

ARTIFICIAL INTELLIGENCE (AI) IN HEALTHCARE: *Understanding and Managing the Legal and Ethical Risks*

PROGRAM CHAIRS

Mary Jane Dykeman
INQ Law

Carole Piovesan
INQ Law

REGISTRATION OPTIONS

Wednesday, February 2, 2022:
Online, Live
9:00 a.m. – 4:45 p.m. ET

OR

Wednesday, March 9, 2022:
Online Replay

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

The onset of a global pandemic pushed the need to innovate in the health sector to the forefront. AI can have a profound impact, but must meet legal, ethical and regulatory obligations.

Invest a day with leading experts. Get the knowledge and practical tools to move your organization forward with confidence and avoid costly missteps, in areas including:

- How does AI integrate into the health sector? Key benefits?
- The potential for advances in AI and machine learning to drive improvements in quality and efficiency in health services
- Understanding the governance landscape of AI in healthcare
- Operationalizing AI in a practical way
- Contracting and IP in the health space
- Consequences when risk management protocols are not followed

Register today at:

osgoodepd.ca/AI



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& Learning Network



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health teams of ontario



Artificial Intelligence (AI) in Healthcare:

Understanding and Managing the Legal and Ethical Risks

Never before has there been a time like now, where health systems are looking towards innovation to offer improved quality, new therapeutics, cost reduction, time saving and better outcomes. In order to do this responsibly and ethically, you must have a clear grasp of your legal, and regulatory obligations.

Over one intensive day, this OsgoodePD program will give you the opportunity to engage with industry experts and other likeminded delegates. This is a rare chance to get the questions you want answered and learn practical strategies you can immediately put to use.

Topics Include

- Is artificial intelligence the solution to the needs for your organization?
- How can AI models be deployed to drive quality improvement in the health system?
- Understanding contracting and IP around the use of AI and machine learning
- AI in health: from operational tasks, clinical activities through to patient engagement
- Answering those ethical questions: Can we? Should we? How should we?
- Privacy engineering: what are your security and privacy risks? How do you deal with them?
- Mandatory de-identification vs. business risk de-identification

Who Should Attend

- Privacy officers and other privacy professionals working in healthcare settings
- Health records leaders/custodians
- IT and IM leads in healthcare
- Data analytics and innovation leads
- eMR vendors
- Lawyers advising on privacy issues and information technology or health
- Healthcare administrators or representatives from hospitals, long-term care facilities (CEOs, VPs, directors, risk managers, operations managers, compliance officers, policy advisors, ethicists and patients' rights advocates)
- Professional association and licensing body representatives
- Medical directors of healthcare organizations and government agencies
- Health insurance industry professionals
- Ethicists
- Government and public policy advisors

Agenda

8:30 a.m.

Program Login

9:00 a.m.

Welcome from the Chairs

Mary Jane Dykeman

INQ Law

Carole Piovesan

INQ Law

9:05 a.m.

The Law of Artificial Intelligence (AI)

Mary Jane Dykeman

INQ Law

Carole Piovesan

INQ Law

To open the day and ensure we are working from a similar understanding, our Program Chairs will provide a detailed overview of Artificial Intelligence, the law and its use in health systems, including:

- What is Artificial Intelligence (AI)?
- What is the law around AI that you need to understand?
- What does it look like in the health sector?
 - operational tasks: billing, documentation, risk adjustment coding, quality measures
 - clinical activities: diagnostics, surgical techniques
- How has AI been used during COVID?

10:00 a.m.

Keynote Address:

Roxana Sultan

Vice President, Health, Vector Institute

"Health AI Deployment in the Real World"

Advances in AI and machine learning have immense potential to drive improvements in quality and efficiency across multiple domains of health services and population health. In her role as VP, Health with Vector Institute, Roxana Sultan will speak to the following:

- Why do only a very small percentage of health AI/ML systems described in research papers make their way into practice?

- Bridging the divide between health AI research and its deployment in real world environments – a critical enabler to realize the true potential of AI in the health sector

- What projects can be implemented to demonstrate how health AI models can be deployed to drive quality improvement in the health system

10:30 a.m.

Wellness Break

10:45 a.m.

Understanding AI Governance: Strategies and Solutions

Arun Dixit

Digital and Innovation Strategist, Healthcare Insurance Reciprocal of Canada (HIROC)

Jennifer Quaglietta

Vice President, Performance Excellence & Information Services, Healthcare Insurance Reciprocal of Canada (HIROC)

Chantz Strong, BSc, MSc

Executive Director, Research & Analytics and Chief Privacy Officer, Canadian Medical Protective Association

Due to the rise of the implementation of artificial intelligence across sectors, including health, the need to outline a governance framework has become more critical, including:

- The legal framework for:
 - ensuring machine learning (ML) technologies are well researched
 - developed with the goal of helping to navigate the adoption of AI systems fairly
- Answering questions around the safety of AI
- Where it is appropriate or not for AI automation
- What legal and institutional structures need to be involved?
- How best to handle scenarios where AI-based decisions are unjust or contradict human rights

12:00 p.m.

Lunch Break

12:45 p.m.

Practical Uses of AI in Healthcare

Karen McClure

Chief Investment Officer, Canada's Digital Technology Supercluster

Brad Keates

Senior Director, Innovative Technologies, Canada Health Infoway

Focusing specifically on how AI is being used everyday in healthcare, this panel will also speak to the move towards the standardization of AI, including:

- Using AI to augment medical procedures
- AI to improve the patient experience: chatbots, wearables
- The development and use of the AI toolkit
- What does standardization of AI in health look like?
 - concepts and terminology
 - risk management
 - trustworthiness
 - bias

2:15 p.m.

Wellness Break

2:30 p.m.

The Impact of AI on Intellectual Property Policies

Melanie de Wit

Chief Legal/General Counsel, Unity Health Toronto

Maya Medeiros

Norton Rose Fulbright Canada LLP

The growth of AI raises a number of contractual and policy questions with respect to IP including:

- How should the value of human invention and creation be balanced against AI innovation and creation?
- Does the advent of AI require any changes to the existing IP frameworks?
- Do existing IP systems need to be modified to provide balanced protection for machine created works and inventions that AI relies on to operate?
- What do you practically do when a vendor wants to use AI?
- What about ownership rights?
- What are the ethical and governance challenges? How can contractual clause help mitigate these risks?

3:15 p.m.

Privacy Engineering: De-identification and Use of Information

Dr. Khaled El Emam

University of Ottawa and Replica Analytics Ltd.

Molly Reynolds

Privacy Counsel, Torys LLP

- What is de-identification and what is its application in the health sector?

- What does the practice of de-identification look like?

- removal of direct identifiers; data coding
- data de-sensitization
- risk clearing

- Anonymization vs. de-identification

- Understanding and managing concerns around consent & ethics

- What steps should be taken to minimize the risk of bias?

- Mandatory de-identification vs. business risk de-identification

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

- Privacy preserving technology: access to data without violating privacy laws

4:00 p.m.

Fairness, Bias & Ethics

Angela Power, MHE

Ethics, Privacy & Data Governance Partner, Change Agency & Health Ethics Lecturer (Faculty of Medicine, Memorial University); PhD Candidate (Ethics of AI & Health Innovation)

As with other biomedical technology, questions of ethics, bias & fairness are top of mind when AI in health is discussed, including:

- Key risks in healthcare: Can we? Should we? How should we?
- Operationalizing ethics in a practical way
- Is the primary goal to the benefit of patients?
- Importance of clinical judgment
- Changing data and regulatory environments
- Clinical trials and AI
- Recommendations: neutrality, transparency, ethical analysis

4:45 p.m.

Program Ends

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Keynote Speaker

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Vice President, Health, Vector Institute

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Karen McClure
Chief Investment Officer,
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Ethics, Privacy & Data Governance
Partner, Change Agency & Health
Ethics Lecturer (Faculty of Medicine,
Memorial University); PhD Candidate
(Ethics of AI & Health Innovation)

Molly Reynolds
Privacy Counsel, Torys LLP

Jennifer Quaglietta
Vice President, Performance
Excellence & Information Services,
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of Canada (HIROC)

Chantz Strong, BSc, MSc
Executive Director, Research &
Analytics and Chief Privacy Officer,
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Association

Registration Details

Fee per Delegate: **\$595 plus HST**

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

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MAINTENANCE OF CERTIFICATION

Attendance at this program entitles certified Canadian College of Health Leaders members (CHE / Fellow) to 3.25 Category II credits towards their maintenance of certification requirement.



The Canadian College of Health Information Management has approved the Osgoode Professional Development program AI in Healthcare for 6.5 CPE credits. Learn more about the continuing professional education program at cchim.ca.



This program is approved for LAWPRO Risk Management Credit.

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“Great roster of faculty, excellent presentations and discussion, thought-provoking case study.”

Andrea Smith
Director, Health Data Management, Vector Institute



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