

From: [Reed, Matt CITZ:EX](#)
To: [Annau, Keleigh CITZ:EX](#); [Fletcher, Quinn CITZ:EX](#)
Subject: FW: Draft DBN - Extension of MO 085
Date: May 27, 2020 1:21:04 PM
Attachments: [Draft DBN - Extension of MO 085.docx](#)

FYI

From: Reed, Matt CITZ:EX
Sent: May 27, 2020 1:06 PM
To: Garneau, Tanya CITZ:EX <Tanya.Garneau@gov.bc.ca>
Cc: Pridmore, Kerry CITZ:EX <Kerry.Pridmore@gov.bc.ca>
Subject: Draft DBN - Extension of MO 085

Hi Tanya,

Here is the BN for the Minister's RT, with Kerry's feedback incorporated.

Thanks,
-m

DECISION NOTE

Advice to Minister Kang

Date: May 27, 2020

CLIFF#: 99999

ISSUE: Extension of Ministerial Order 085 Respecting Disclosures During COVID-19 Emergency

BACKGROUND:

On March 26, 2020, Minister of Citizens' Services Anne Kang issued a Ministerial Order (MO) under the *Freedom of Information and Protection of Privacy Act* (FOIPPA) authorizing disclosures outside of Canada under specific circumstances related to the COVID-19 pandemic. The order removed barriers that otherwise prevented health sector employees from using tools and applications for providing care during the pandemic, and to support other public servants working physically distanced from others.

DISCUSSION:

At the outset of the pandemic and implementation of physical distancing measures, there was significant concern raised by various public bodies that FOIPPA would restrict their ability to use tools necessary to work during the current pandemic. The Ministry of Citizens' Services (CITZ) acted quickly to develop the Ministerial Order (MO) that would enable the necessary tools.

Reception of the MO has been mostly positive, though there were concerns of a "slippery slope" expressed by media. Many public bodies making use of the MO have been able to deliver critical services under stressful new circumstances, while some public bodies have been able to deliver services without reliance on the MO. CITZ has continued to assess the need for the MO, as circumstances have changed. For example, the recent deployment of Microsoft Teams by CITZ has alleviated some ministries' need for tools adopted under the authority of the MO. Additionally, analysis has shown that some tools that public bodies have used did not require the MO for compliance.

For those that have demonstrated a clear ongoing need for the authorities granted by the MO, there are two main needs. The health sector's need has been focused on patient records and facilitating patient care, related to both COVID-19 patients and others trying not to go into hospitals or clinics. Various tools have filled this need (for example, an e-fax tool has permitted pharmacies to receive prescriptions without doctors needing to go into offices). The rest of the public sector's needs have been predominantly video conferencing in lieu of in-person interactions. This has been deployed by schools offering online teaching, and Ministers conducting virtual townhalls, among others.

CITZ has continued to assess where and how the MO is being used, and whether that need will continue past the current June 30th, 2020 expiry date. Also, the Office of the Information and Privacy Commissioner (OIPC) has been consulted on these issues and informed of current use cases. Some public bodies have indicated that the length of the ministerial order at present is the biggest barrier to transitioning to tools they would otherwise use to provide services. Post-secondary institutions in particular are not able to plan without stability over the course of a semester. Though the request length of an extension varies, public bodies in every sector have requested the MO be extended.

OPTIONS:

Option 1: Extend Ministerial Order in full until December 31, 2020.

Implications:

- Provides for continuation of use of tools to coordinate care in the health sector and retain physical distancing measures across the public sector.
- Provides certainty for public bodies currently relying on tools enabled by the MO in order to not require new work to transition off platforms and services currently in use during re-opening.
- Would fit the needs of the education and health sectors, which have been specifically challenged during the pandemic and have the most acute need for stable tools that will extend through the life of the pandemic.
- May be negatively perceived by some as too permissive (such as FIPA).
- s.13

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Option 2: s.13

Implications:

- s.13

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Option 3: Do not extend ministerial order.

Implications:

- Would not provide for continued need for some tools and applications, including online teaching tools and health care applications required through summer and beyond.
- Would require public sector to transition off services and platforms currently being used under the MO. This may require a detrimental diversion of resources and efforts from other work, including patient care.
- s.13

RECOMMENDATION: Option 1

(please circle)

APPROVED

NOT APPROVED O

PTION _____

Anne Kang

Date

Minister

Attachment(s):

Contact: Name, Phone #

From: [Reed, Matt CITZ:EX](#)
To: [Annau, Keleigh CITZ:EX](#)
Subject: FW: Use Cases for MO update 01JUNE2020
Date: June 8, 2020 4:31:28 PM
Attachments: [Use Cases for MO update 01JUNE2020.docx](#)

From: Reed, Matt CITZ:EX
Sent: June 1, 2020 10:23 AM
To: Pridmore, Kerry CITZ:EX <Kerry.Pridmore@gov.bc.ca>
Subject: Use Cases for MO update 01JUNE2020

Hi Kerry,

Here is the update use case document that we have been working from to support the BN.

-m

Ministerial Order 085 Respecting Disclosures During COVID-19 Emergency Response

Background: On March 26, 2020, Minister of Citizens' Services Anne Kang issued a Ministerial Order under the *Freedom of Information and Protection of Privacy Act* (FOIPPA) authorizing disclosures outside of Canada under specific circumstances. The order removed barriers that otherwise prevented public servants to use tools and applications that would support health sector employees provide care during the pandemic, and to support other public servants working physically distanced from others.

Discussion: At the outset of the pandemic and implementation of physical distancing measures, there was significant concern raised by various public bodies that FOIPPA would restrict their ability to use tools necessary to work during the current pandemic. The Ministry of Citizens' Services acted quickly to issue the Ministerial Order and enable the necessary tools. s.13

s.13

s.13

Some organizations listed below are continuing to analyze the longer term service needs and whether they will be able to retain the new tools they have implemented once the Ministerial Order expires. Further, the recent deployment of Microsoft Teams by the Ministry of Citizens' Services will alleviate some of the need for tools adopted under the authority of the Ministerial Order.

For those that have demonstrated a clear need for the authorities granted by the Ministerial Order, there are two main needs/solutions deployed. The health sector's need has been focused on patient records and facilitating patient care, related to both COVID-19 patients and others trying not to go into hospitals or clinics. Various tools have filled this need. The rest of the public sector's needs have been predominantly for video conferencing in lieu of in-person interactions. This has been deployed by schools offering online teaching, Ministers conducting virtual townhalls, and in the social sector for virtual visitations.

Work by the Ministry of Citizens' Services continues to assess where and how the Ministerial Order is being used, and whether that need will continue past the expiry date. The following table documents currently known use cases, and the impact of the Ministerial Order not being extended.

Public Body	Use Case – what are they using the MO for?	What will happen if no extension granted?
Ministry of Health, Health authorities	Employer Workplace Risk Assessment and Screening – An application to support the PHO Orders regarding the maintenance of COVID 19 workplace safety protocols for certain industries like silviculture and farms that rely on temporary foreign workers or on housing employees remotely in camps. Currently running on a cloud solution.	The initiative will be delayed while an alternative is developed, or analysis conducted to find FOIPPA compliant cloud host. s.13

Ministry of Health, Health Authorities	COVID-19 Single Site initiative – Cloud solution to support and enforce PHO Orders limiting long term care home employees from working at more than one location.	The initiative will be delayed while an alternative is developed, or analysis conducted to find FOIPPA compliant cloud host. s.13 s.13
Health Authorities	HEiDI/Virtual Care This initiative relies on both Zoom and a cloud-based electronic medical record. People without a family doctor can call 811 and see a physician virtually without attending a walk-in clinic or emergency room in person.	In-person visits to walk-ins and emergency rooms will increase and will undermine directions for physical distancing disseminated by the Provincial Health Officer.
Ministry of Health, Emergency Management BC, CITZ	Travel screening application (on AWS) https://travelscreening.gov.bc.ca/ Update: This is planned to be transitioned to the federal government but has not yet been transitioned.	The Ministerial Order was critical in enabling rapid deployment of this tool, s.13 s.13
Health Authorities	Slack – persistent chat tool. Under usage by health authorities Communication platform for senior medical leadership and physicians. Phase 1 was launched at Vancouver Acute (not all VCH sites) on March 21st. <ul style="list-style-type: none"> • Unidirectional communication only (act as message board – Virtual Town Hall only – where physicians can post questions and content is moderated • Mobile version only • Phased rollout of sites including PHC and channels. Channel is a single place for a team to share messages, tools and files. • Plan-Do-Study-Act (PDSAs) with Slack to problem solve. • Some bidirectional functionality will be enabled, eg Virtual Health Communication, Peer to Peer Coaching and volunteer pool self-matching 	Health authorities cite that core use cases would need an extension, unless Slack sets up Canadian resident cloud. Health authorities would lose infrastructure they have built in order to respond to pandemic if Ministerial Order is not extended. They would need to recreate it somewhere else; this would impact care. s.13

Health Authorities	<p>Doxy.Me – used as a means of delivering telemedicine to patients so that they do not need to come into hospitals or clinics.</p> <ul style="list-style-type: none"> Use for Virtual Health care between providers/clinicians and patients. 	Fairly significant impacts to the health system can be expected without extension of the Ministerial Order and it will also undermine physical distancing measures.
Health Authorities	ListRunner – Patient hand-over tool. Used when one physician assists on a patient, or when transitioning different practitioners from shift to shift.	Fairly significant impacts to the health system can be expected without extension of the Ministerial Order and it will also undermine physical distancing measures.
Health Authorities	<p>TurboScan and SRfax for electronic fax to enable prescriptions from email to fax for patients seen virtually.</p> <p>For doctors that are not in a hospital or clinic and thus no longer have access to a fax machine. Electronic faxes are sent to pharmacies, which are largely still paper based. Wet signatures on prescriptions are a requirement of the relevant Colleges. These applications enable physicians to distribute requisitions and prescriptions without reliance on in-person visits, while still maintaining the required assurance of authenticity.</p>	Fairly significant impacts to the health system can be expected without extension of the Ministerial Order and it will also undermine physical distancing measures.
Health Authorities	<p>Zoom – video conferencing between practitioners, and with patients.</p> <p>Use for Virtual Health Care between providers/clinicians and patients for virtual health visits. PHSA OVH is looking to deploy ZOOM provincially, expanding into clinical use with telehealth clinical cart integration, telemetry, biomedical monitoring. PHSA uses Zoom for tuberculosis and sexually transmitted infections clinical visits.</p>	Fairly significant impacts to the health system can be expected without extension of the Ministerial Order and it will also undermine physical distancing measures.
Health Authorities	<p>Sync – document sharing application</p> <p>Use for storage of documents/patient records for access by clinicians working remotely.</p>	Without extension of the Ministerial Order, fairly significant impacts to the health system can be expected. s.13
Health Authorities	WhatsApp – not officially endorsed by health authority, but understood to be used by doctors and other practitioners.	Could impact the delivery of care and communicating with patients about COVID 19.
Health Authorities	FaceTime - Allows doctors and nurses to conduct virtual visits based on the technology that the patient has available.	Fairly significant impacts to the health system can be expected without extension of the Ministerial

		Order and it will also undermine physical distancing measures.
Health Authorities	Signal - Highly secure text messaging between physicians (in private practice and in Health Authority settings) replaces ad hoc in-person consultations and dialogues.	Fairly significant impacts to the health system can be expected without extension of the Ministerial Order and it will also undermine physical distancing measures.
Health Sector	Secure texting – TablesReady, Memora, Welltell Emerging solution for reopening hospitals for outpatient care during later stages of the pandemic. Patients will be asked to wait in the car or outside and will receive a text to notify them to come in for an appointment	Fairly significant impacts to the health system can be expected without extension of the Ministerial Order and it will also undermine physical distancing measures.
Advanced Education sector	Many post-secondary institutions (PSIs) are preparing to deliver online learning until the end of the summer (end of July or mid-August). They are investing in the online tools, so they require certainty that they can use these tools for the entire online summer semester. AEST has indicated that the PSIs require certainty for an entire semester at a time and that they will not be able to switch from online to in person midway through a semester and so have requested an extension.	Some PSIs are using consent for tools otherwise covered under the Ministerial Order. Update: Some of the smaller institutions relying on the ministerial order will be impacted if there is no extension granted.
Ministry of Education; School Districts	Ministry of Education has procured, through Focused Education Resources, licenses to Zoom, to be used in classrooms with students across all school districts.	School districts may request extension through summer, depending on measures required by Provincial Health Officer. If physical distancing requirements continue through September, the Ministerial Order would likely need to be extended. Update: Extension request for continuity of learning beyond the end of June, potentially into September if a combined or hybrid model of education delivery is needed into the fall.
Ministry of Attorney General	Zoom: Hearings; tribunals; meetings with external stakeholders; communicating with the Supreme Court of BC, BC Court of Appeal, and with the Provincial Court; daily business with	If physical distancing requirements are still in place, the Ministry will likely need an extension. Update: Confirmed still being used for tribunals.

	external parties – examinations for discovery, mediations, arbitrations, potentially court appearances, witness preparation, etc.	
Various municipalities	Video conferencing used for council meetings.	<p>If physical distancing requirements are still in place, some municipalities will likely need an extension.</p> <p>Update: City of Vancouver is not relying on the MO. Other municipalities are using many different platforms s.13</p> <p>s.13 Including: Zoom, MS Teams, WebEx, Join.me, GotoMeetings, Slack,</p>
Ministry of Health, Emergency Management BC, Ministry of Agriculture, CITZ (Government Digital Experience Division)	<p>Temporary Foreign Worker Authorization Form</p> <p>https://www.farmoperatorscreening.gov.bc.ca/</p>	<p>The Ministerial Order was critical in enabling rapid deployment of this tool, s.13</p> <p>s.13</p> <p>Update: Confirmed the application is still being used.</p>
MCFD/SPDR	Update: Use cases using Zoom: Virtual visits between parents and children (not supervised visits), Child and Youth Mental Health Clinicians Office of Accessibility SDPR - supports accessibility needs, meetings where viewing multiple people at the same time on video is necessary for service delivery, strategic planning	Impact to the delivery of services in a means that supports physical distancing.
Ministry of Citizens' Services	<p>Zoom: Using Zoom due to problems conducting online meetings with partners all over the country, the toll-free number via Skype for business is giving out busy signals, some partners working from home have to use personal cell to call into the Vancouver/Victoria local number</p> <p>Content of the online meetings with various jurisdiction/partners can be potentially sensitive</p>	If physical distancing requirements are still in place, the Ministry will likely need an extension.
Ministry of Advanced	Zoom: Used to more readily connect with post-secondary institution colleagues on student financial assistance; bringing	If physical distancing requirements are still in place, the Ministry will likely need an extension.

Education, Skills and Training	large groups together from across the sector (e.g., 40+ people) and sharing screens/presentations online in an effective and reliable manner; orientation sessions with institutions held once a month, possible online training and support for institutions	(update for sector included above)
Ministry of Finance	Zoom: To connect people/organizations outside of BC Gov due to issues/limitations with Skype for Business	s.13
Various Ministers' Offices	Zoom – video conferencing of virtual town hall meetings.	If physical distancing requirements are still in place, the Ministries will likely need an extension.
Ministry of Tourism, Arts and Culture; Creative BC	Zoom – video conferencing used to broadcast events as a part of Showcase BC.	If physical distancing requirements are still in place, the Ministry will likely need an extension, s.13
BC Government - General	Slack – persistent chat tool. Used in ad hoc distributed fashion by various branches and teams within government.	Usage of Slack is highly varied with many program areas using it. s.13 s.13
Emergency Management BC	Personal Protective Equipment (PPE) Tracking application	Depending on the state of pandemic response, this initiative will likely need an extension.
Ministry of Health, Emergency Management BC, CITZ (Government Digital Experience Division)	https://bc211.ca/ offered province wide during COVID and infrastructure could not handle the increase in demand; was rebuilt in AWS	The Ministerial Order was critical in enabling rapid deployment of this tool, s.13 s.13
Emergency Management BC	Power BI enabled in Microsoft Azure tenancy. Allows EMBC to coordinate, monitor and report on its work.	The Ministerial Order was critical in enabling rapid deployment of this tool, s.13 s.13

BC Gov	Planned work: similar chatbot to navigate to COVID-19 information for https://www2.gov.bc.ca/gov/content/home	s.13
Natural Resource Ministries	Planned work: Silviculture application (similar to the Temporary Foreign Worker Authorization Form; for tree planters)	The Ministerial Order was critical in enabling rapid deployment of this tool, s.13 s.13
Ministry of Social Development and Poverty Reduction	Zoom: Being used for virtual parental visits to children in care of the Province	If physical distancing requirements are still in place, the Ministry will likely need an extension.
Ministry of Transportation and Infrastructure, Transportation Investment Corporation	Zoom: Working with contractors on large infrastructure projects, which could include in-depth discussions about issues or challenges, decisions on agreements with third parties, etc. Internal to gov use such as operational information sharing with the team and 1:1 or small operational meetings re: staffing, performance management, policy implementation etc.	If physical distancing requirements are still in place, the Ministry will likely need an extension.

Key Messages – Ministerial Order for Disclosure – COVID-19

March 24, 2020

The *Freedom of Information and Protection of Privacy Act (FOIPPA)* requires that information be stored and accessed only from within Canada, unless an exception applies; there are several existing exceptions that permit storage and access outside of Canada. Additionally, *FOIPPA* permits the Minister responsible for the Act to authorize additional disclosures outside of Canada.

The novel coronavirus (COVID-19) has challenged normal business practices and communications methods, especially in the health sector and for organizations involved in or affected by the public-health emergency.

The Ministry of Citizens' Services has drafted a Ministerial Order for the disclosure of personal information that would authorize healthcare workers and others to access the communications tools they need under these extraordinary working conditions. This order will be temporary during the emergency. The order also supports public servants to work remotely in the spirit of the Provincial Health Officer's call for physical distancing. Use of these tools would be permitted:

- Only during the time period set out in the order.
- As needed to maintain operations
- With the minimum amount of information disclosed.

This order will support health care practitioners to coordinate patients' daily care via new communication platforms that are more responsive in a state of emergency (i.e. tools that integrate across different channels). This order will also permit work to continue in areas that are not accustomed to remote or virtual work. For example, university professors will be able to continue classes in a digital learning environment.

Key Messages:

- This government takes the privacy of British Columbians very seriously.
- The health and safety of our citizens, however, should not suffer as a result of trying to protect their information.
- I'd like to thank the Commissioner and his staff for their comments on the drafting of this order and for working with my ministry on this issue.
- This measure is one small way we can support healthcare workers and those on the front lines as they respond to this healthcare crisis.

- This order helps ensure the tools needed to care for patients are available as we follow the guidance of health officials.
- This pandemic has meant that we need to change how we work – for example, persistent chat tools such as Slack are needed to engage and communicate with teams that are now working remotely.
- This approach will balance privacy considerations with the needs of a workforce that has been greatly impacted by the current health emergency.
- The health and safety of people in B.C. is a top priority and our work together on this will help maintain access to services for British Columbians – for example, allowing university professors to communicate with their students in order to continue their learning.
- My Ministry commits to consulting with the Office of the Information and Privacy Commissioner at such time that the order is reviewed for rescinding or renewal within the next few months.

Questions and Answers

OIPC Engagement on Ministerial Order on Disclosures Related to COVID-19

March 24, 2020

1. What is the purpose of these disclosures?

- The disclosures ensure front-line staff in the health sector are equipped with the tools they require to respond to issues and to action the recommendations of the Provincial Health Officer (PHO).
- This order will support health care practitioners to coordinate patients' daily care via new communication platforms that are more responsive in a state of emergency (i.e. tools that integrate across different channels).
- The disclosures also enable public-sector employees to follow the recommendations of the PHO and avoid in-person interactions, where possible, which will help to preserve service access.
- For example, this order will permit university professors to continue classes in a digital learning environment.

- Primarily, the disclosures enable collaboration and communication between public servants, or with clients to support the continuation of programs and activities in the public benefit.

2. What does this order do?

- *FOIPPA* applies equally to the personal information of employees and citizens.
- While some tools may not be used to transmit personal information, this ministerial order will allow public-sector employees across the province to have the option to quickly pick up collaboration tools to support service delivery, while also working remotely. For example, public servants will be able to use Slack while they adjust to a virtual work environment where documents can be worked on collaboratively.
- This order enables the use of communications tools that are not currently hosting data within Canada, for example Slack, or WhatsApp.
- This important step is needed to support public-sector collaboration and communication during a time when much of our workforce is operating remotely.
- The order is tailored to accomplish this specific aim, while balancing the privacy rights of people.
- It will remain in effect until June 30, 2020, at which point it may be rescinded or extended.

3. Can you give me some specific examples of how this order will be helpful?

- This order helps government respond to the changing needs of the public-sector workforce during the current health emergency.
- It helps to support front-line healthcare workers, government staff working remotely and others involved in responding to COVID-19 by enabling the use of tools they need to communicate and work together.
- Patient care teams may require multiple communication tools – things like phones, text messaging, chat programs and other methods – during their response to this public health emergency.
- This order helps enable their use.
- For example, someone in self-isolation may only know how to use a specific chat app on their phone to communicate with a public health nurse.
- This order ensures they can do that.

- Similarly, public-health professionals will play a critical role in the response to COVID-19.
- Powers to share and collect personal information will help them conduct their work with fewer hurdles.
- We also want to make it easier for health professionals in both public and private sectors to collaborate as British Columbia responds to COVID-19.
- Post-secondaries and schools may benefit as well should there be a need to transition to virtual class settings.

4. Why was the wording OIPC suggested not incorporated into the ministerial order?

Note: *OIPC's recommended language:* "This order terminates on the earlier of the date on which the provincial health officer provides notice under section 59(b) of the *Public Health Act* that the emergency has passed and June 30, 2020."

MO language: This Order will remain in effect until June 30, 2020. The Minister may rescind or extend the effect of this Order in full or in part before June 30, 2020.

- Note that the date for the order to be extended or reviewed is the same as the Commissioner recommended.
- We chose not to tie the order to the public health emergency because the need for the services will continue beyond the official notice of the end of the public health emergency.
- If an immediate stoppage was required on these tools, patient care may suffer as practitioners try to change tools while health care needs are still high – even though the public health emergency has been ceased. A slower transition off these tools is safer for patients' health and safety.
- My ministry will consult with the Office of the Information and Privacy Commissioner when it is time for the order to be reviewed.
- At that point, a decision will be made to either rescind or renew the order, in full or in part.



DECISION NOTE Advice to Minister Kang

Date: ~~Month~~ May 19, 2020, ~~xx, 20xx~~

CLIFF#: 99999

ISSUE: Extension of Ministerial Order #085 Respecting Disclosures During COVID-19 Emergency

BACKGROUND:

On March 26, 2020, Minister of Citizens' Services Anne Kang issued a Ministerial Order under the Freedom of Information and Protection of Privacy Act (FOIPPA) authorizing disclosures outside of Canada under specific circumstances. The order removed barriers that otherwise prevented public servants to use tools and applications that would support health sector employees provide care during the pandemic, and to support other public servants working physically distanced from others.

DISCUSSION:

At the outset of the pandemic and implementation of physical distancing measures, there was significant concern raised by various public bodies that FOIPPA would restrict their ability to use tools necessary to work during the current pandemic. The Ministry of Citizens' Services acted quickly to issue the Ministerial Order and enable the necessary tools.

s.13

s.13 The Ministry of Citizens' Services has continued to assess the need for the Ministerial Order. The recent deployment of Microsoft Teams by the Ministry of Citizens' Services has alleviated some of the need for tools adopted under the authority of the Ministerial Order.

For those that have demonstrated a clear need for the authorities granted by the Ministerial Order, there are two main needs/solutions deployed. The health sector's need has been focused on patient records and facilitating patient care, related to both COVID-19 patients and others trying not to go into hospitals or clinics. Various tools have filled this need. The rest of the public sector's needs have been predominantly for video conferencing in lieu of in-person interactions. This has been deployed by schools offering online teaching, and Ministers conducting virtual townhalls, ~~and in the social sector for virtual visitations.~~

~~Work by the~~

~~The Ministry of Citizens' Services continues has continued~~ to assess where and how the Ministerial Order is being used, and whether that need will continue past the current June 30th, 2020 expiry date.

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OPTIONS:

[Probably the most valuable part of the document. These are the possible choices to address the ISSUE. There are numerous options, ranging along a continuum from the least one might do, i.e., do nothing (not address the issue at this time) to the most one might do. Once you have your options designed, determine the option that, based on the evidence, you think best addresses the ISSUE (the one you will

be recommending) and call it Option 1. Usually Option 2 is the least one might do, and Option 3 is the remaining option. Outline the implications of (evaluate) each option. Traditional evaluation criteria are:

- effect on Ministry outcomes/responsibilities (what are we achieving/not achieving);
- financial and resource (staffing) implications; and
- who (individuals or groups or organizations) is impacted and whether they might support/not support the option.

Sometimes regional or federal/ provincial implications are important and can be additional evaluation criteria. Sometimes legal implications are important. Once you have chosen these criteria, use them in each option. Sentences or bullets can be used to outline these implications. The format will look as follows:]

Option 1: Extend Ministerial Order in full until DATE
Implications:
s.13

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Option 2:-s.13
s.13
Implications: [either sentences or bullets.]
• s.13

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Option 3: Do not extend ministerial order
Implications: [either sentences or bullets.]

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RECOMMENDATION:

(please circle)

APPROVED **NOT APPROVED** **OPTION** _____

Anne Kang
Minister

Date

Attachment(s): [List them with numbers/letters] Use Case Analysis
Contact: Name, Phone #

Commented [AKC1]: Attach as appendix?

[NOTES:

Don't use technical terms that are unique to your discipline or area of work or use acronyms that are not in everyday public use.

Information Notes may contain appendices, making the entire document over 2 pages. Appendices can be used for maps, tables or for large legislative references.]

DECISION NOTE

Advice to Minister Kang

Date: May 27, 2020

CLIFF#:

ISSUE: Extension of Ministerial Order 085 Respecting Disclosures During COVID-19 Emergency

BACKGROUND:

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Reception of the MO has been mostly positive, though there were concerns of a "slippery slope" expressed by media. Many public bodies making use of the MO have been able to deliver critical services under stressful new circumstances, while some public bodies have been able to deliver services without reliance on the MO. CITZ has continued to assess the need for the MO, as circumstances have changed. For example, the recent deployment of Microsoft Teams by CITZ has alleviated some ministries' need for tools adopted under the authority of the MO. Additionally, analysis has shown that some tools that public bodies have used did not require the MO for compliance.

For those that have demonstrated a clear ongoing need for the authorities granted by the MO, there are two main needs. The health sector's need has been focused on patient records and facilitating patient care, related to both COVID-19 patients and others trying not to go into hospitals or clinics. Various tools have filled this need (for example, an e-fax tool has permitted pharmacies to receive prescriptions without doctors needing to go into offices). The rest of the public sector's needs have been predominantly video conferencing in lieu of in-person interactions. This has been deployed by schools offering online teaching, and Ministers conducting virtual townhalls, among others.

CITZ has continued to assess where and how the MO is being used, and whether that need will continue past the current June 30th, 2020 expiry date. Also, the Office of the Information and Privacy Commissioner (OIPC) has been consulted on these issues and informed of current use cases. Some public bodies have indicated that the length of the ministerial order at present is the biggest barrier to transitioning to tools they would otherwise use to provide services. Post-secondary institutions in particular are not able to plan without stability over the course of a semester. Though the request length of an extension varies, public bodies in every sector have requested the MO be extended.

OPTIONS:

Option 1: Extend Ministerial Order in full until December 31, 2020.

Implications:

- Provides for continuation of use of tools to coordinate care in the health sector and retain physical distancing measures across the public sector.
- Provides certainty for public bodies currently relying on tools enabled by the MO in order to not require new work to transition off platforms and services currently in use during re-opening.
- Would fit the needs of the education and health sectors, which have been specifically challenged during the pandemic and have the most acute need for stable tools that will extend through the life of the pandemic.
- May be negatively perceived by some as too permissive (such as FIPA).
- s.13

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Option 2: s.13

Implications:

- s.13

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Option 3: Do not extend ministerial order.

Implications:

- Would not provide for continued need for some tools and applications, including online teaching tools and health care applications required through summer and beyond.
- Would require public sector to transition off services and platforms currently being used under the MO. This may require a detrimental diversion of resources and efforts from other work, including patient care.
- s.13

RECOMMENDATION: Option 1

(please circle)

APPROVED

NOT APPROVED O

PTION _____

Anne Kang

Date

Minister

Attachment(s):

Contact: Name, Phone #

Public Body	Use Case – what are they using the MO for?	What will happen if no extension granted?	MO Provision
Ministry of Health, Health authorities	Employer Workplace Risk Assessment and Screening – An application to support the PHO Orders regarding the maintenance of COVID 19 workplace safety protocols for certain industries like silviculture and farms that rely on temporary foreign workers or on housing employees remotely in camps. Currently running on a cloud solution.	The initiative will be delayed while an alternative is developed, or analysis conducted to find FOIPPA compliant cloud host. s.13 s.13	1(b)
Ministry of Health, Health Authorities	COVID-19 Single Site initiative – Cloud solution to support and enforce PHO Orders limiting long term care home employees from working at more than one location.	The initiative will be delayed while an alternative is developed, or analysis conducted to find FOIPPA compliant cloud host. s.13 s.13	1(b)
Health Authorities	HEiDI/Virtual Care This initiative relies on both Zoom and a cloud-based electronic medical record. People without a family doctor can call 811 and see a physician virtually without attending a walk-in clinic or emergency room in person.	In-person visits to walk-ins and emergency rooms will increase and will undermine directions for physical distancing disseminated by the Provincial Health Officer.	1(b)
Ministry of Health, Emergency Management BC, CITZ	Travel screening application (on AWS) https://travelscreening.gov.bc.ca/ Update: This is planned to be transitioned to the federal government but has not yet been transitioned.	The Ministerial Order was critical in enabling rapid deployment of this tool, s.13 s.13	1(b)
Health Authorities	Slack – persistent chat tool. Under usage by health authorities Communication platform for senior medical leadership and physicians. Phase 1 was launched at Vancouver Acute (not all VCH sites) on March 21st. <ul style="list-style-type: none"> • Unidirectional communication only (act as message board – Virtual Town Hall only – where physicians can post questions and content is moderated • Mobile version only • Phased rollout of sites including PHC and channels. Channel is a single place for a team to share messages, tools and files. • Plan-Do-Study-Act (PDSAs) with Slack to problem solve. • Some bidirectional functionality will be enabled, eg Virtual Health Communication, Peer to Peer Coaching and volunteer pool self-matching 	Health authorities cite that core use cases would need an extension, unless Slack sets up Canadian resident cloud. Health authorities would lose infrastructure they have built in order to respond to pandemic if Ministerial Order is not extended. They would need to recreate it somewhere else; this would impact care. s.13	1(b), 1(c)

Health Authorities	<p>Doxy.Me – used as a means of delivering telemedicine to patients so that they do not need to come into hospitals or clinics.</p> <ul style="list-style-type: none"> Use for Virtual Health care between providers/clinicians and patients. 	Fairly significant impacts to the health system can be expected without extension of the Ministerial Order and it will also undermine physical distancing measures.	1(a), (b), (c)
Health Authorities	ListRunner – Patient hand-over tool. Used when one physician assists on a patient, or when transitioning different practitioners from shift to shift.	Fairly significant impacts to the health system can be expected without extension of the Ministerial Order and it will also undermine physical distancing measures.	1(b), (C)
Health Authorities	<p>TurboScan and SRfax for electronic fax to enable prescriptions from email to fax for patients seen virtually.</p> <p>For doctors that are not in a hospital or clinic and thus no longer have access to a fax machine. Electronic faxes are sent to pharmacies, which are largely still paper based. Wet signatures on prescriptions are a requirement of the relevant Colleges. These applications enable physicians to distribute requisitions and prescriptions without reliance on in-person visits, while still maintaining the required assurance of authenticity.</p>	Fairly significant impacts to the health system can be expected without extension of the Ministerial Order and it will also undermine physical distancing measures.	1(b), (c)
Health Authorities	<p>Zoom – video conferencing between practitioners, and with patients.</p> <p>Use for Virtual Health Care between providers/clinicians and patients for virtual health visits. PHSA OVH is looking to deploy ZOOM provincially, expanding into clinical use with telehealth clinical cart integration, telemetry, biomedical monitoring. PHSA uses Zoom for tuberculosis and sexually transmitted infections clinical visits.</p>	Fairly significant impacts to the health system can be expected without extension of the Ministerial Order and it will also undermine physical distancing measures.	1 (b), (c)
Health Authorities	<p>Sync – document sharing application</p> <p>Use for storage of documents/patient records for access by clinicians working remotely.</p>	Without extension of the Ministerial Order, fairly significant impacts to the health system can be expected. s.13	1(b), (c)
Health Authorities	WhatsApp – not officially endorsed by health authority, but understood to be used by doctors and other practitioners.	Could impact the delivery of care and communicating with patients about COVID 19.	1(a)
Health Authorities	FaceTime - Allows doctors and nurses to conduct virtual visits based on the technology that the patient has available.	Fairly significant impacts to the health system can be expected without extension of the Ministerial Order and it will also undermine physical distancing measures.	1(b), (c)
Health Authorities	Signal - Highly secure text messaging between physicians (in private practice and in Health Authority settings) replaces ad hoc in-person consultations and dialogues.	Fairly significant impacts to the health system can be expected without extension of the Ministerial Order and it will also undermine physical distancing measures.	1(b), (c)
Health Sector	<p>Secure texting – TablesReady, Memora, Welltell</p> <p>Emerging solution for reopening hospitals for outpatient care during later stages of the pandemic. Patients will be asked to wait in the car or outside and will receive a text to notify them to come in for an appointment</p>	Fairly significant impacts to the health system can be expected without extension of the Ministerial Order and it will also undermine physical distancing measures.	1(b), (c)

Executive Summary

This document lays out the legislative framework, requirements and use cases for a virtual services tool gathered from four program areas within the Ministry of Child and Family Development (MCFD).

The legislative framework and use cases for each program area will inform the Privacy Impact Assessment (PIA), Security Threat and Risk Assessment (STRA) and Statement of Acceptable Risk (SOAR).

The requirements, ranked by each program area as *essential*, *nice to have* or *not required*, will drive the selection of the most appropriate virtual services tool.

The four program areas within MCFD that have been consulted are the Specialized Intervention and Youth Justice Branch (YJ), Child & Youth with Mental Health (CYMH), Child & Youth with Special Needs (CYSN) and Child and Family and Community Service (CFCS).

These program areas require and facilitate regular visitation sessions with individuals, families, health practitioners, clinicians, counsellors, therapists, school districts and service delivery agencies to support the citizens of BC.

With the onset of COVID-19 the ministry must be able to provide these sessions virtually while maintaining privacy and adhering to the legislative framework.

	CFCS	YJ	CYSN	CYMH
Legislation	<ul style="list-style-type: none"> CFCSA Selected provision of FOIPPA 	<ul style="list-style-type: none"> Youth Criminal Justice Act Privacy Act (Federal) 	<ul style="list-style-type: none"> FOIPPA (CFCSA Sections 5 and 93) 	<ul style="list-style-type: none"> FOIPPA Maples: MH Act and Hospital Act
Use Cases	<ul style="list-style-type: none"> Virtual Visits between parents and children facilitated by social worker Virtual Visits between parents and children facilitated by DAA social worker Family Mediation SW facilitating meeting with community agency, parent(s) and family. Virtual Visits between parents and children facilitated by Caregivers / Foster Parents Post adoption assistance – e.g. sibling visits and home schooling 	<ul style="list-style-type: none"> Live Two Way Audio Live Two Way Video File Share Group Chat Collaboration – Concurrent Editing 	<ul style="list-style-type: none"> Virtual sessions with individual, family or group Integrated Case Management Orientation session CYSN eligible children in care – guardianship tasks, plans of care, check-ins Planning meetings for children - Virtual services set up by service delivery agencies, school districts, health etc. 	<ul style="list-style-type: none"> Virtual clinical sessions with individual, family or group Virtual Consultation Services for service providers and families/caregivers Virtual Visitation Clinicians to complete assessments

Essential Features	<ul style="list-style-type: none"> • Live Two Way Audio • Live Two Way Video • File Share • Group Chat • Collaboration – Concurrent Editing • 3+ Concurrent Participants • Concurrent Video Streams • Screen Sharing • PC / Windows • Mobile Devices / Multi-platform (Apple, Android) • External Participants • Cellular Data Support • Controlled Participation • Meet On-demand • Anyone Can Join (Shareable meeting invite) • Break Out Rooms 	<ul style="list-style-type: none"> • Live Two Way Audio • Live Two Way Video • File Share • Group Chat • Collaboration – Concurrent Editing • 3+ Concurrent Participants • Concurrent Video Streams • Screen Sharing • Recording • PC / Windows • Mobile Devices / Multi-platform (Apple, Android) • External Participants • Cellular Data Support • Controlled Participation • Meet On-demand • Anyone Can Join (Shareable meeting invite) 	<ul style="list-style-type: none"> • Live Two Way Audio • Live Two Way Video • Group Chat • Individual Chat • 3+ Concurrent Participants • Concurrent Video Streams • Screen Sharing • PC / Windows • Mobile Devices / Multi-platform (Apple, Android) • External Participants • Cellular Data Support (don't have access to internet, work on data) • Controlled Participation • Meet On-demand • Anyone Can Join (Shareable meeting invite) • Host Termination 	<ul style="list-style-type: none"> • Live Two Way Audio • Live Two Way Video • Group Chat • Individual Chat • 3+ Concurrent Participants • Concurrent Video Streams • Screen Sharing • PC / Windows • Mobile Devices / Multi-platform (Apple, Android) • Controlled Participation • Meet On-demand • Anyone Can Join (Shareable meeting invite) • Host Termination • Customize Chat Permissions • External Participants
Nice to Have Features		<ul style="list-style-type: none"> • Persistent Workspace • Host Termination 	<ul style="list-style-type: none"> • File Share • Collaboration – Concurrent Editing • Persistent Workspace • Digital Signatures 	<ul style="list-style-type: none"> • File Share • Collaboration – Concurrent Editing • Persistent Workspace • Cellular Data Support
Not Needed Features	<ul style="list-style-type: none"> • Recording 		<ul style="list-style-type: none"> • Recording 	<ul style="list-style-type: none"> • Recording

Information supporting the introduction of the Ministerial Order re COVID-19

The ministerial order is intended to support Government functions that rely on communication and collaboration to function. Physical restrictions and remote working have erected barriers within organizations and between organizations and individuals and the use of traditional communication methods such as telephone or mail or physical mail would seriously impede the effective working of the organization. The following rationales have been raised by ministries that are looking for additional technological support to deliver their services despite the restrictions in place.

<p>1. A health care body as defined in the <i>Freedom of Information and Protection of Privacy Act</i>, or the Ministry of Health, the Ministry of Mental Health and Addictions, or the Provincial Health Services Authority may disclose personal information inside or outside of Canada in accordance with s. 33.2(a) and (c) of the <i>Freedom of Information and Protection of Privacy Act</i> on the condition that the disclosure is necessary:</p> <p>a. for the purposes of communicating with individuals respecting COVID-19,</p> <p>b. for the purposes of supporting a public health response to the COVID-19 pandemic,</p> <p>or</p> <p>c. for the purposes of coordinating care during the COVID-19 pandemic.</p>	
Rationale	Example
Recreating interpersonal working that is restricted due to physical distancing measures	Private physicians need to coordinate care with public clinicians from the health authority. Examples include patient transfer.
Recreating face to face interactions between doctors and patients that is restricted due to physical distancing measures.	Virtual care – direct contact with patients including those non-COVID patients.
Implementing the recommendations of the provincial chief medical officer.	Restricting access to the public, enabling service delivery without physical proximity. Supporting working from home.

Implications

1. s.13

2.

<p>2. A public body may disclose personal information inside or outside of Canada in accordance with s. 33.2(a) or (c) of <i>Freedom of Information and Protection of Privacy Act</i> through the use of third-party tools and applications on the condition that the disclosure is for the following purposes:</p> <ul style="list-style-type: none"> a. the third-party tools or applications are being used to support and maintain the operation of programs or activities of the public body or public bodies, b. the third-party tools or applications support public health recommendations or requirements related to minimizing transmission of COVID-19 (e.g. social distancing, working from home, etc.), and c. any disclosure of personal information is limited to the minimum amount reasonably necessary for the performance of duties by an employee, officer or minister of the public body. 	
Rationale	Example
A Government tool in widespread use has not adopted by key partners	Video conferencing tools to support remote work and physical distancing – examples include Zoom, Microsoft Teams, Jitsi, Mozilla Hubs, FaceTime, GoTo meeting.
	Collaborate chat tools to allow real time persistent collaboration. Examples include MatterMost, Slack, WhatsApp, Facebook messenger, Rocket Chat
Government employees (and external stakeholders) are attempting to complete tasks that require continuous persistent communication and the sharing of ideas and materials.	Enable internal team collaboration, project management and issue/bug tracking tools to track issues and resolutions. Examples include Jira, Asana
	A tool to help teams coordinate and enable internal collaboration tools to share critical knowledge on projects. Example Confluence Wiki.
	Online whiteboarding and sticky note tool for design/collaboration sessions. Example Miro
	Online collaborative wireframe/prototype tool for design/collaborative sessions. Examples include Axure, Sketch, Invision, Figma.
	Cross platform app for analyzing qualitative and other research input. Examples include Dedoose.
In depth information is required from stakeholders to inform service design and delivery.	(Optimal workshop) tools to allow research to be conducted remotely, gathering input
	Presenting prototypes to stakeholder groups, permitting trial and testing and soliciting feedback. Examples include Usability

	hub, User testing, Focusvision, Survey tools, bang the table, placespeak, Survey Monkey
Information held by Ministries has a wide potential audience and an immediate need for delivery. The opportunity to receive responses and direct feedback is also required.	Online tools to enable mass communication. Examples include Mailchimp twitter, YouTube.

Implications

1. s.13

2.

3.

Ministerial Order 085 Respecting Disclosures During COVID-19 Emergency Response

Background: On March 26, 2020, Minister of Citizens' Services Anne Kang issued a Ministerial Order under the *Freedom of Information and Protection of Privacy Act* (FOIPPA) authorizing disclosures outside of Canada under specific circumstances. The order removed barriers that otherwise prevented public servants to use tools and applications that would support health sector employees provide care during the pandemic, and to support other public servants working physically distanced from others.

Discussion: At the outset of the pandemic and implementation of physical distancing measures, there was significant concern raised by various public bodies that FOIPPA would restrict their ability to use tools necessary to work during the current pandemic. The Ministry of Citizens' Services acted quickly to issue the Ministerial Order and enable the necessary tools. s.13

s.13

s.13

Some organizations listed below are continuing to analyze the longer term service needs and whether they will be able to retain the new tools they have implemented once the Ministerial Order expires. Further, the recent deployment of Microsoft Teams by the Ministry of Citizens' Services will alleviate some of the need for tools adopted under the authority of the Ministerial Order.

For those that have demonstrated a clear need for the authorities granted by the Ministerial Order, there are two main needs/solutions deployed. The health sector's need has been focused on patient records and facilitating patient care, related to both COVID-19 patients and others trying not to go into hospitals or clinics. Various tools have filled this need. The rest of the public sector's needs have been predominantly for video conferencing in lieu of in-person interactions. This has been deployed by schools offering online teaching, Ministers conducting virtual townhalls, and in the social sector for virtual visitations.

Work by the Ministry of Citizens' Services continues to assess where and how the Ministerial Order is being used, and whether that need will continue past the current June 30th, 2020 expiry date. s.13

s.13

The following table documents currently known use cases, and the impact of the Ministerial Order not being extended.

Public Body	Use Case – what are they using the MO for?	What will happen if no extension granted?
Advanced Education sector	Many post-secondary institutions (PSIs) are preparing to deliver online learning until the end of the summer (end of July or mid-August). They are investing in the online tools, so they require certainty that they can use these tools for the entire online summer semester.	s.13 Some PSIs are using consent for tools otherwise covered under the Ministerial Order.
Ministry of Education; School Districts	Ministry of Education has procured, through Focused Education Resources, licenses to Zoom, to be used in classrooms with students across all school districts.	School districts may request extension through summer, depending on measures required by Provincial Health Officer. If physical distancing requirements continue through September, the Ministerial Order would likely need to be extended.
BC Government - General	Slack – persistent chat tool. Used in ad hoc distributed fashion by various branches and teams within government.	Usage of Slack is highly varied with many program areas using it. s.13 s.13
Emergency Management BC	Personal Protective Equipment (PPE) Tracking application	Depending on the state of pandemic response, this initiative will likely need an extension.
Ministry of Health, Emergency Management BC, Ministry of Citizens' Services (Government Digital Experience Division)	https://bc211.ca/ offered province wide during COVID and infrastructure could not handle the increase in demand; was rebuilt in AWS	The Ministerial Order was critical in enabling rapid deployment of this tool, s.13 s.13

Ministry of Health, Emergency Management BC, Ministry of Citizens' Services (Government Digital Experience Division)	Travel screening application (on AWS) https://travelscreening.gov.bc.ca/	The Ministerial Order was critical in enabling rapid deployment of this tool, s.13
Ministry of Health, Emergency Management BC, Ministry of Agriculture, Ministry of Citizens' Services (Government Digital Experience Division)	Temporary Foreign Worker Authorization Form https://www.farmoperatorscreening.gov.bc.ca/	The Ministerial Order was critical in enabling rapid deployment of this tool, s.13
Emergency Management BC	Power BI enabled in Microsoft Azure tenancy. Allows EMBC to coordinate, monitor and report on its work.	The Ministerial Order was critical in enabling rapid deployment of this tool, s.13
BC Centre for Disease Control	Chatbot to help navigate to COVID-19 information http://covid-19.bccdc.ca/ (on Google Cloud Platform)	The Ministerial Order was critical in enabling rapid deployment of this tool, s.13
BC Gov	Planned work: similar chatbot to navigate to COVID-19 information for https://www2.gov.bc.ca/gov/content/home	
Natural Resource Ministries	Planned work: Silviculture application (similar to the Temporary Foreign Worker Authorization Form; for tree planters)	The Ministerial Order was critical in enabling rapid deployment of this tool, s.13
Ministry of Social Development and Poverty Reduction	Zoom: Being used for virtual parental visits to children in care of the Province	If physical distancing requirements are still in place, the Ministry will likely need an extension.
Ministry of Transportation and Infrastructure, Transportation Investment Corporation	Zoom: Working with contractors on large infrastructure projects, which could include in-depth discussions about issues or challenges, decisions on agreements with third parties, etc. Internal to gov use such as operational information sharing with the team and 1:1 or small operational	If physical distancing requirements are still in place, the Ministry will likely need an extension.

	meetings re: staffing, performance management, policy implementation etc.	
Ministry of Attorney General	Zoom: Hearings; tribunals; meetings with external stakeholders; communicating with the Supreme Court of BC, BC Court of Appeal, and with the Provincial Court; daily business with external parties – examinations for discovery, mediations, arbitrations, potentially court appearances, witness preparation, etc.	If physical distancing requirements are still in place, the Ministry will likely need an extension.
Ministry of Citizens' Services	Zoom: Using Zoom due to problems conducting online meetings with partners all over the country, the toll-free number via Skype for business is giving out busy signals, some partners working from home have to use personal cell to call into the Vancouver/Victoria local number Content of the online meetings with various jurisdiction/partners can be potentially sensitive	If physical distancing requirements are still in place, the Ministry will likely need an extension.
Ministry of Advanced Education, Skills and Training	Zoom: Used to more readily connect with post-secondary institution colleagues on student financial assistance; bringing large groups together from across the sector (e.g., 40+ people) and sharing screens/presentations online in an effective and reliable manner; orientation sessions with institutions held once a month, possible online training and support for institutions	If physical distancing requirements are still in place, the Ministry will likely need an extension.
Ministry of Finance	Zoom: To connect people/organizations outside of BC Gov due to issues/limitations with Skype for Business	s.13
Health Sector	Slack – persistent chat tool. <ul style="list-style-type: none"> Behavioural Modification Group – a group of academics advising on behavioural aspects of 	s.13

	<p>the coronavirus response. Slack has emerged as core infrastructure.</p> <ul style="list-style-type: none"> Community Clinical Decision Group – a group of physicians creating and discussing clinical guidelines for use in the community setting for coronavirus and discussing supporting digital tools. 	
Health Authorities	Zoom – video conferencing between practitioners, and with patients.	s.13
Health Authorities	Slack – persistent chat tool. Under heavy usage by health authorities. s.13	<p>Health authorities cite that core use cases would need an extension, unless Slack sets up Canadian resident cloud (as planned) s.13</p> <p>s.13</p> <p>Health authorities would lose infrastructure they have built in order to respond to pandemic if Ministerial Order is not extended. They would need to recreate it somewhere else; this would impact care.</p> <p>s.13</p>
Health Authorities	Doxy.Me – used as a means of delivering telemedicine to patients so that they do not need to come into hospitals or clinics.	Without extension of the Ministerial Order, fairly impacts to the health system can be expected.
Health Authorities	ListRunner – Patient hand-over tool. Used when one physician assists on a patient, or when transitioning different practitioners from shift to shift.	Without extension of the Ministerial Order, fairly significant impacts to the health system can be expected.
Health Authorities	Electronic Fax – For doctors that are not in a hospital or clinic and thus no longer have access to a fax machine.	Without extension of the Ministerial Order, fairly significant impacts to the health system can be expected.

	Electronic faxes are sent to pharmacies, which are largely still paper based.	
Health Authorities	Sync – document sharing application. s.13 s.13	s.13
Health Authorities	WhatsApp – not officially endorsed by health authority, but understood to be used by doctors and other practitioners.	s.13
Various Ministers’ Offices	Zoom – video conferencing of virtual town hall meetings.	If physical distancing requirements are still in place, the Ministries will likely need an extension.
Ministry of Tourism, Arts and Culture; Creative BC	Zoom – video conferencing used to broadcast events as a part of Showcase BC.	If physical distancing requirements are still in place, the Ministry will likely need an extension, s.13 s.13
Various municipalities	Zoom – video conferencing used for council meetings.	If physical distancing requirements are still in place, the municipalities will likely need an extension, s.13 s.13

Ministerial Order 085 Respecting Disclosures During COVID-19 Emergency Response

Background: On March 26, 2020, Minister of Citizens' Services Anne Kang issued a Ministerial Order under the *Freedom of Information and Protection of Privacy Act* (FOIPPA) authorizing disclosures outside of Canada under specific circumstances. The order removed barriers that otherwise prevented public servants to use tools and applications that would support health sector employees provide care during the pandemic, and to support other public servants working physically distanced from others.

Discussion: At the outset of the pandemic and implementation of physical distancing measures, there was significant concern raised by various public bodies that FOIPPA would restrict their ability to use tools necessary to work during the current pandemic. The Ministry of Citizens' Services acted quickly to issue the Ministerial Order and enable the necessary tools.s.13

s.13

s.13

Some organizations listed below are continuing to analyze the longer term service needs and whether they will be able to retain the new tools they have implemented once the Ministerial Order expires. Further, the recent deployment of Microsoft Teams by the Ministry of Citizens' Services will alleviate some of the need for tools adopted under the authority of the Ministerial Order.

For those that have demonstrated a clear need for the authorities granted by the Ministerial Order, there are two main needs/solutions deployed. The health sector's need has been focused on patient records and facilitating patient care, related to both COVID-19 patients and others trying not to go into hospitals or clinics. Various tools have filled this need. The rest of the public sector's needs have been predominantly for video conferencing in lieu of in-person interactions. This has been deployed by schools offering online teaching, Ministers conducting virtual townhalls, and in the social sector for virtual visitations.

Work by the Ministry of Citizens' Services continues to assess where and how the Ministerial Order is being used, and whether that need will continue past the current June 30th, 2020 expiry date. s.13

s.13

The following table documents currently known use cases, and the impact of the Ministerial Order not being extended.

Colour coding:
Health Use Cases
Previous use cases (no update received)
Previous use cases (non-health) for which an update has been received

Public Body	Use Case – what are they using the MO for?	What will happen if no extension granted?
Ministry of Health, Emergency Management BC, Ministry of Citizens' Services (Government Digital Experience Division)	<p>Travel screening application (on AWS) https://travelscreening.gov.bc.ca/</p> <p>Update: This is planned to be transitioned to the federal government but has not yet been transitioned.</p>	<p>The Ministerial Order was critical in enabling rapid deployment of this tool, s.13</p> <p>s.13</p>
Health Authorities	<p>Slack – persistent chat tool. Under heavy usage by health authorities</p> <p>Update: Still relying on:</p> <p>Communication platform for senior medical leadership and physicians. Phase 1 was launched at Vancouver Acute (not all VCH sites) on March 21st. • Unidirectional communication only (act as message board – Virtual Town Hall only – where physicians can post questions and moderated s.13</p> <p>s.13</p> <ul style="list-style-type: none"> • Mobile version only • Phased rollout of sites including PHC and channels. Channel is a single place for a team to share messages, tools and files. • Plan-Do-Study-Act (PDSAs) with Slack to problem solve. • Some bidirectional functionality will be enabled, eg Virtual Health Communication, Peer to Peer Coaching and volunteer pool self-matching 	<p>Health authorities cite that core use cases would need an extension, unless Slack sets up Canadian resident cloud (as planned) s.13</p> <p>s.13</p> <p>Health authorities would lose infrastructure they have built in order to respond to pandemic if Ministerial Order is not extended. They would need to recreate it somewhere else; this would impact care.</p> <p>s.13</p>
Health Authorities	<p>Doxy.Me – used as a means of delivering telemedicine to patients so that they do not need to come into hospitals or clinics.</p> <p>Update:</p>	<p>Without extension of the Ministerial Order, fairly significant impacts to the health system can be expected.</p>

	Use for Virtual Health care between providers/clinicians and patients.	
Health Authorities	<p>ListRunner – Patient hand-over tool. Used when one physician assists on a patient, or when transitioning different practitioners from shift to shift.</p> <p>Update: Use as a handover tool between medical staff.</p>	Without extension of the Ministerial Order, fairly significant impacts to the health system can be expected.
Health Authorities	<p>Electronic Fax – For doctors that are not in a hospital or clinic and thus no longer have access to a fax machine. Electronic faxes are sent to pharmacies, which are largely still paper based.</p> <p>Update: TurboScan and SRfax To enable prescriptions from email to fax for patients seen virtually.</p>	Without extension of the Ministerial Order, fairly significant impacts to the health system can be expected.
BC Centre for Disease Control	<p>Chatbot to help navigate to COVID-19 information http://covid-19.bccdc.ca/ (on Google Cloud Platform)</p> <p>Update: BCCDC is making use of the Order, namely via Zoom to support continuation of our clinical services (TB, STI). There is some limited use of text and email to support these areas. There is also a larger data linkage project between PHSA, BCCDC and MOH to develop a COVID19 integrated cohort that is leveraging use of the cloud (Microsoft is involved in that as well).</p> <p>BCCDC's use of tools is managed through PHSA's Office of Virtual Health, which has developed a guidance document – anything not on the list has to be reviewed by them.) To date, I'm not aware of any use of tools by BCCDC staff outside of this guideline.</p>	
Health Authorities	Zoom – video conferencing between practitioners, and with patients.	s.13

	<p>Update: Use for Virtual Health Care between providers/clinicians and patients for virtual health visits between VPP. This instance of ZOOM involves no sharing of personal information (health visits and admin use) under the business use case for the Virtual Toolkit. PHSA OVH is looking to deploy ZOOM provincially, expanding into clinical use with telehealth clinical cart integration, telemetry, biomedical monitoring</p>	
Health Authorities	<p>Sync – document sharing application</p> <p>Update: Use for storage of documents/patient records for access by clinicians working remotely.</p>	
Health Authorities	<p>WhatsApp – not officially endorsed by health authority, but understood to be used by doctors and other practitioners.</p> <p>Update: Data transmitted during video call. Mobile phone number of the account holder, location of user, if video recorded (FH Staff must turn off Live Location and Chat Backup to the cloud system being used (e.g., iCloud, Google Drive, etc.).</p>	s.13
Health Authorities	<p>New Use cases since last update:</p> <p>FaceTime (FH) Data transmitted during video call. Mobile phone number/email of account holder. Apple may record and store information about FaceTime calls, such as who was invited to a call, and your device's network configurations, and store this information for up to 30 days. Apple doesn't log whether your call was answered, and can't access the content of your calls. FaceTime may communicate with Apple's servers to determine if other people can be reached by FaceTime. When this happens,</p>	

Apple may store these phone numbers and email addresses associated with your account, for up to 30 days.

Slido (FH)

User's name (option to use service as anonymous), questions or opinions entered by the user, device information such as hardware model, operating system version, and unique device identifiers. Log information including details of how service is used, IP address, date, time, edge-location, ssl-protocol, ssl-cipher, time taken to serve requested site, device event information such as crashes, system activity, hardware settings, browser type, browser language, date and time of request and referral URL, and cookies that may uniquely identify browsers. Location information when using the service may be collected and process information about the user's actual location. Currently they only use IP address as the source information to approximately determine user's current location.

ThriveHealth BC

Used for staff tracking and relieve coverage

Google Docs

Use for sharing/collaborating documents between staff

Google Forms

Use for creating online surveys

Signal

Text messaging between physicians (in private practice and in Health Authority settings).

	s.13	
	Home Health Monitoring (TELUS) Allows nurses to monitor patients at home.	
	s.13	
	Survey Monkey	s.13
Health Sector	Slack – persistent chat tool. <ul style="list-style-type: none"> • Behavioural Modification Group – a group of academics advising on behavioural aspects of the coronavirus response. Slack has emerged as core infrastructure. • Community Clinical Decision Group – a group of physicians creating and discussing clinical guidelines for use in the community setting for coronavirus and discussing supporting digital tools. 	s.13
Advanced Education sector	Many post-secondary institutions (PSIs) are preparing to deliver online learning until the end of the summer (end of July or mid-August). They are investing in the online tools, so they require certainty that they can use these tools for the entire online summer semester. AEST has indicated that the PSIs require certainty for an entire semester at a time and that they will not be able to switch from online to in person midway through a semester and so have recently requested an extension s.13	s.13 Some PSIs are using consent for tools otherwise covered under the Ministerial Order.
	s.13	

		<p>Update: Some of the smaller institutions relying on the ministerial order will be impacted if there is no extension granted.</p> <ul style="list-style-type: none"> • In response to government direction including PHO order limiting gathering sizes, and ongoing concerns on COVID-19, the post-secondary sector anticipates delivering the majority of their education online for the Fall 2020 and Winter 2021 semester. • Post-secondary operates on a semester-basis • Student's purchase the "product" of a set term of education (a course, consisting of a prescribed format and duration). Once purchased, PSIs will be required to honour their product delivery "as sold" to students, until the end of the pre-set term. • There is no guarantee that students who purchased remote courses are located near enough to the school to attend in person midway through the semester. • PSIs could shift back to normal in-class offerings for a subsequent semester, as long as they haven't advertised the semester as remote, but would not be able to pivot partway through delivery. It would be the same as purchasing a product and having it recalled after receiving it. • PHO direction to-date has been to brace and prepare for 12-18 months under the current circumstances, with the potential for easing of restrictions, and the potential for tightening up again, in response to flare ups of the virus. • PSIs are expected to prepare for smooth operations despite the volatility of PHO orders, for the full 12-18 month duration the PHO has identified.
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		<ul style="list-style-type: none"> • Whatever delivery method sold to students, will need to be reliable and stable. As in, what they purchased is what they get for the duration that they purchased it for. • s.13 • •
Ministry of Education; School Districts	Ministry of Education has procured, through Focused Education Resources, licenses to Zoom, to be used in classrooms with students across all school districts.	<p>School districts may request extension through summer, depending on measures required by Provincial Health Officer. If physical distancing requirements continue through September, the Ministerial Order would likely need to be extended.</p> <p>Update: Extension request for continuity of learning beyond the end of June, potentially into September if a combined or hybrid model of education delivery is needed into the fall.</p>
Ministry of Attorney General	Zoom: Hearings; tribunals; meetings with external stakeholders; communicating with the Supreme Court of BC, BC Court of Appeal, and with the Provincial Court; daily business with external parties – examinations for discovery, mediations, arbitrations, potentially court appearances, witness preparation, etc.	<p>If physical distancing requirements are still in place, the Ministry will likely need an extension.</p> <p>Update: MPO confirmed still being used for tribunals.</p>

Various municipalities	Video conferencing used for council meetings.	<p>If physical distancing requirements are still in place, some municipalities will likely need an extension.</p> <p>Update: City of Vancouver is not relying on the MO: "We had to factor in the Vancouver Charter requirements and decided to create PIAs that aligned to FIPPA and the Charter and did not use the Ministerial Order to validate our adoption of cloud technologies during the pandemic. We were also concerned that the June deadline was too short for our needs to build out a permanent approach to some of these services. We banned the use of Zoom as it did not meet our compliance needs and because of the various cybersecurity issues it presented."</p> <p>Other municipalities are using many different platforms s.13 s.13 Including: Zoom, MS Teams, WebEx, Join.me, GotoMeetings, Slack,</p>
Ministry of Citizens' Services	<p>Zoom: Using Zoom due to problems conducting online meetings with partners all over the country, the toll-free number via Skype for business is giving out busy signals, some partners working from home have to use personal cell to call into the Vancouver/Victoria local number</p> <p>Content of the online meetings with various jurisdiction/partners can be potentially sensitive</p>	<p>If physical distancing requirements are still in place, the Ministry will likely need an extension.</p>
Ministry of Advanced Education, Skills and Training	Zoom: Used to more readily connect with post-secondary institution colleagues on student financial assistance; bringing large groups together from across the sector (e.g., 40+ people) and sharing screens/presentations online in an effective and reliable manner; orientation sessions with institutions held once a month, possible online training and support for institutions	<p>If physical distancing requirements are still in place, the Ministry will likely need an extension.</p> <p><i>(update for sector included above)</i></p>
Ministry of Finance	Zoom: To connect people/organizations outside of BC Gov due to issues/limitations with Skype for Business	s.13

Various Ministers' Offices	Zoom – video conferencing of virtual town hall meetings.	If physical distancing requirements are still in place, the Ministries will likely need an extension.
Ministry of Tourism, Arts and Culture; Creative BC	Zoom – video conferencing used to broadcast events as a part of Showcase BC.	If physical distancing requirements are still in place, the Ministry will likely need an extension, s.13
BC Government - General	Slack – persistent chat tool. Used in ad hoc distributed fashion by various branches and teams within government.	Usage of Slack is highly varied with many program areas using it. s.13
Emergency Management BC	Personal Protective Equipment (PPE) Tracking application	Depending on the state of pandemic response, this initiative will likely need an extension. s.13
Ministry of Health, Emergency Management BC, Ministry of Citizens' Services (Government Digital Experience Division)	https://bc211.ca/ offered province wide during COVID and infrastructure could not handle the increase in demand; was rebuilt in AWS	The Ministerial Order was critical in enabling rapid deployment of this tool, s.13 s.13 s.13
Ministry of Health, Emergency Management BC, Ministry of Agriculture, Ministry of Citizens'	Temporary Foreign Worker Authorization Form https://www.farmoperatorscreening.gov.bc.ca/	The Ministerial Order was critical in enabling rapid deployment of this tool, s.13 s.13 No update yet.

Services (Government Digital Experience Division)		
Emergency Management BC	Power BI enabled in Microsoft Azure tenancy. Allows EMBC to coordinate, monitor and report on its work.	The Ministerial Order was critical in enabling rapid deployment of this tool. s.13
BC Gov	Planned work: similar chatbot to navigate to COVID-19 information for https://www2.gov.bc.ca/gov/content/home	s.13
Natural Resource Ministries	Planned work: Silviculture application (similar to the Temporary Foreign Worker Authorization Form; for tree planters)	The Ministerial Order was critical in enabling rapid deployment of this tool, s.13 s.13
Ministry of Social Development and Poverty Reduction	Zoom: Being used for virtual parental visits to children in care of the Province	If physical distancing requirements are still in place, the Ministry will likely need an extension.
Ministry of Transportation and Infrastructure, Transportation Investment Corporation	Zoom: Working with contractors on large infrastructure projects, which could include in-depth discussions about issues or challenges, decisions on agreements with third parties, etc. Internal to gov use such as operational information sharing with the team and 1:1 or small operational meetings re: staffing, performance management, policy implementation etc.	If physical distancing requirements are still in place, the Ministry will likely need an extension.

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Withheld pursuant to/removed as

s.13

From: [Haines, Geoff B CITZ:EX](#)
To: [Ball, Leila M CITZ:EX](#); [Harriman, Rheannon CITZ:EX](#)
Cc: [CITZ Supply Chain EOC CITZ:EX](#); [Chmelyk, DeAndra CITZ:EX](#)
Subject: RE: Correspondence - Government Procurement
Date: April 7, 2020 3:51:01 PM

Lets pull in another lead. I can help

We have folks in SPO available – need a name?

I think that this has both a policy (OCG) and ops (as per Dan's comment re workload) flavour to it.

Geoff

From: Ball, Leila M CITZ:EX <Leila.Ball@gov.bc.ca>
Sent: April 7, 2020 2:39 PM
To: Harriman, Rheannon CITZ:EX <Rheannon.Harriman@gov.bc.ca>; Haines, Geoff B CITZ:EX <Geoff.Haines@gov.bc.ca>
Cc: CITZ Supply Chain EOC CITZ:EX <CITZ.Supply.Chain.EOC@gov.bc.ca>; Chmelyk, DeAndra CITZ:EX <DeAndra.Chmelyk@gov.bc.ca>
Subject: RE: Correspondence - Government Procurement

Not in this context of current vendors and expediting their payments. Probably something we ask to involve Tim and Cassandra on as resources but broader implications than CITZ, FIN could provide input/options.

Geoff is working on some financial decision components, though this is probably a new 'project' requiring cross govt coordination.

Geoff, is this something you have time to add to your basket? If not, we can pull in another lead to work closely with you.

From: Harriman, Rheannon CITZ:EX <Rheannon.Harriman@gov.bc.ca>
Sent: April 7, 2020 2:27 PM
To: Ball, Leila M CITZ:EX <Leila.Ball@gov.bc.ca>
Subject: FW: Correspondence - Government Procurement
Importance: High

Suggestion below from a stakeholder via JEDC, do you know if anything like this has been discussed with the finance folks?

Rheannon
250-208-7809

From: Garside, Kimberley JEDC:EX <Kimberley.Garside@gov.bc.ca>
Sent: April 7, 2020 2:19 PM
To: Harriman, Rheannon CITZ:EX <Rheannon.Harriman@gov.bc.ca>
Subject: Correspondence - Government Procurement
Importance: High

Good Afternoon Rheannon,

I received an eApproval correspondence letter from the Business Improvement Areas of British Columbia which contained numerous suggestions to assist small businesses during COVID-19.

The following question was included about government contracts and am hoping you could direct me to a staff member to assist in supplying me with a brief response to include in my reply. My letter will be vetted by GCPE and my executive so there will not be a need for your team to send it to GCPE as well.

6. Expedite government payments to those who have government contracts to ensure they can keep their doors open.

Please let me know if you have any questions.

Kind Regards,

Kimberley Garside | Senior Policy Analyst
Ministry of Jobs, Economic Development and Competitiveness | Province of British Columbia
p: 778-698-1675 | f: 250-952-0113 | e: kimberley.garside@gov.bc.ca

-

From: [Ball, Leila M CITZ:EX](#)
To: [Harriman, Rheannon CITZ:EX](#); [Cope, Dan CITZ:EX](#); [Haines, Geoff B CITZ:EX](#)
Cc: [CITZ Supply Chain EOC CITZ:EX](#); [Chmelyk, DeAndra CITZ:EX](#)
Subject: RE: Correspondence - Government Procurement
Date: April 7, 2020 3:54:29 PM

Agree, track but don't assign yet please. Thanks.

From: Harriman, Rheannon CITZ:EX <Rheannon.Harriman@gov.bc.ca>
Sent: April 7, 2020 3:42 PM
To: Cope, Dan CITZ:EX <Dan.Cope@gov.bc.ca>; Ball, Leila M CITZ:EX <Leila.Ball@gov.bc.ca>; Haines, Geoff B CITZ:EX <Geoff.Haines@gov.bc.ca>
Cc: CITZ Supply Chain EOC CITZ:EX <CITZ.Supply.Chain.EOC@gov.bc.ca>; Chmelyk, DeAndra CITZ:EX <DeAndra.Chmelyk@gov.bc.ca>
Subject: RE: Correspondence - Government Procurement

They needed a response by end of day so I provided the info below.

All opportunities to support BC businesses in this uncertain time are currently being reviewed. The Ministry of Citizens' Services is coordinating with ministries across government to ensure ideas such as this are tracked and prioritized.

Would suggest this could be included as an idea to support businesses; however, not sure where it would fall in the level of priority right now.

Rheannon
250-208-7809

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Sent: April 7, 2020 3:13 PM
To: Harriman, Rheannon CITZ:EX <Rheannon.Harriman@gov.bc.ca>; Ball, Leila M CITZ:EX <Leila.Ball@gov.bc.ca>; Haines, Geoff B CITZ:EX <Geoff.Haines@gov.bc.ca>
Cc: CITZ Supply Chain EOC CITZ:EX <CITZ.Supply.Chain.EOC@gov.bc.ca>; Chmelyk, DeAndra CITZ:EX <DeAndra.Chmelyk@gov.bc.ca>
Subject: RE: Correspondence - Government Procurement

I believe the language in the GSA is that payment must be made within 30 days of getting an invoice.

So guidance could probably be given to attempt to expediate payment down to like 14 days or something like that, but that might cause additional burden on government as it requires a lot of executive checks and balances and staff work to process invoices.

From: Harriman, Rheannon CITZ:EX <Rheannon.Harriman@gov.bc.ca>
Sent: April 7, 2020 2:46 PM

To: Ball, Leila M CITZ:EX <Leila.Ball@gov.bc.ca>; Haines, Geoff B CITZ:EX <Geoff.Haines@gov.bc.ca>
Cc: CITZ Supply Chain EOC CITZ:EX <CITZ.Supply.Chain.EOC@gov.bc.ca>; Chmelyk, DeAndra CITZ:EX <DeAndra.Chmelyk@gov.bc.ca>; Cope, Dan CITZ:EX <Dan.Cope@gov.bc.ca>
Subject: RE: Correspondence - Government Procurement

Ok I can include something fairly bland in the response for now and then we can include it in a broader list of opportunities for future consideration.

Thank you!

Rheannon
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Sent: April 7, 2020 2:39 PM
To: Harriman, Rheannon CITZ:EX <Rheannon.Harriman@gov.bc.ca>; Haines, Geoff B CITZ:EX <Geoff.Haines@gov.bc.ca>
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