,
Co-Head of Information Governance,
Privacy & Cybersecurity, Norton Rose
Fulbright Canada LLP

Rosario Cartagena

Chief Privacy and Legal Officer, ICES

Abigail Carter-Langford

Executive Vice President of Governance,
Risk & Compliance and Chief Privacy &
Security Officer, Canada Health Infoway

Alysia M. Christiaen

Lerners LLP

Amanda Cramm, JD, MSW, LLM (Cand. 2024)

Legal Counsel, Health Law Team,
Alberta Health Services

Logan Crowell

Borden Ladner Gervais LLP

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Interim Director, Privacy, Hamilton Health
Sciences

Sujitha Ratnasingham

Director Of Strategic Partnerships &
Operational Lead, Indigenous Portfolio, ICES

Nelson Shen, PhD

Project Scientist, Centre for Addiction
and Mental Health (CAMH);
Assistant Professor and Faculty Lead,
Institute of Health Policy, Management
and Evaluation, University of Toronto

Katelyn Smith

Osler, Hoskin & Harcourt LLP

Larissa Speak

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Law, Lakehead University

Sarah Virani

Senior Legal Counsel, Kate Dewhirst Health
Law

Christina Vlahopoulos, BScH, ND (inactive), MPH

Project Manager, Mamow Ahyamowen

Travis Walker

Norton Rose Fulbright Canada LLP

Dr. David Wiljer

Executive Director, Education, Technology &
Innovation, University Health Network

*“Loved the practical
examples and case study
type material. Made it real!”*

Adrienne Zamora
CHEO

Agenda

MODULE 1:

January 16, 2024

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 record-keeping 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 in Health: The Indigenous Perspective

MODULE 2:

January 23, 2024

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

A Practical Guide to Access and Correction Requests under *PHIPA*

The Risk of Harm Exception

Sharing without Consent – When You are Permitted or Required by Law to Share

MODULE 3:

January 30, 2024

Administrative Enablers for Managing Privacy and Personal Information

How to Conduct a Privacy Impact Assessment

How to Make a Small Budget Go Far

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

Reconciling Health Information Privacy and Quality Care

Privacy and Medical Research

MODULE 4:

February 6, 2024

Health and Service Delivery in a Digital Environment

Health and Service Delivery in a Digital Environment

- What are the new technological solutions supporting health care?
- 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 health-care 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?

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

Intersection of Health Care, the Police and the CAS

Big Data & AI: Navigating from Consent/Notice

The Developing Legal Framework around Health Care and AI

MODULE 5:

February 13, 2024

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 apply what you have learned in a supportive learning environment.

Summary of IPC Decisions

- What do these decisions tell us about the current health privacy landscape?

Understanding the *Freedom of Information and Protection of Privacy Act*

- A practical guide you will come back to time and again

Navigating an IPC Breach Investigation

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

“Thinking outside the PHIPA box – again just hearing different perspective/views especially with respect to grey areas.”

Lynn Thomson
Executive Assistant & Privacy Officer, weCHC

“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

Registration Details

Fee per Delegate: \$3,795 + TAX

Newly Licensed*: 50% off regular rate + TAX

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

Fee includes program registration, electronic program materials and 120-day unlimited online access to program archive. Group discounts are available. Visit www.osgoodepd.ca/group-discounts for details.

Financial Assistance

This program is eligible for OSAP funding. Federal and provincial job grants may be available. You may also apply for financial assistance with OsgoodePD. To learn more, visit: www.osgoodepd.ca/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 mzacharakis@osgoode.yorku.ca

Certificate of Program Completion

You will receive an Osgoode Certificate upon completion of this program as follows:


- Attend Modules 1 – 4 (live online or via recorded archive);
- Attend Day 5 (live online); and
- Successfully complete an online assessment within 30 days of the last module and obtain a score of 80% or higher.

NOTE: Module 5 must be done live online on February 13, 2024

Register today at:

osgoodepd.ca/privacy

 **Email:** osgoodepd@osgoode.yorku.ca

 **Phone:** 416 597 9724

 **Mail:** 1 Dundas Street West, 26th Floor, Toronto, ON, M5G 1Z3

Here's what previous attendees have said:

“Overall, the program was excellent! I learned a lot more than I was expecting. The one day a week format made it more enjoyable and less overwhelming to digest all the content. Faculty was knowledgeable and kept the lectures engaging.”

Magda Nunes de Melo
ICES, Associate Director, Strategic Partnerships

“Great real life examples of communicating with patients and real world examples. Super helpful! Correction session was interesting too with a LOT of valuable information.”

Adrienne Zamora
CHEO

“Speakers used their experience to apply the concepts they were sharing which is helpful.”

“The learning objectives are relevant to my role of privacy officer. The guest speakers are knowledgeable and the program delivery and materials are well done.”



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

Eligible CPD Hours – LSO (ON): 31h 10m CPD (25h 40m Substantive; 3h 30m Professionalism; 2h 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.



This program is approved for LAWPRO Risk Management Credit



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.