Privacy Impact Assessment Summary

Date Originally Written: October 2017
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OTN Telehomecare
Vivify Health Canada, Inc. Remote Care Platform

A Privacy Impact Assessment (PIA) is a formal risk management tool that allows the Ontario Telemedicine Network (OTN), in its role as a Health Information Network Provider (HINP) under Ontario Regulation 329/04 of the *'Personal Health Information Protections Act, 2004'*(PHIPA) to assess a technology, program or information system's privacy risks and compliance with applicable legislative requirements and/or standards. Where required, a PIA also details risk mitigating strategies by way of recommendations and an action plan. A critical element of the PIA process is the implementation of those recommendations detailed in the assessment.

A PIA has the benefit of generating and communicating confidence that privacy requirements are being met and risks mitigated. It can also promote fully informed policy decision-making and system design choices, ensuring privacy is considered throughout the business redesign/project redevelopment cycle. A PIA is meant to be used and expanded over the cycle of the initiative's development and implementation, to continuously identify and address risks that impact or have the potential to impact the confidentiality, integrity and accessibility of personal health information held/handled by OTN, third party vendors and/or healthcare organizations and providers. OTN has adopted a risk tolerance level of low, meaning that low and very low risks will not be immediately actioned, but will be monitored to ensure that they stay within tolerable levels. All high and medium risks are published and mitigated in accordance with OTN policies and practices.

OTN completed a PIA in September 2017 of its new remote patient monitoring platform which will be leveraged for its Telehomecare program. The following is a summary of the PIA and its findings, including a brief background on remote patient monitoring leveraging the Vivify Health Canada, Inc. Remote Care Platform.

Background

Telehomecare (THC) is a self-management and remote monitoring program that allows individuals living with chronic diseases to participate in their care plan remotely (i.e. from home) and enables those individuals and their Telehomecare nurses and caregivers to monitor progress remotely using selected medical monitoring devices connected to OTN's network infrastructure. The THC program targets patients with chronic heart failure ("CHF"), congestive obstructive pulmonary disease ("COPD") and diabetes.

THC uses a combination of remote patient monitoring ("RPM") and health coaching to teach patients how to manage their health. OTN's role is to foster and support the development of effective and sustainable remote patient monitoring services within each 'Local Health Integration Network' (the

"LHIN(s)")"; the health authorities responsible for the regional administration of public healthcare services in the province. OTN is responsible for ensuring the overall success of the provincial THC program, including its clinical quality, adoption, and integration with Ontario's health system. OTN works with host organizations appointed by each LHIN (the "Host Organization(s)") to deliver remote patient monitoring services to patients in their catchment area.

OTN is transitioning its current remote patient monitoring solution to a new software as a service ("SaaS") third party managed solution/platform that includes patient monitoring software for clinicians, monitoring devices and software for patients, and other supporting services. **Vivify Health Canada, Inc.** will be responsible for the management of patient equipment, as well as the delivery, installation, and training of patients on the use of their health kits.

OTN will continue to act as the primary service provider to Host Organizations delivering THC to patients, providing program oversight and management, clinical practice and quality standards, operational, implementation support, and vendor management services. Remote patient monitoring will be delivered as an integrated, branded component of Ontario's THC program.

The new solution/platform will in the future be integrated with OTN's 'Identity and Access Management' solution to provide single-sign on between its existing web-based portal and the Vivify Health Canada, Inc. remote care platform.

Vivify Health Canada, Inc. is a wholly-owned subsidiary of Vivify Health Inc. The Zoom videoconference stream component of the solution which will be leveraged for Telehomecare, is encrypted and secure and transmitted via the Zoom Canada infrastructure. To enable real-time communication as is common practice for systems that share information outside a single organization, limited data elements # of users in a meeting, meeting ID, meeting created time, start time, end time, duration, healthcare provider first name, last name and email address are stored outside of Canada. This data is stored and protected at rest leveraging Amazon Web Services (AWS).

Key Findings/Risks & Recommendations

The PIA identified two privacy risks that should be mitigated and a number of observations to better support the Telehomecare program. OTN has already implemented some of the recommendations and has plans in place to address others in the coming months.

PIA risks and recommendations are documented, monitored and tracked on the Privacy Team's risk register and reported at regularly scheduled OTN Privacy & Security Lateral Team meetings.

The PIA risk findings and recommendations are as followed:

#	RATING	FINDING/RISK	RECOMMENDATION	STATUS
1	Medium	• Unauthorized use & disclosure by either staff or	OTN and Vivify Health Canada, Inc. should establish a	Complete OTN can confirm

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		external agents (i.e. intentional, non-malicious and malicious).	comprehensive monitoring and audit program that can monitor user and system activities associated with all systems integrated into the Remote Care solution. This should include detailed procedures and automated tools to detect and respond to unauthorized access or access attempts by internal or external malicious agents.	audit and monitoring capabilities are in place. Vivify Health and OTN have established procedures for audit/monitoring activities. At the time the PIA was conducted audit functionality was not available for review.
2	Medium	Denial of patient rights– consent.	Develop automated consent management solution. OTN and Vivify should assess the feasibility of an automated solution with the management of consent and consent directives that would be scalable to a full production rollout in Ontario.	Accept Telehomecare teams have their own consent management processes. Additionally, they can leverage the consent script in the Vivify Health solution to support their consent process. A Vivify Health EULA is also presented to the users/patients accessing the Vivify Health solution when they first login.

#	RATING	FINDING/RISK	RECOMMENDATION	STATUS
1	Observation	n/a	There appears to be confusion about the retention period for PHI. Vivify and OTN must reconcile their retention policies and establish retention periods consistent with Ontario law.	Complete OTN's Privacy Team in collaboration with Vivify have aligned retention periods; 15 years after the last entry.
2	Observation	n/a	OTN should consider making available privacy training for patients about data and device protection and best practices	Complete OTN's Privacy Team have developed a consumer/patient facing privacy awareness module and is available on OTN's website.
3	Observation	n/a	OTN should revisit its OTNHub Terms of Service for Member Organizations agreement for its role as an ESP in providing the new remote care solution, and review Vivify's EULAs to ensure they are appropriate for patients to understand before accepting the terms and conditions.	Complete Both agreements have been reviewed in alignment with launch of Vivify Health solution.
4	Observation	n/a	Update OTN Privacy Policies to address OTN's new role of using 3rd parties to provide SaaS for the new	Complete OTN has a policy for executing agreements with Third Party

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			remote care solution	Service Providers.
5	Observation	n/a	The Diagnostic Report API user agreement has been drafted. OTN should execute this agreement with Vivify before deployment of the solution. Also, testing must be conducted to ensure PHI can be transmitted securely to the right recipient.	In-Progress OTN has provided Vivify with Diagnostic Report API Agreement. Testing will be completed prior to integration with Diagnostic Report API (HRM).

Please contact the OTN Privacy Office should you have any questions:
OTN Privacy Office - Ontario Telemedicine Network
105 Moatfield Drive, Suite 1100, Toronto, ON M3B 0A2
Email: privacy@otn.ca | Tel: 416-446-4110