

Privacy Law and the Older Adult Client: Intersections and Issues

Elder Law & Privacy and Access to Information Law



In-Person



Webcast

Date: Monday May 27, 2019 | 9:00 am - 12:00 pm

Location: OBA Conference Centre
20 Toronto Street, 2nd Floor, Toronto

Program Chairs: **Natalia Angelini**, Hull & Hull LLP
Heather Mountford, TD Wealth



This program is eligible for up to 3h 00m Substantive

Effective representation of older adult clients involves lawyers understanding privacy law. Our expert faculty will help you navigate the substantive, legal, practical, and procedural matters involved in safeguarding and representing the privacy interests of older adult clients. Analysis and discussion will cover banking, long-term care homes, records and other key areas. Attend this essential program to get the insight you need to round out your comprehensive approach to serving this growing population.

8:30 am **Registration**

9:00 am **Welcome and Opening Remarks**

9:05 am **Public and Private Elder Law Considerations: Law & Practice**
Brendan Gray, Information Privacy Commission of Ontario
Harold Geller, MBC Law (Ottawa)

- Sharpen your understanding of relevant privacy laws applied to the older client from the perspective of counsel at the Information and Privacy Commissioner of Ontario
- Handling the privacy law matters of older adults involved with private entities

9:40 am **Privacy Concerns in Banking**
Laurie MacFarlane, Scotiabank

- Analysis of applicable privacy legislation, and an organization's ability to disclose personal information when financial abuse is alleged
- Strategies to address suspected fraud
- Approaches that strike a balance between protecting privacy rights and preventing harm

10:10 am **Networking Break**

10:25 am **Privacy in Retirement Homes and Long-Term Care Facilities**
Jane Meadus, Advocacy Centre for the Elderly

- Overview of Residents' Bill of Rights under *Long-Term Care Homes Act*
- Resident's access to records
- Disclosure of records to third parties: family, friends, circle of care, family councils

11:00 am **Privacy, Interpersonal Relationships, and Monitoring in Long Term Care Homes**

Judith Wahl, Wahl Elder Law
Mary Jane Dykeman, DDO Health Law

- Older adult sexuality and privacy in long-term care homes
- Determining capacity to consent
- Long-term care home duty to prevent sexual abuse
- Surveillance footage: who controls what, where and how to access

11:45 am **Questions and Concluding Remarks**

12:00 pm **Program Concludes**

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd

Questions? pd@oba.org