Alberta Netcare
ELECTRONIC HEALTH RECORD

Better Patient Information.
Better Care Decisions.

PRIVACY IMPACT ASSESSMENT (PIA)

WHAT IS THE PRIVACY IMPACT ASSESSMENT (PIA)?

The PIA is a due diligence process where the custodian identifies and addresses potential privacy risks that may occur within his or her current practice when individually identifiable health information is collected, used, and disclosed. The PIA provides documented assurance to the custodian, to the Information and Privacy Commissioner and to the public that all privacy issues related to the current practice have been appropriately identified and addressed. PIAs include an examination of organization-wide practices and processes (Part A), and specific projects (Part B).

PIA RESPONSIBILITY GUIDELINES

WHY DO I NEED A PIA?

The Health Information Act (HIA) and the regulations made under it establish the rules that must be followed for the collection, use, disclosure and protection of health information. These rules are intended to:

- Protect the privacy of individuals and the confidentiality of their health information;

- Ensure that health information is shared appropriately; and

- Ensure that health records are managed and protected properly.

The HIA requires all custodians to submit a PIA to the Office of the Information and Privacy Commissioner (OIPC) for review and comment before the custodian implements any new practice and system or any proposed change to existing practices and systems relating to the collection, use, and disclosure of individually identifiable health information. The OIPC will either accept the PIA or will return it for further clarification.

The implementation of the Alberta Netcare Electronic Health Record occurs over four phases. Phase 1 activities ensure a site has met the eligibility readiness requirements. As part of this process, all community custodians must have an accepted PIA by the OIPC.

If you have not already submitted a PIA to the OIPC for your current practices, you are required to do so for the new initiative of accessing the Alberta Netcare Electronic Health Record.

WHAT ARE MY RESPONSIBILITIES AS A CUSTODIAN?

PIAs are mandatory under the HIA. The following excerpts from the HIA outline the obligations of a custodian in regard to PIAs:

64 (1) Each custodian must prepare a privacy impact assessment that describes how proposed administrative practices and information systems relating to the collection, use and disclosure of individually identifying health information may affect the privacy of the individual who is the subject of the information.	**64 (2)** The custodian must submit the privacy impact assessment to the Commissioner for review and comment before implementing any proposed new practice or system described in subsection (1) or any proposed change to existing practices and systems described in subsection (1).

Custodians must demonstrate that their practices and procedures are in compliance with the HIA. As a custodian you must submit a PIA to the OIPC to demonstrate this HIA compliance. Ultimately, custodians are responsible for the personal health information that is collected, used and disclosed.

PIA PROCESS GUIDELINES

The OIPC has developed a PIA process to assist organizations in reviewing the impact that the new project may have on individual privacy. The process is designed to ensure that the project is in compliance with the HIA. The Commissioner will review the PIA and once satisfied that the organization meets the necessary level of privacy protection, the Commissioner will "accept" the PIA. Acceptance is not approval; it merely reflects the Commissioner's acceptance that the organization has made reasonable efforts to protect privacy. The onus remains on the organization to ensure adequate levels of privacy protection.

The PIA is composed of two main elements: Part A (Policies and Procedures) and Part B (Projects).

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PART A:	PART B:
Assess your organization-wide practices and processes to ensure compliance with the HIA.	Assess the privacy controls surrounding a specific project.
It addresses the management of privacy for personal health information.	It describes a specific project (such as accessing the Alberta Netcare Portal in a System to System (S2S) environment) where the intention is to implement a new administrative practice or information system that will change the way personal health information is used and accessed in your setting.
The main sections include: • **Privacy Policies and Controls.** Reviewing or putting into place a strategy that directly addresses privacy concerns or a privacy policy. • **Privacy Structure and Organization.** Reviewing or putting into place policies and training procedures for employees who handle health information to protect the privacy of the information.	The main sections include: • **Project Description.** Describe the proposal. What personal health information is involved? What is the change? (e.g. Use the EMR on a remote access tablet). • **Authority for Collection, Use and Disclosure.** Who can view and make entries? • **Privacy Risk Assessment.** What is the chance of unauthorized access or use? • **Privacy Controls and Security.** What will prevent unauthorized use? • **Audit & Enforcement.** How will access and use be monitored?

** Custodians are responsible for submitting their own PIA Part B. Regardless of the origin of the PIA Part B, the PIA is not complete until both Part A and Part B have been submitted to the OIPC.

WHAT ARE THE STEPS IN THE PIA PROCESS?

The PIA process includes the following activities. It can take 45 days or more for the OIPC to review and accept your PIA.

1. Locate templates and descriptions of information at: http://www.oipc.ab.ca/pia/.
2. Complete Part A and, if necessary, Part B of the PIA.
3. Submit the PIA, with cover letter, to the OIPC.
4. OIPC reviews to verify the PIA is complete:
   a. If it is incomplete or if clarification is needed, the PIA will be returned to the custodian.
   b. If it is complete, OIPC will send a letter to the custodian indicating the PIA will be reviewed for appropriateness. A file number referencing the custodian's PIA will be included with this letter.
5. PIA acceptance is posted on the OIPC website, and a letter is sent to the custodian stating this acceptance.

To avoid having your PIA rejected, be sure to contact the OIPC if you have any questions regarding Part A (Policies and Procedures) or Part B (Projects). The OIPC can provide guidance to help you complete your PIA and also when an amendment to an existing IMA is required. Please visit the website for details: http://www.oipc.ab.ca/home

HOW DO I TAKE ADVANTAGE OF THE STANDARDIZED PIA PART B FOR ALBERTA NETCARE PORTAL BROWSER ACCESS?

Alberta Health and Wellness has submitted PIA Part B to the OIPC for the Alberta Netcare Portal browser access. As a custodian, you are still responsible to submit Part A. However, you may participate in one of the standardized projects in Part B.

As a custodian you are fully responsible and accountable for being compliant with the responsibilities outlined in Part B of the PIA and in any documentation surrounding the implementation of the project.

Also send a supplementary cover letter to the OIPC stating:

• Acknowledgement that all of the requirements of Part B are in place as submitted by AHW (a copy of part B is available by contacting the HIA help desk).
• An acknowledgement of custodian roles and responsibilities.
• Appropriate policies and procedures attached to the covering letter.

KEY CONTACTS

Pharmacist Custodians	In place of Part A of the PIA the custodian can submit the pharmacy's HIA policies and procedures. Contact the RxA for PIA assistance by phone: **780-990-0326** or visit their website: **www.rxa.ca**
All Custodians	Contact the Office of the Information and Privacy Commissioner (OIPC) if you have any questions regarding your PIA submission, by phone: **1-888-878-4044** or visit their website: **http://oipc.ab.ca/home** When the PIA has been accepted by the OIPC, contact an Alberta Netcare eHealth Support Team to move forward with the implementation of the Alberta Netcare Electronic Health Record and the Alberta Netcare Portal by phone: **1-855-643-8649**, or email: **health.ehrdeployment@gov.ab.ca** The HIA help desk can be reached by phone: **780-427-8089** or email: **hiahelpdesk@gov.ab.ca**

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