

Policy Manual

Subject: Privacy Impact Assessments

Section: ADM – Legal Issues

Number: ADM-c-180

Approved: Chief Executive Officer

Date: O05.05.15, R05.06.15

DEFINITIONS

Data matching: The creation of individually identifying health information by combining individually identifying or non-identifying health information or other information from two or more electronic databases, without the consent of the individuals who are the subjects of the information.

Privacy Impact Assessment (PIA): A process that assists CapitalCare in reviewing the impact that a new project may have on individual privacy. The process is designed to ensure that the program, initiative, system or project is evaluated to ensure compliance with the *Health Information Act* as well as assessing the broader privacy implications for individuals.

The PIA process requires a thorough analysis of potential impacts on privacy and a consideration of measures to mitigate or eliminate such impacts. The PIA is a due diligence exercise, in which CapitalCare identifies and addresses potential privacy risks that may occur in the course of its operations. For that reason, the process focuses not just on the specific project, but on organizational practices that could have an impact on privacy.


A PIA provides documented assurance to CapitalCare, the Commissioner and the public that all privacy issues related to an initiative have been appropriately identified and addressed. A PIA is a dynamic document that should be updated from time to time as changes are contemplated for the program, and the Information and Privacy Commissioner should be advised of such changes so that the assessment is always up to date.

The PIA must be submitted to the Office of the Information and Privacy Commissioner for review and comment prior to implementing the proposed new administrative practice or system, or any proposed change to existing practices and systems. This should be done at least 45 working days before implementation is expected. Once accepted, the PIA is filed in the library of the Information and Privacy Commissioner and is available for public review.

POLICY

CapitalCare will submit Privacy Impact Assessments, as defined below, in accordance with the following procedure:

PROCEDURE:

1. Staff responsible for planning initiatives described below shall consult the HIA Coordinator to determine whether a Privacy Impact Assessment (PIA) is required.
 - Revised or new administrative practices or information systems, that relate to the collection, use or disclosure of individually identifying health information,
 - Data matching of health information, in the custody or control of CapitalCare with data from another custodian, or
 - Data matching, that involves health information in the custody or control of CapitalCare and other data from a non-custodian,
 - The HIA Coordinator will consult with the Office of the Information and Privacy Commissioner to make that determination.
2. If a PIA is required, the department, program or facility that is sponsoring the new system, the change to a system or administrative practice, or the data matching will identify a PIA Coordinator to lead the development of the PIA.
 - 2.1. The PIA Coordinator will consult with the HIA Coordinator, project sponsor(s), Health Records, Information Systems and, if necessary, the Executive Office.
 - 2.2. The team will prepare a Privacy Impact Assessment using the template from the Office of the Information and Privacy Commissioner ( <http://www.oipc.ab.ca>). The Privacy Impact Assessment must include a complete project summary and description, a listing of all health information or health information data elements for the project, a data flow diagram and documentation about who will be able to access (use) the data.
 - 2.3. The completed assessment will be forwarded to the appropriate executive member and to the Executive Management Committee, who will:
 - sign-off the Privacy Impact Assessment, and
 - forward it to the CEO for transmittal to the Information and Privacy Commissioner
3. Privacy Impact Assessments should be completed at least 45 days in advance of any new system or system change being approved to allow adequate time for review of the impact on privacy.
4. Following the Information and Privacy Commissioner's review, the HIA Coordinator shall ensure that any matters raised by the Commissioner are addressed, and if possible resolved, prior to making the planned changes or undertaking the data matching.

5. Copies of all Privacy Impact Assessments, together with documentation addressing the concerns of the Information and Privacy Commissioner, will be retained by the HIA Coordinator and will be reviewed with the department, program or project sponsor at least every 5 years to ensure currency.