

Summary of Discussion and Record of Decision



Pan-Canadian Privacy Forum

Date: October 14, 2020

Location: WebEx virtual conference

Members Present – Oversight	Members Present – Ministry or eHealth agency	Infoway Representatives
LeRoy Brower (Co-Chair AB, OIPC)	Val Gural (MB eHealth, Co-Chair)	Abigail Carter-Langford (Co-Chair)
Michael McEvoy (BC, OIPC)	Sukhy Sidhu (BC, MOH)	Sarah Wickham
Jeannette Van Den Bulk (BC, OIPC)	Christine Sham (ON, MOHLTC)	Daria Ilkina
Debra Grant (ON, OIPC)	Jean-François Luc (CA, Health Canada)	
Diane Aldridge (SK OIPC)	Jeanne MacDougall (PEI, Health PEI)	
Nancy Love and Team (MB Ombudsman)	Kelly O'Brien (NU, DHSS)	
Maria MacDonald (PEI, OIPC)	Andrea Rosseau (CA, Health Canada)	
Michael Harvey (NL, OIPC)	Catherine Rouanes (NB, DoH)	
Ruth Marks (NL, OIPC)	Jannet Ann Leggett (NT, GoNT)	
Sebastian Paauwe (YK, OIPC)	Christine Baynton (SK, eHealth SK)	
	Donna Roche (NL, NLCHI)	
Regrets:		Guests/Presenters:
Janet Burt-Gerrans (NS, OIPC)	Elizabeth Iwaskow (NS, DHW)	Madelaine Saginur (CA, Health Canada)
Shayna Gersher (CA, OPC)	Rhonda Wing (CIHI)	Melissa Toutloff (CA, Health Canada)
Chantal Gionet (NB, OIPC)	Lisa Dietrich (SK, MoH)	Barry Burk (Infoway)
	Duncan Worden (AB, Alberta Health)	Jamie Bruce (Infoway)



Briefing Note



1.0 Call to Order

Roll call/review of agenda:

A. Carter-Langford with L. Brower and V. Gural called the meeting to order and welcomed all members and reviewed the agenda.

2.0 Privacy and COVID Alert Application

Andrea Rosseau, Director of the Privacy Management Division, Madelaine Saginur, Policy Manager, and Melissa Toutloff, Senior Policy Analyst, all with Health Canada and the Public Health Agency of Canada gave a presentation on Privacy and the COVID Alert Application.

(Slides distributed)

3.0 PrescribelT Update

Jamie Bruce, Executive Vice President, PrescribelT, Canada Health Infoway gave a presentation to provide an update on PrescribelT.

(Slides distributed)

4.0 ACCESS Update

Barry Burk, Executive Vice President, ACCESS Health, Canada Health Infoway gave a presentation to provide an update on ACCESS Health and provided on update on strategic direction.

(Slides distributed)

5.0 Discussion and Close

Members were asked to provide feedback on approaches to meeting member need while continuing the Forum in the current context.

The meeting was closed.



Sidhu, Sukhy HLTH:EX

From: Sukhy.Sidhu@gov.bc.ca
Sent: December 1, 2020 9:35 AM
Subject: Privacy Forum (01-12-2020)

- CPPA will have an impact on provincial legislation.
 - Right to data mobility/portability. Challenges w/ interoperability. Not a lot of detail, but will have more details in the regulation.
 - Will be able to withdraw consent for use of their PI from that time onwards.
 - Company must keep PHI/PI if required by law, etc.
- authenticate at time of registration. Given a code at time of COVID test. Need to enter code to see results - authenticate then too somehow.

Roundtable

- have jurisdictions amended their legislation during COVID to address gaps (eg to allow info to flow, other barriers)?
 - In BC we have issued a MO to allow PI to be stored outside of Canada. This allows the use of communication tools to deliver care, etc.
- Virtual notifications?

Sent from my iPhone

Summary of Discussion and Record of Decision



Pan-Canadian Privacy Forum

Date: December 1, 2020

Location: WebEx virtual conference

Members Present – Oversight	Members Present – Ministry or eHealth agency	Infoway Representatives
	Val Gural (MB eHealth, Co-Chair)	Abigail Carter-Langford (Co-Chair)
Caitlin Lemiski (BC, OIPC)	Sukhy Sidhu (BC, MOH)	Daria Ilkina
Jeannette Van Den Bulk (BC, OIPC)	Christine Sham (ON, MOHLTC)	
Debra Grant (ON, OIPC)	Jeanne MacDougall (PEI, Health PEI)	
Diane Aldridge (SK OIPC)	Kelly O'Brien (NU, DHSS)	
Nancy Love and team (MB Ombudsman)	Catherine Rouanes (NB, DoH)	
Jill Perron (MB, Ombudsman)	Jannet Ann Leggett (NT, GoNT)	
Maria MacDonald (PEI, OIPC)	Christine Baynton (SK, eHealth SK)	
Ruth Marks (NL, OIPC)	Donna Roche (NL, NLCHI)	
Sebastian Paauwe (YK, OIPC)	Elizabeth Iwaskow (NS, DHW)	
Janet Burt-Gerrans (NS, OIPC)	Lisa Dietrich (SK, GoSK)	
Andrew Fox and team (NT/NU, OIPC)	Julia Cottle (YK, GoYK)	
Elaine Keenan Bengts (NT/NU, OIPC)	Rhonda Wing (CIHI)	
Dylan Grey (NT/NU, OIPC)	Jeff Niles (ISC)	
Regrets:		Guests/Presenters:
LeRoy Brower (Co-Chair AB, OIPC)	Duncan Worden (AB, Alberta Health)	Carole Piovesan (CA, INQ Law)
Melanie Millar-Chapman (CA, OPC)	Andrea Rosseau (CA, Health Canada)	Barry Burk (Infoway)
Chantal Gionet-Bergeron (NB, Ombudsman)	Jean-François Luc (CA, Health Canada)	Nelson Shen (ON, CAMH)
Michael Harvey (NL, OIPC)	Jennifer Potvin (YK, Health and Social Services)	Iman Kassam (ON, CAMH)
Denise N. Doiron (PEI, OIPC)	Curtis Bergeron (CA, Indigenous Services Canada)	
Diane McLeod McKay (YK, OIPC)		



Summary of Discussion and Record of Decision



1.0 Call to Order

Roll call/review of agenda: A. Carter-Langford and V. Gural called the meeting to order and welcomed all members and reviewed the agenda.

Welcome to Andrew Fox – new Privacy Commissioner, NWT.

2.0 Jurisdictional updates

Carole Piovesan, Partner & Co-Founder, INQ Data Law gave a presentation on new federal Canadian private sector privacy legislation, focusing on the changes introduced in the CPPA, and potential impact on provinces and territories.

(Discussion highlights distributed)

3.0 Canada Health Infoway – Virtual Care

Barry Burk, Executive Vice President, ACCESS Health, Canada Health Infoway gave a presentation to provide an update on Canada Health Infoway new Virtual Care mandate and strategic direction.

(Slides distributed)

4.0 Access to Minors

Nelson Shen, CIHR Health System Impact Post-Doctoral Fellow, CAMH gave presentation on the work Infoway is doing in partnership with CAMH regarding mature minors' access to their own personal health information, and gave an overview of the four manuscripts that are being prepared for publication on this subject.

Members engaged in a discussion on access challenges and considerations in their own jurisdictions.

(Slides distributed)

5.0 Discussion and Close

Members were asked to provide feedback regarding their interest to join smaller discussion groups on specific topics, such right to deletion, and overview of the results from A Healthy Dialog work, or any other topics of interest.^{s.16}

s.16

The meeting was closed.



Sidhu, Sukhy HLTH:EX

From: Sukhy.Sidhu@gov.bc.ca
Sent: February 23, 2021 11:53 AM
Subject: Questions HIPG - Cda Health Infoway

- Barb drafting reg policy
-

Question 1

- Barb, ONT
- can compel health card number. And anything attached to that becomes PHI.
- the ministry can compel PHI from any custodians if the ministry provided funding for that program, etc.
- no way to look at how some was spent
- could be additional
- part of physicians agreements.
- d.n. receive push back (some not okay bec dn believe they was authority for it. So added legal authority to law.
- could name who could compel (eg other ministers such as social ministry)
-
- Dn know how to extract info.
- dn identify the technical requirements. Could still provide it by paper.

Julia, Yukon.

- can compel from any custodians.
- leg dn speak to how the info is sharing. Have ability to compel, haven't? Would get push back for funding, or integration.
- specific to Yukon systems.

Question 2

- Barb, ONT.
- allow (last year) to regulate health apps in general via regulation. Eg DotHealth app. Patients provide consent to company to collect PI on patient's behalf.
- is app provider acting on behalf of patient or custodian.
- all relies on patient consent.
- liability questions- is the custodian required to share info, what if a breach?

Julia, Yukon

- from a smaller jurisdiction. Would be happy to contribute to a national standard or perspective.
- lack of resources from an auditing perspective.

Abigail question: on your radar to make a change or not there yet.

- barb consumer electronics SP. talking to OIPC in ONT.

Question 3

- Barb, ONT.
- knowledgeable consent vs meaningful consent. Consent and consent mgmt.
s.13; s.16

- withdrawal of consent problematic. Mgmt is complex.

-

- Jannet Ann, NWT.
- varying languages. 2 official languages.
- Abigail - digital care context.

s.13; s.16

-

Question 4

Question 5

Question 6

Question 7

Sent from my iPhone

Summary of Discussion and Record of Decision



Pan-Canadian Privacy Forum

Date: March 9, 2021

Location: WebEx virtual conference

Members Present – Oversight	Members Present – Ministry or eHealth agency	Infoway Representatives
	Val Gural (MB, Shared Health, Co-Chair)	Abigail Carter-Langford (Co-Chair)
Jeannette Van Den Bulk (BC, OIPC)	Duncan Worden (AB, Alberta Health)	Daria Ilkina
Caitlin Lemiski (BC, OIPC)	Sukhy Sidhu (BC, MOH)	Emma Ramsey
Debra Grant (ON, OIPC)	Christine Sham (ON, MOHLTC)	
Denise N. Doiron (PEI, OIPC)	Jeanne MacDougall (PEI, Health PEI)	
Diane Aldridge (SK OIPC)	Kelly O'Brien (NU, DHSS)	
Jill Perron (MB, Ombudsman)	Catherine Rouanes (NB, DoH)	
Michael Harvey (NL, OIPC)	Christine Baynton (SK, eHealth SK)	
Sebastian Paauwe (YK, OIPC)	Donna Roche (NL, NLCHI)	
Janet Burt-Gerrans (NS, OIPC)	Julia Cottle (YK, GoYK)	
Andrew Fox (NT/NU, OIPC)	Rhonda Wing (CIHI)	
Rachel Hayward (AB, OIPC)	Jannet Ann Leggett (NT, GoNT)	
Regrets:		Guests/Presenters:
Diane McLeod McKay (YK, OIPC)	Andrea Rosseau (CA, Health Canada)	Perry Kjargaard (Infoway)
Maria MacDonald (PEI, OIPC)	Jennifer Potvin (YK, Health and Social Services)	Shelagh Maloney (Infoway)
Melanie Millar-Chapman (CA, OPC)	Lisa Dietrich (SK, GoSK)	Jonathan Riou (CA, Indigenous Services Canada)
Chantal Gionet-Bergeron (NB, Ombudsman)	Elizabeth Iwaskow (NS, DHW)	Lisa Marie Wasmund (CA, Indigenous Services Canada)
Nancy Love (MB Ombudsman)	Sylvie Gaskin (ON, eHealth)	Judy White (NL)
Curtis Bergeron (CA, Indigenous Services Canada)	Elaine Keenan Bengts (NT/NU, OIPC)	Adam Mazer (ON, MOHLT)
		Barb Guiao (ON, MOHLT)
		Olive Collaco (ON, MOHLT)



Summary of Discussion and Record of Decision



1.0 Call to Order

Roll call/review of agenda: Abigail Carter-Langford called the meeting to order and welcomed all members and reviewed the agenda.

Members were asked to reach out to current co-chairs (Abigail Carter-Langford and/or Val Gural) after the event if they wish to volunteer to become a co-chair of the Privacy Forum, as one of these positions of oversight is currently open.

2.0 Virtual Care ^{s.13; s.16}

Perry Kjargaard, Senior Regional Director, Mid-West, Canada Health Infoway, gave a presentation on ^{s.13; s.16}

(Slides distributed)

3.0 Overview on Consultations on Distinctions-Based Health Legislation

Jonathan Riou, Acting Senior Director Legislation and Transformation, and Lisa Marie Wasmund, Manager, Policy Development, Indigenous Services Canada, gave a presentation on the engagement for co-development of distinctions-based Indigenous health legislation.

(Slides distributed)

4.0 Canada Health Infoway – A Healthy Dialogue

Shelagh Maloney, Executive Vice President, Engagement and Marketing, Canada Health Infoway, gave a presentation on the national survey A Healthy Dialog conducted by Infoway over 2019-2020, and shared some preliminary results with the Privacy Forum members. It was the largest national public consultation around digital health in Canada.

(Slides distributed)



Summary of Discussion and Record of Decision



5.0 Overview of Legislative Review: British Columbia

Sukhy Sidhu, Senior Director, Privacy Policy and Legislation, BC Ministry of Health, Health Sector IM/IT, gave a presentation on health sector's information privacy policies and legislation direction in BC.

(Slides distributed)

6.0 Overview of Legislative Review: Ontario

Adam Mazer, Director, Enterprise Recordkeeping, Access and Privacy, and Christine Sham, Director, Information Management Strategy and Policy, and Barb Guiao, Manager, Privacy, Information Management Strategy and Policy Branch, Ministry of Health and Long-Term Care, talked about consultations happening in Ontario around provincial private sector privacy legislation.

Barb Guiao offered to have a separate discussion at the next/another Privacy Forum about the work being done in Ontario to modernize provincial health privacy legislation to align with the legislative changes in the private sector and to develop a strategic information and data policy framework for Ontario healthcare.

7.0 Discussion and Close

The meeting was closed.

