November 10, 2017

Policy Department
College of Physicians and Surgeons of Ontario
80 College Street
Toronto, Ontario
M5G 2E2

Dear Sir/Madam:

Re: Feedback from the Information and Privacy Commissioner on the College of Physicians and Surgeons of Ontario’s policy on Ensuring Competence: Changing Scope of Practice and/or Re-entering Practice

The Information and Privacy Commissioner of Ontario (IPC) has reviewed the College of Physicians and Surgeons of Ontario’s (the College) policy on Ensuring Competence: Changing Scope of Practice and/or Re-entering Practice (the policy). The IPC has one recommendation to help the policy ensure physicians have the competence necessary to practice safely when they propose to significantly change their scope of practice and/or to re-enter practice after an extended absence.

The policy states that the College oversees the process for changing scope of practice and/or re-entering practice and that the process will be individualized for each physician, but in general includes a needs assessment, training, supervision, and a final assessment. The IPC recommends that during the needs assessment, the College consider whether privacy training is necessary. In our view, comprehensive privacy training is critical in order to protect personal health information and reduce the risk of a privacy breach. Privacy training should be current and up-to-date and address any changes to the Personal Health Information Protection Act (PHIPA) or its regulations; any new orders, guidelines, fact sheets and best practices issued by the IPC; evolving industry privacy standards and best practices; the implementation of new technologies, programs or services; and, if applicable, any new or amended privacy policies and procedures implemented by the health information custodian. The IPC recommends completion of privacy training before accessing personal health information, as well as ongoing, annual privacy training. The policy applies to physicians who wish to re-enter practice and have not been engaged in practice for a period of two consecutive years or more. These physicians will have not had the opportunity to undergo annual privacy training. It is recommended that the policy state that prior to re-entry to practice, and before accessing personal health information, physicians are required to complete privacy training.
Thank you for considering our recommendations.

Sincerely,

\[Signature\]

Debra Grant, Ph.D.
Director of Health Policy