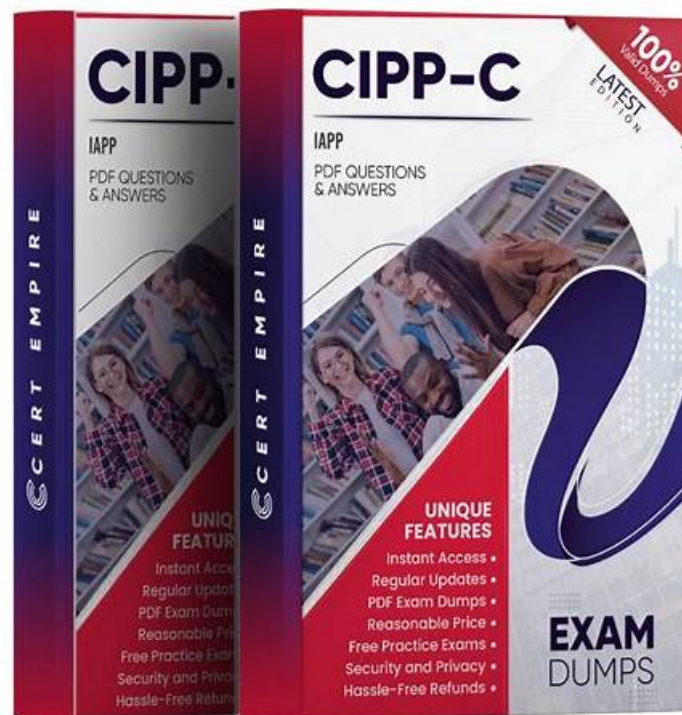


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The International Association of Privacy Professionals (IAPP) is a globally recognized organization that provides certifications and training courses in the field of data privacy. One of their most popular certifications is the Certified Information Privacy Professional/United States (CIPP/US) certification, which is designed to validate an individual's knowledge and understanding of privacy laws and regulations in the United States.

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IAPP Certified Information Privacy Professional/United States (CIPP/US) Sample Questions (Q135-Q140):

NEW QUESTION # 135

Under the Fair and Accurate Credit Transactions Act (FACTA), what is the most appropriate action for a car dealer holding a

paper folder of customer credit reports?

- A. To follow the Safeguards Rule by transferring the reports to a secure electronic file
- B. To follow the Red Flags Rule by mailing the reports to customers
- **C. To follow the Disposal Rule by having the reports shredded**
- D. To follow the Privacy Rule by notifying customers that the reports are being stored

Answer: C

Explanation:

The Disposal Rule is a provision of the Fair and Accurate Credit Transactions Act (FACTA) that requires businesses and individuals to take appropriate measures to dispose of sensitive information about consumers, such as credit reports, that are derived from consumer reports. The Disposal Rule is intended to reduce the risk of identity theft and fraud by preventing unauthorized access to or use of the information. According to the Disposal Rule, reasonable steps for disposal include burning, pulverizing, or shredding papers that contain consumer report information so that they cannot be read or reconstructed.

In this scenario, the most appropriate action for a car dealer holding a paper folder of customer credit reports is to follow the Disposal Rule by having the reports shredded. This would ensure that the car dealer complies with the FACTA and protects the privacy and security of the customers' personal data.

NEW QUESTION # 136

SCENARIO

Please use the following to answer the next question:

Miraculous Healthcare is a large medical practice with multiple locations in California and Nevada. Miraculous normally treats patients in person, but has recently decided to start offering telehealth appointments, where patients can have virtual appointments with on-site doctors via a phone app. For this new initiative, Miraculous is considering a product built by MedApps, a company that makes quality telehealth apps for healthcare practices and licenses them to be used with the practices' branding. MedApps provides technical support for the app, which it hosts in the cloud. MedApps also offers an optional benchmarking service for providers who wish to compare their practice to others using the service.

Riya is the Privacy Officer at Miraculous, responsible for the practice's compliance with HIPAA and other applicable laws, and she works with the Miraculous procurement team to get vendor agreements in place. She occasionally assists procurement in vetting vendors and inquiring about their own compliance practices, as well as negotiating the terms of vendor agreements. Riya is currently reviewing the suitability of the MedApps app from a privacy perspective.

Riya has also been asked by the Miraculous Healthcare business operations team to review the MedApps' optional benchmarking service. Of particular concern is the requirement that Miraculous Healthcare upload information about the appointments to a portal hosted by MedApps.

If MedApps receives an access request under CCPA from a California-based app user, how should it handle the request?

- **A. MedApps should promptly forward the request to Miraculous for instructions on handling.**
- B. MedApps should immediately begin deleting the user's data.
- C. MedApps should provide the privacy notice in an easily readable format.
- D. MedApps should decline the request because MedApps is not based in California.

Answer: A

Explanation:

Under the California Consumer Privacy Act (CCPA), businesses are required to respond to consumer requests for access, deletion, or information about how their data is processed.

However, the responsibilities differ depending on whether the entity is acting as a business or a service provider under the CCPA.

Key CCPA Definitions:

Business:

The entity that determines the purposes and means of processing personal information. In this scenario, Miraculous Healthcare is the business because it determines how the app and its associated data are used to deliver healthcare services.

Service Provider:

The entity that processes personal information on behalf of the business pursuant to a contractual agreement.

MedApps acts as a service provider because it is hosting and managing the app and the data on behalf of Miraculous Healthcare.

As a service provider, MedApps is restricted in how it can handle consumer data and must follow the instructions of the business (Miraculous Healthcare) for any data-related requests. Therefore, if MedApps receives an access or deletion request from a California-based user, it must forward the request to Miraculous Healthcare, which is responsible for determining how to respond in compliance with the CCPA.

NEW QUESTION # 137

All of the following common law torts are relevant to employee privacy under US law EXCEPT?

- A. Intrusion upon seclusion.
- B. Infliction of emotional distress.
- C. Defamation
- **D. Conversion.**

Answer: D

NEW QUESTION # 138

Which of the following federal agencies does NOT have regulatory authority related to privacy?

- A. Federal Reserve
- B. U.S. Department of Commerce.
- C. Consumer Financial Protection Bureau.
- **D. U.S. Department of Transportation.**

Answer: D

NEW QUESTION # 139

What important action should a health care provider take if the she wants to qualify for funds under the Health Information Technology for Economic and Clinical Health Act (HITECH)?

- **A. Make electronic health records (EHRs) part of regular care**
- B. Keep electronic updates about the Health Insurance Portability and Accountability Act
- C. Send health information and appointment reminders to patients electronically
- D. Bill the majority of patients electronically for their health care

Answer: A

Explanation:

The HITECH Act was enacted as part of the American Recovery and Reinvestment Act of 2009 to promote the adoption and use of health information technology, especially electronic health records (EHRs), in the United States. The HITECH Act established the Medicare and Medicaid EHR Incentive Programs, which provide financial incentives to eligible health care providers who demonstrate meaningful use of certified EHR technology. Meaningful use is defined as using EHRs to improve quality, safety, efficiency, and coordination of care, as well as to engage patients and protect their privacy and security. To qualify for the incentive payments, health care providers must meet certain objectives and measures that demonstrate meaningful use of EHRs as part of their regular care.

NEW QUESTION # 140

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