

## Privacy Law Summit 2018

### Privacy and Access to Information Law



In-Person



Webcast



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

**Location:** Twenty Toronto Street Conferences and Events  
20 Toronto Street, 2<sup>nd</sup> Floor, Toronto

**Substantive Hours:** This program is eligible for up to **6h 30m**

*The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Upper Canada*

**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. Waël 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-Langford**, 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, LSPRTA, 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

**PROGRAM REGISTRATION IS ONLINE** [www.oba.org/pd](http://www.oba.org/pd)

Questions? [pd@oba.org](mailto:pd@oba.org)



### 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 Officer, Hamilton Health Sciences

Moderator: **Jesstina 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

**PROGRAM REGISTRATION IS ONLINE** [www.oba.org/pd](http://www.oba.org/pd)

Questions? [pd@oba.org](mailto:pd@oba.org)