

Privacy Impact Assessment Summary

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Privacy Impact Assessment – TSM/Ncompass Enhancements (Release 5.0)

A Privacy Impact Assessment (PIA) is a risk management tool that allows the Ontario Telemedicine Network (OTN) in its role as a Health Information Network Provider under the 'Personal Health Information Protection Act, 2004'¹ to assess a technology, program or information system's privacy risks and its compliance with provincial and federal legislative requirements and standards. Where required, a PIA also details 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 Privacy Impact Assessment 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 and/or its partners. 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 mitigated.

OTN completed a Privacy Impact Assessment (PIA) on its *TSM/Ncompass Enhancements (Release 5.0) Project* dated June 23, 2013. The PIA assessed the process by which OTN will collect data, how OTN plans to use the data, and ensure public trust that OTN handles any Personal Information (PI) in a responsible manner and communicates to the users of Ncompass any impact the enhancements may have to the protection of Personal Health Information (PHI) used in the scheduling process.

The following is a summary of the PIA, including a brief background on the *TSM/Ncompass Enhancements (Release 5.0) Project*, key findings & recommendations, status, and contact information for the OTN Privacy Office.

Background

OTN's Telemedicine Services Manager (TSM) application was developed to provide a robust, centralized means of scheduling elective telemedicine applications. TSM provides customized workflow management for scheduling patient consultations, group therapies, educational events, administrative meetings, and general purpose web-stream events. In order to support this functionality, the system also maintains a database of health care providers, telemedicine sites, support staff and locations. TSM also stores personal health information (PHI), and therefore OTN is subject to the Personal Health Information Protection Act, 2004 (PHIPA).

There are currently two (2) scheduling related software systems in use at OTN - TSM and Ncompass self-scheduling application. Ncompass is member facing and offers less functionality than TSM but relies on TSM to operate. Some of the features and functionality of TSM are being enhanced in order to help OTN scale to additional users and to better meet user requirements. Six enhancements were released in 5.0 which include:

¹ Ontario Ministry of Health and Long-term Care. "Health Information Protection Act, 2004."
http://www.health.gov.on.ca/english/providers/legislation/priv_legislation/priv_legislation.html.

1. Simple Real-Time Bridge Programming

This will allow self-schedulers using Ncompass to book events up to thirty (30) minutes prior to the start of the event.

2. System Specific Connection and Disconnection (Late Start Early End)

This enhancement would allow Ncompass self-schedulers to participate in all or a portion of an event.

3. Scheduling Enhancements

Modify the scheduling workflow to allow the Codian bridge to be programmed in real-time.

4. Ncompass Clinics Zero Patient Issue

The scope for the release will include a system message to the end user when they sign into Ncompass/ TSM reminding them to fix past clinical events with zero patients.

5. Profile Update Request

To provide Ncompass users and self-schedulers the ability to efficiently request profile information updates, including contact, system, and site.

6. Link LDAP Ncompass User Accounts to Contacts in the TSM Contacts Registry

The enhancement would allow TSM/ Ncompass to identify the user logged in and preselect the current logged-in user as the organizer when scheduling events.

Key Findings/Risks & Recommendations

The PIA identified privacy controls that should be enhanced to support the TSM/Ncompass Enhancements (Release 5.0) Project. OTN is in the midst of developing a risk management plan and collaborating with eHealth Ontario, as required, to address the risks. The PIA noted the following risks and recommendations:

#	RATING	FINDING/RISK	RECOMMENDATION(S)	STATUS
1	High	OTN's Chief Privacy Officer position is vacant and there is a risk that there is insufficient privacy expertise at the Senior Management level.	OTN should identify a permanent (or interim) CPO with appropriate privacy credentials to fill the position.	Complete
2	Medium	OTN's membership agreement does not make reference to OTN's roles as 'Service Provider' or 'Agent' and therefore OTN member sites may not be aware of their obligations when OTN is assuming a role of	OTN should consider updating the Membership Agreement to include all roles that OTN plays in relation to PHIPA, including Service Provider and Agent.	Complete

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		'Agent' in relation to events that OTN is scheduling on behalf of member sites/referring clinicians.		
3	Medium	The OTN 'Ncompass User Agreement' has not been formally reviewed and updated in relation to the TSM enhancements.	<p>OTN should review and update the Ncompass User Agreement to ensure that the user acknowledges that:</p> <ul style="list-style-type: none"> • The user may have access to PI/PHI in the course of using Ncompass; • The user may be providing PI/PHI in the system which may be accessed by others; • The user may be making arrangements for scheduling of clinical events which requires proper procedure be used in notifying and confirming the receipt of such notice on the part of other sites involved in a clinical event; and • The user assumes responsibility for any non-compliance with PHIPA that may result from not following proper procedures. 	Complete
4	High	There is a risk that there is insufficient privacy content in the OTN communication and training material which informs users of any privacy risks related to the TSM enhancements.	<p>OTN should:</p> <ul style="list-style-type: none"> • Revise the Ncompass Release 5.0 letter to include a statement regarding decreasing the window of changes made to clinical events and reminding users of their obligations to make sure that they follow the approved processes for notifying other sites and 	Complete

#	RATING	FINDING/RISK	RECOMMENDATION(S)	STATUS
			<p>confirming that the notification has been received prior to making changes in the system. It should point the users to relevant training material which should be re-read as a reminder.</p> <ul style="list-style-type: none"> • revise the Ncompass training material to flag the risk to privacy which comes along with decreasing the timeline related to clinical event scheduling. • monitor privacy incidents related to scheduling to determine whether the changes result in increased privacy incidents/breaches and if so, should take appropriate action to minimize privacy risk. 	
5	High	There is a risk that PI will be collected without appropriate notice of purpose for collection when 'home phone number' is captured in the 'Profile' enhancement.	OTN should include the purpose for which PI is being collected (associated with the 'Profile' enhancement) in the Ncompass User Agreement and in any relevant training material.	Complete
6	High	There is a risk that OTN will not have made explicit and that member sites will not have included that OTN may be acting as an agent for purposes of scheduling clinical events and will be using PHI in order to do so as the role of OTN as Agent has not been included in the	As per 1.1.2 – OTN should include in the OTN membership agreement that OTN may, from time to time, provide support in scheduling events and in acting in that capacity on behalf of a member, when having access to PHI, OTN is acting as an Agent under PHIPA. It should further acknowledge that the HIC include 'for the purpose of scheduling events'	Complete

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		OTN Membership Agreement.	in their notice to patients.	
7	High	There is a risk that if OTN collects PI, some users may wish to have this PI restricted from access by individuals or groups of individuals and if this is the case, OTN may not have the means to accommodate such a request.	OTN should consider options for accommodating a request for restricting access to PI (a consent directive) and develop a plan to address.	Complete
8	High	There is a risk that PI (home phone number) will be collected unnecessarily in the 'Profile' enhancement to TSM.	It is recommended that OTN re-name the field to 'alternate telephone' and build into the screen capture directions that the 'alternate' phone number is only to be collected if there is no business number. This will ensure that individuals who have a business number include only the business number in the Profile and only those who are using their home phone number for business purposes enter it into the 'alternate telephone' field.	Complete
9	Low	To the extent that a TMC user uses Ncompass to edit information in the user 'Profile' and to the extent that OTN continues to allow 'Home Phone Number' as a data element and to the extent that the user enters this data, OTN may be exposed to a risk around the unauthorized disclosure of PI.	As all registered Ncompass users may view another user's profile, and some users may not wish to have other users have access to their PI, restrict access to this PI, OTN must put provisions in place to respect users to allow users to request to 'block' the 'home phone number' field for users who request that this PI not be publicly released and must put safeguards in place to ensure that this information cannot be viewed by others if this request has been made by a user.	Complete
10	Low	There is a risk that OTN does not have a	OTN should update its Data Retention Schedule to	Complete

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		schedule for the retention of the PI that is collected but no longer required for Ncompass users. [Carry over from OTN IAM Phase 1 and Phase 2 PIAs]	include any personal information collected and used in the identification and validation process. [Carry over from IAM Phase 1 and Phase 2 PIAs]	
11	Medium	There is a risk that OTN's retention and sanitization policy and procedure may not reflect current methods for sanitization. [Carry over from OTN IAM Phase 1 and Phase 2 PIAs]	OTN should review its Data Retention and Sanitization policy to ensure that it remains current and should schedule the next review date. [Carry over from IAM Phase 1 and Phase 2 PIAs]	Complete
12	Medium	There is a risk that OTN does not have a written process for, and therefore does not consistently apply, the process for de-registration of TMC and NCompass users. [Carry over from OTN IAM Phase 1 and Phase 2 PIAs]	OTN should ensure that there is a written process for de-registering individuals who no longer need access to OTN applications or explicitly request that any personal information be removed from OTN databases. [Carry over from IAM Phase 1 and Phase 2 PIAs]	Complete
13	Medium	While the enhancements to TSM include provision for updating user profile, users may not remember to update their profile when there are changes to their profile information and therefore there is a risk that those wishing to self-schedule events may be using outdated contact information.	<ul style="list-style-type: none"> TSM scheduling enhancement training material should include the requirement to update user profiles. Consideration should be given to including an electronic 'tickler' to remind users to update their user profiles. 	Complete
14	Medium	There is a risk OTN has not finalized a TRA on the TSM enhancements.	OTN should finalize the TRA for TSM enhancements and should develop a plan and take action on any risks that	Complete

#	RATING	FINDING/RISK	RECOMMENDATION(S)	STATUS
			exceed OTN's risk tolerance.	
15	Low	There is a risk that OTN is not prepared for a large scale breach involving any personal information. [carry over from OTN IAM PIA Phases 1 and 2 – risk downgraded to a rating of 'low for TSM enhancements as the volume of PI involved in the 'Profile' enhancement is expected to be low.]	It is recommended that OTN review its enterprise security and privacy breach management processes to ensure scale. [Carry over from OTN IAM Phase 1 and Phase 2 PIAs.]	Accept
16	Medium	There is a risk that end users will schedule clinical events using the TSM enhancements which allow for little time in advance of the scheduled event to accommodate proper notification process resulting in a privacy breach.	It is recommended that OTN review its training material (both on-line and user guide) and communication material to ensure that the material adequately covers the potential implications of not following proper process especially when scheduling clinical events with compressed timelines.	Complete

Please contact the OTN Privacy Office should you have any questions:

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