Privacy Law Summit 2018
Privacy and Access to Information Law

Date: Thursday, April 12, 2018 | 9:00 am to 4:30 pm

Location: Twenty Toronto Street Conferences and Events
20 Toronto Street, 2nd Floor, Toronto

Chairs: Rosario G. Cartagena, Fasken Martineau DuMoulin LLP
Molly Reynolds, Torys LLP

With constant technological advances and societal changes, privacy law is continually evolving. Ensure you have the expertise and insights to tackle a wide array of current issues in privacy law with this essential program. Direct your own learning by selecting from business or health-focused breakout sessions. Register now to take advantage of this information-packed day, and advance your privacy law proficiency to the next level.

8:30 am Registration and Coffee
9:00 am Welcome and Opening Remarks
9:05 am A Conversation with the Information and Privacy Commissioner of Ontario
Brian Beamish, Information and Privacy Commissioner

Hear from Commissioner Beamish as he shares insights on significant recent developments, and the Office’s priorities going forward.

10:00 am Networking Break
10:15 am BREAKOUT SESSION 1 (choose A or B)

A. Key Privacy Considerations in Blockchain Technology
[BUSINESS LAW]
Aria Laskin, Torys LLP
Wendy Mee, Blake, Cassels & Graydon LLP
Moderator: Imran Ahmad, Miller Thomson LLP

- Making sense of data flow in blockchain
- Unique personal information challenges in immutable record systems
- Strategies for obtaining meaningful end user consent when complex technology is difficult to explain

B. How the US Health Insurance Portability and Accountability Act (HIPAA) Measures Up Against Canadian Privacy Standards for Health Information [HEALTH LAW]
Elizabeth Callahan-Morris, Hall, Render, Killian, Heath & Lyman, PLLC (Detroit)
Anita Fineberg, Barrister & Solicitor
Dr. Wael Hassan, KI Design
Moderator: Sue Gaudi, Axiom

If your clients are utilizing US-based software, applications or cloud service providers, it is essential that you understand what they mean when they say they are HIPAA compliant. Join our expert panel as they explore the commonalities and differences between HIPAA and PHIPA, and whether (or how) HIPAA compliance is sufficient to meet Canadian requirements.

11:15 am BREAKOUT SESSION 2 (choose C or D)

C. Developing Issues and Recent Decisions Affecting Your Clients’ Privacy Practices [BUSINESS LAW]
David Fraser, McInnes Cooper
Justin Safayeni, Stockwoods LLP
Moderator: Anna Matas, Lerners LLP

- Solicitor-client privilege in privacy commissioner investigations: Unpacking the SCC’s decision in Alberta v. University of Calgary
- Essential update on privacy class actions and civil torts
- Lawful access – Balancing court order compliance and cooperation with law enforcement against privacy obligations

D. Unique Considerations Regarding Personal Health Information of Indigenous Peoples [HEALTH LAW]
Jonathan Dewar, Executive Director, The First Nations Information Governance Centre
Abigail Carter, Executive Director of Health Information Governance and Chief Privacy Officer, Canada Health Infoway
Moderator: Steven Lewis, Legal Counsel, Cancer Care Ontario

- Helpful guidance for negotiating with Indigenous communities
- What are the implications of the OCAP (Ownership, Control, Access and Possession) Principles for health institutions?

12:15 pm Networking Lunch
1:15 pm BREAKOUT SESSION 3 (choose E or F)

E. Practical Drafting Advice for Mobile Privacy Consents [BUSINESS LAW]
Noemi Chanda, Manager, Risk Advisory, Deloitte LLP
Vance Lockton, Strategic Policy and Research Analyst, LSPTA, Office of the Privacy Commissioner of Canada

- How to incorporate the OPC guidance on meaningful consent
- Reconciling required content, user-friendly layout and consistency across different devices and platforms
- Working through app wire frames to analyze and improve transparency
F. Practical Drafting Advice for Privacy-Related Agreements
   [HEALTH LAW]
   Michael Bowmile, Legal Counsel, Cancer Care Ontario
   Brad Neufeld, Vice President, Legal & Chief Privacy Officer, Dynacare
   Michael Watts, Osler, Hoskin & Harcourt LLP
   Moderator: Johna Janelle, Counsel, Ministry of the Attorney General Civil Law Division, Health and Long-Term Care Branch
   - Mastering technology agreements involving the storage of personal health information on cloud-based servers
   - Best practices when engaging with electronic health records vendors

2:15 pm Breakout Session 4 (choose G or H)

G. Breach Reporting and Record Keeping under PIPEDA
   [BUSINESS LAW]
   Gargi Chopra, DLA Piper (Canada)
   Roslynn Kogan, Vice President Legal, Morneau Shepell
   Jill Paterson, Senior Policy Analyst, Privacy and Data Protection Directorate, Innovation, Science and Economic Development Canada
   Moderator: Jacqueline Cole, McCarthy Tétrault LLP
   - Getting ready for pending mandatory breach reporting rules
   - Best practices for meeting record keeping requirements

H. Breach Reporting and Record Keeping under PHIPA
   [HEALTH LAW]
   Manuela Di Re, Director, Legal Services and General Counsel, Office of the Information and Privacy Commissioner of Ontario
   Daniel Fabiano, Fasken Martineau DuMoulin LLP
   Gillian Kafka, Legal Counsel and Chief Privacy Office, Hamilton Health Sciences
   Moderator: Jessitna McFadden, Miller Thomson LLP
   - Six months after mandatory breach reporting: Where are we now?
   - Valuable insights on what needs to be included in annual reports to the IPC

3:15 pm Networking Break

3:30 pm Getting Ready for the European Union’s General Data Protection Regulation (GDPR)
   Fazila Nurani, Privatech
   Anca Sattler, Dentons Canada LLP
   Robin Sooklal, AVP Strategic Initiatives, Regulatory Compliance, Retail Banking & Wealth Management, HSBC Bank Canada
   Moderator: Sylvia Kingsmill, KPMG Canada
   With the EU’s GDPR enforcement date of May 25, 2018 quickly approaching, ensure your clients and/or your organization are prepared with this essential session.

4:25 pm Questions and Concluding Remarks

4:30 pm Networking Reception