

THE OSGOODE CERTIFICATE IN PRIVACY LAW AND INFORMATION MANAGEMENT IN HEALTHCARE

January 20, 27, February 3, 10 & 18, 2020
In Person or Webcast (In Person registration is limited)

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.

- 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
- Develop strategies on how to develop effective policies and protocols
- Review data sharing agreements and their implications

Register today at:

osgoodepd.ca/priv-health-cert

Program Director

Kate Dewhirst
Kate Dewhirst Health Law

Location

Osgoode Professional Development
1 Dundas St. W., 26th Floor
Toronto, ON



Health Leadership
& Learning Network



THE OSGOODE CERTIFICATE IN Privacy Law and Information Management in Healthcare

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.

Not able to attend in person?

Distance learning option is available. Space is limited to ensure an engaging and interactive experience.

Can't make one session?

All delegates will have 90-day online access to the captured program modules.

In person space is strictly limited to ensure an engaging and interactive experience.

**Register now
to secure your place:**

[osgoodepd.ca/
priv-health-cert](https://osgoodepd.ca/priv-health-cert)

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 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
- 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

Plus! You will get to work through a privacy breach - from identification through to response.

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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

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

Privacy Lead, CritiCall Ontario at Hamilton Health Sciences

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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

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Chief Privacy and Legal Officer, ICES

Abigail Carter-Langford

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

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Deputy Chief, Priority Response Command, Toronto Police Service

Kate Dewhirst

Kate Dewhirst Health Law

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Director of Legal Services, Information & Privacy Commissioner of Ontario

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Chair, Patient and Family Advisory Council, Ontario Ministry of Health and Long-Term Care

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Executive Director, Technology & Integration, OntarioMD

Paula Kocsis

Director, Privacy and Information Access, Sinai Health System

Patricia Kosseim

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David Krebs

Miller Thompson LLP

Michael McEvoy

Information and Privacy Commissioner, British Columbia

Norman Mizobuchi

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Kendra Naidoo

Legal Counsel, Centre for Addiction and Mental Health

Kopiha Nathan

Privacy and Compliance Officer, Healthcare Insurance Reciprocal of Canada

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Vice-President, Gevity

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Post-Doctoral Fellow, Centre for Addiction and Mental Health

Ariane Siegel

General Counsel and Chief Privacy Officer, OntarioMD

Dr. David Wiljer

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

Agenda

MODULE 1

January 20, 2020
9:00 a.m. – 4:30 p.m.

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 that you care most about as a patient?
- What opportunities exist to improve protections?
- 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

MODULE 2

January 27, 2020
9:00 a.m. – 4:30 p.m.

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

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

MODULE 3

February 3, 2020
9:00 a.m. – 4:30 p.m.

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

Insurance Protections

- Latest developments in cyber and privacy insurance
- Using insurance as a risk mitigation strategy

MODULE 4

February 10, 2020

9:00 a.m. – 4:30 p.m.

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?

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 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 18, 2020

9:00 a.m. – 4:30 p.m.

Privacy Breach Workshop

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

- 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 individualized feedback from faculty members, and be able to apply what you have learned in a zero-consequence environment by participating in exercises enriched by feedback.

Litigation: Cases to discuss

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

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Registration Details

Fee per Delegate

\$3,395 plus HST

Fees include attendance, program materials, lunch and break refreshments. Visit 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:

Bernard Sandler, Program Lawyer at 416.619.8330
or email bsandler@osgoode.yorku.ca

Certificate of Program Completion

You will receive a certificate upon completion of the **Osgoode Certificate in Privacy in Healthcare**. Participants must attend all program modules and pass the final course evaluation to receive a certificate.

4 Convenient Ways to Register



Mail



Online



Fax



Call

Register today at:

osgoodepd.ca/priv-health-cert



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

Eligible CPD Hours – LSO (ON): 34h 55m CPD (31h 25m Substantive; 3h Professionalism; 30m 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.



Attendance at this program entitles certified Canadian College of Health Leaders members (CHE/Fellow) to 15 Category II credits towards their maintenance of certification requirement.

What past attendees from our health and privacy programs have said:

“Excellent and timely information concisely presented by knowledgeable experts.”

“A nice cocktail of relevant privacy & IM issues. Opportunity for questions & discussion highly valuable.”

“This phenomenal course stimulates and encourages me to go back to my hospital to review and determine if we have the right policies and procedures in place.”