



Document Management Tip

What is a Privacy Impact Assessment?

Chiropractors are now named custodians under the *Health Information Act* (HIA) amendment of September 2010. Each custodian is legally required to establish or adopt policies and procedures that will facilitate the implementation of this act and these regulations (63). The College of Chiropractors Standards of Practice also requires chiropractors to have these policies and procedures. A Privacy Impact Assessment builds on the foundation of the policies and procedures to assess the risks of the collection, use, and disclosure of health information and addresses mitigation strategies.

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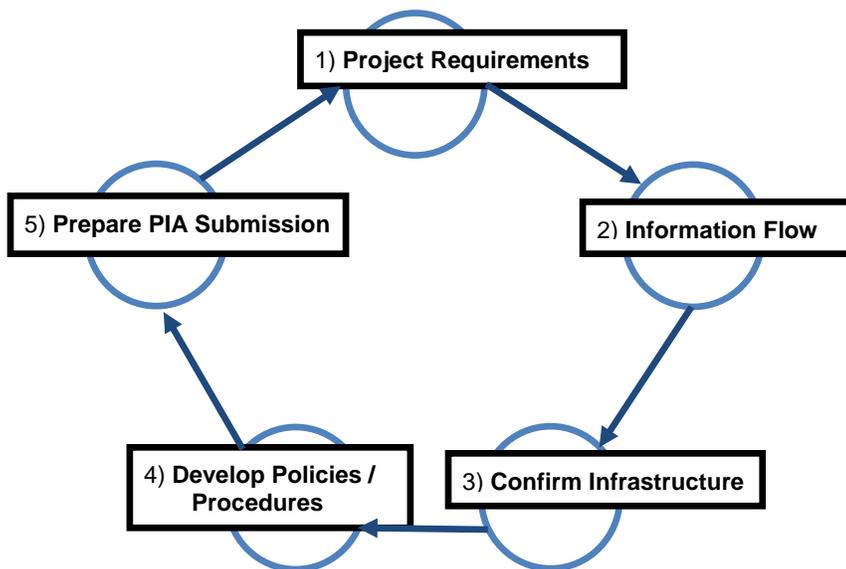
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- 1) Project Requirements
- 2) Information Flow
- 3) Confirm Infrastructure
 - a. Paper records
 - b. Computer network
 - c. Software
 - d. Fax
 - e. Email
 - f. other
- 4) Develop Policies and Procedures
 - a. Legal authorities
 - b. Risk Mitigation Strategies
- 5) Prepare PIA Submission
 - a. PIA
 - b. Policies, procedures
 - c. GAP analysis
 - i. EHR requirements

What does a Privacy Impact Assessment do?

A Privacy Impact Assessment is the administrative practice of documenting your already-in-use office practices, and it is a learning opportunity for you to rethink how you conduct your clinic. Maybe you never thought that a patient might try to read the receptionist's computer screen over his/her shoulder – how should you position the receptionist so that this doesn't happen? Maybe a clinician keeps forgetting to log out of his computer when he goes for lunch – do you have an automated inactivity system that logs him out? A Privacy Impact Assessment captures these kinds of safeguards: administrative, physical, and technical, that shows that you have considered the risks of information disclosure, and have taken steps to mitigate these risks.

Who needs to have a Privacy Impact Assessment?

A Privacy Impact Assessment is required before a custodian (chiropractor) implements any proposed new practice or system, or changes existing practices or systems. For example, if you are opening a new practice, you need policies, procedures, and a Privacy Impact Assessment. If you are adding or changing the way that you are collecting, using, or disclosing health information, you need a Privacy Impact Assessment. Prior to applying for access to Netcare, you need a Privacy Impact Assessment. If you are implementing a new office EMR (Electronic Medical Record), you need a Privacy Impact Assessment.

It is also good to remember that a PIA is not a static document. Just because you completed a PIA when you first opened your practice, does not mean that you do not need to review it when you start collecting information for a different purpose, sharing information differently, or when you implement a new EMR. Once you understand the methodology of safeguarding personal health information, you can undertake these smaller project PIA's with ease.

How do I get a Privacy Impact Assessment done?

The HIA requires that a custodian must submit a Privacy Impact Assessment to the Office of the Information and Privacy Commissioner (OIPC) for review and comment before implementing new, or changing existing practices that relate to the collection, use, and disclosure of health information. See OIPC website, www.oipc.ab.ca, for "PIA Requirements" document that provides examples and instructions for completing a PIA document.

Following these requirements, it is possible to complete your Privacy Impact Assessment yourself. However, many custodians, including chiropractors, may find this to be a daunting task that they do not have the time and resources for. If this is the case, hiring a privacy specialist to assess your office practices and assist you in completing the Privacy Impact Assessment may be an ideal choice.

Computer Network

An important part about managing personal information is the computer network system that supports your practice management software, email, faxing, accounting, billing, and employee and business records. The Electronic Health Records regulations details technical, administrative, and physical safeguards that are required by the Health Information Act. You will need to work with your computer network vendor services and your practice management software vendor to ensure that your solution meets regulations.

Vendor Services

Request your office practice software provider for assistance and supporting documents to ensure that you are meeting Alberta's Electronic Health Records regulations.

Once the PIA is completed, submit it to the Office of the Information and Privacy Commissioner of Alberta for acceptance. "Acceptance" reflects that the custodian has made reasonable efforts to protect privacy, but remember that the onus is always on you to ensure that you have in place adequate levels of privacy protection.

Standards of Practice Introduction

(From ACAC Standards of Practice, December 15, 2011, page 1)

As set out in the *Health Professions Act* (HPA) in Alberta, all self-regulating health professions are required to have Standards of Practice (Standards). Each profession's regulatory body must establish, maintain and enforce a set of Standards for the chiropractors who practice in Alberta.

The ACAC Standards of Practice are standards of professional behaviour and conduct required of all chiropractors in Alberta that ensures the safe and appropriate interaction between a chiropractor and their patients, as well as the public.

Standards are a part of the structure within which the ACAC governs members in a manner that protects and serves the public by providing direction to chiropractors and regulating the practice of chiropractic.

Each chiropractor, in their professional capacity, is required to understand and comply with these Standards, which are enforceable under the HPA and which will be referenced in complaints investigations and disciplinary proceedings where applicable.

The ACAC Standards of Practice continue to evolve with the profession of chiropractic in Alberta and may change from time-to-time. New Standards and adopted revisions will come into force after a period of consultation with chiropractors and others as set out in the HPA.

Enforceability

The *Health Professions Act* includes a detailed definition of professional misconduct including contravention of the Act, the code of ethics and standards of practice. Any chiropractor identified as non-compliant or in contravention is subject to the investigations and complaints process as set out in Part 4 of the *Health Professions Act*.

This publication provides general guidance for a chiropractic office in Alberta. Consultation with your information systems, health records, and privacy office is recommended. For additional assistance, contact INFORMATION MANAGERS LTD.

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Resources

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