



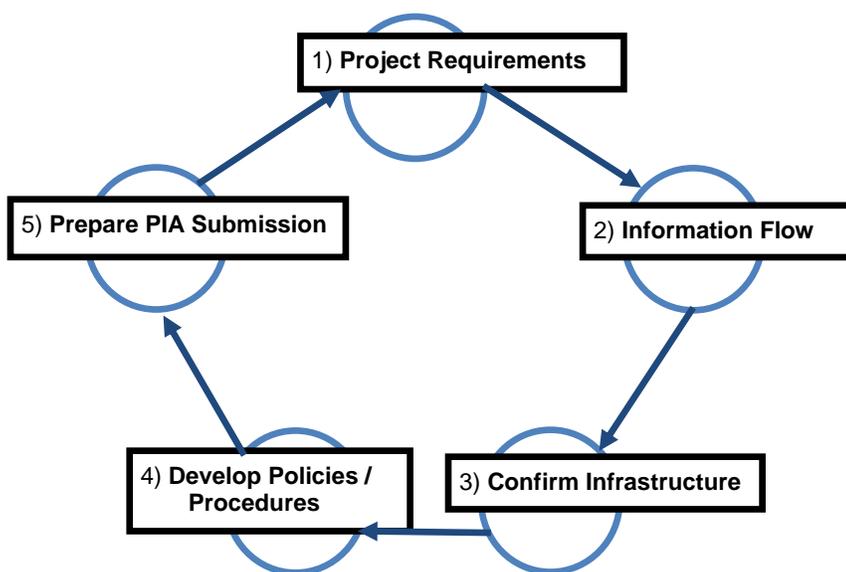
Document Management Tip

What is a Privacy Impact Assessment?

Chiropractors are now named custodians under the *Health Information Act* (HIA), as of the September 2010 amendment. So, what kinds of responsibilities does this custodianship entail for chiropractors?

Like physicians, chiropractors (and all other custodians) are legally required to establish policies and procedures that assess and mitigate the risks associated with the collection, use and disclosure of health information. The *HIA* and the College of Chiropractors both require standards of practice that ensure that this information is managed in accordance with the law. **A Privacy Impact Assessment (PIA) is an important part of this compliance.** The diagram below outlines the major considerations in performing a PIA, and the following article provides further information about the necessity of a Privacy Impact Assessment for your business.

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- 5) Prepare PIA Submission
 - a. PIA
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What is the purpose of a Privacy Impact Assessment?

A Privacy Impact Assessment (PIA) **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 business. **A PIA provides the opportunity to think about every detail of your work from a privacy perspective.** For example, is your receptionist's computer positioned in such a way that a patient might be able to read the screen? How could you reposition your receptionist so this doesn't happen? Or perhaps a clinician consistently forgets to log out of his computer when he takes breaks. Do you have an automated inactivity system that logs him out?

A Privacy Impact Assessment captures these kinds of safeguards: administrative, physical, and technical, and demonstrates how you have mitigated the risks of unintentional information disclosure.

When do you need to do a Privacy Impact Assessment?

A Privacy Impact Assessment is required before a chiropractor (or healthcare practitioner of any kind) implements a new practice or system, or changes existing practices or systems. For example, if you are opening a new practice, you need policies and procedures related to your privacy and work flow systems, as well as a formal Privacy Impact Assessment.

You also need to complete a new Privacy Impact Assessment in any of the following circumstances:

- If you are adding or changing the way that you are collecting, using, or disclosing health information
- Applying for access to Netcare
- Implementing a new office EMR (Electronic Medical Record) system

It is important to remember that a PIA is not a static document. Just because you completed a PIA when you first opened your practice doesn't mean that you don't need to review it when you start collecting information for a different purpose, sharing information in a different way, or when you implement a new EMR.

Once you understand how to safeguard personal health information, you can undertake these smaller 'project PIAs' 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 practices, or changing existing practices that relate to the collection, use, and disclosure of health information. **See the OIPC website, www.oipc.ab.ca, for the "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, find that performing their own PIA is a daunting task, and that they don't have the time and resources to do it. **In this case, hiring a privacy specialist to assess your office practices and assist you in completing the Privacy Impact Assessment is an excellent option.**

Computer Network

An important part of managing personal information is your computer network system. Most clinics use computer networks that support practice management software, email, faxing, accounting, billing, and employee and business records. **The Electronic Health Records regulations detail technical, administrative, and physical safeguards that are required by the Health Information Act.** You will need to work with your computer network vendor and your practice management software vendor to ensure that your solution meets these regulations.

Vendor Services

To ensure you are meeting Alberta's Electronic Health Records regulations, talk to your practice management software provider, and request assistance and supporting documents if necessary.

What To Do When Your PIA Is Complete

Once the PIA is completed, submit it to the Office of the Information and Privacy Commissioner of Alberta for acceptance. **“Acceptance” reflects that you have made reasonable efforts to protect your clients' privacy,** but remember the onus is always on you to ensure that you have adequate levels of privacy protection in place as your practice continues to grow and evolve.

Standards of Practice Introduction

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

The *Health Professions Act* (HPA) states that, in Alberta, all self-regulating health professions are required to have Standards of Practice (Standards). **Therefore, the Alberta College and Association of Chiropractors (ACAC) has established, maintained and enforced a set of standards for all chiropractors who practice in Alberta.**

The ACAC Standards of Practice are standards of professional behaviour and conduct required of all chiropractors in Alberta, which ensure the safe and appropriate interaction between chiropractors and their patients, as well as the public at large.

These standards are a part of a governing structure that serves the public in two ways: by providing direction to chiropractors, and by regulating chiropractic practice.

Each chiropractor, in his or her professional capacity, is required to understand and comply with these standards. The standards are enforceable under the *HPA* and are referenced in complaints investigations and disciplinary proceedings, should these events occur.

The ACAC Standards of Practice will continue to evolve with the chiropractic profession in Alberta and may change. New standards and adopted revisions will come into force after a period of consultation with chiropractors and others as set out in the *HPA*. Therefore, **it's necessary to ensure your knowledge of these standards remains up-to-date.**

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.** Compliance includes the completion of Privacy Impact Assessments.

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, and questions about Privacy Impact Assessments and your practice, please contact INFORMATION MANAGERS LTD.

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Resources

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