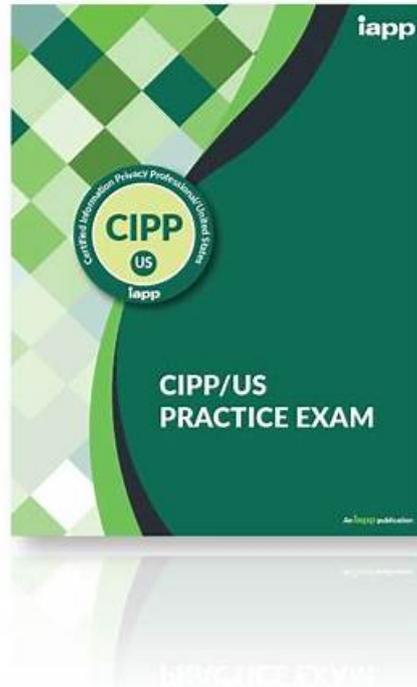


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IAPP CIPP-US (Certified Information Privacy Professional/United States) Certification Exam is a globally recognized certification program for professionals who work with personal data in the United States. CIPP-US exam is designed to test the knowledge and skills of professionals who are responsible for data privacy, security, and compliance. The CIPP-US certification is awarded by the International Association of Privacy Professionals (IAPP), which is the world's largest and most comprehensive global information privacy community.

The CIPP-US exam covers a wide range of topics related to the privacy laws and regulations in the United States, including the Federal Trade Commission Act, Health Insurance Portability and Accountability Act (HIPAA), Children's Online Privacy Protection Act (COPPA), and California Consumer Privacy Act (CCPA). It also covers the privacy principles and practices that organizations need to implement to ensure compliance with these laws. CIPP-US Exam is designed to assess an individual's knowledge and understanding of these topics, including their ability to apply them in real-world scenarios.

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## IAPP Certified Information Privacy Professional/United States (CIPP/US) Sample Questions (Q176-Q181):

### NEW QUESTION # 176

#### SCENARIO

Please use the following to answer the next question:

You are the chief privacy officer at HealthCo, a major hospital in a large U.S. city in state A.

HealthCo is a HIPAA-covered entity that provides healthcare services to more than 100,000 patients. A third-party cloud computing service provider, CloudHealth, stores and manages the electronic protected health information (ePHI) of these individuals on behalf of HealthCo.

CloudHealth stores the data in state B. As part of HealthCo's business associate agreement (BAA) with CloudHealth, HealthCo requires CloudHealth to implement security measures, including industry standard encryption practices, to adequately protect the data. However, HealthCo did not perform due diligence on CloudHealth before entering the contract, and has not conducted audits of CloudHealth's security measures.

A CloudHealth employee has recently become the victim of a phishing attack. When the employee unintentionally clicked on a link from a suspicious email, the PHI of more than 10,000 HealthCo patients was compromised. It has since been published online. The HealthCo cybersecurity team quickly identifies the perpetrator as a known hacker who has launched similar attacks on other hospitals, ones that exposed the PHI of public figures including celebrities and politicians.

During the course of its investigation, HealthCo discovers that CloudHealth has not encrypted the PHI in accordance with the terms of its contract. In addition, CloudHealth has not provided privacy or security training to its employees. Law enforcement has requested that HealthCo provide its investigative report of the breach and a copy of the PHI of the individuals affected.

A patient affected by the breach then sues HealthCo, claiming that the company did not adequately protect the individual's ePHI, and that he has suffered substantial harm as a result of the exposed data. The patient's attorney has submitted a discovery request for the ePHI exposed in the breach.

Which of the following would be HealthCo's best response to the attorney's discovery request?

- A. Respond with a request for satisfactory assurances such as a qualified protective order
- B. Turn over all of the compromised patient records to the plaintiff's attorney
- C. Respond with a redacted document only relative to the plaintiff
- D. Reject the request because the HIPAA privacy rule only permits disclosure for payment, treatment or healthcare operations

#### Answer: A

#### Explanation:

The HIPAA privacy rule establishes national standards to protect individuals' medical records and other individually identifiable health information (collectively defined as "protected health information") and applies to health plans, health care clearinghouses, and those health care providers that conduct certain health care transactions electronically (collectively defined as "covered entities").<sup>1</sup> The rule requires appropriate safeguards to protect the privacy of protected health information and sets limits and conditions on the uses and disclosures that may be made of such information without an individual's authorization.<sup>1</sup> The rule also gives individuals rights over their protected health information, including rights to examine and obtain a copy of their health records, to direct a covered entity to transmit to a third party an electronic copy of their protected health information in an electronic health record, and to request corrections.<sup>1</sup> The HIPAA privacy rule permits a covered entity to disclose protected health information for the litigation in response to a court order, subpoena, discovery request, or other lawful process, provided the applicable requirements of 45 CFR 164.512 (e) for disclosures for judicial and administrative proceedings are met. These requirements include: In response to a court order or administrative tribunal order, the covered entity may disclose only the protected health information expressly authorized by such order. In response to a subpoena, discovery request, or other lawful process that is not accompanied by a court order or administrative tribunal order, the covered entity must receive satisfactory assurances that the party seeking the information has made reasonable efforts to ensure that the individual who is the subject of the information has been given notice of the request, or that the party seeking the information has made reasonable efforts to secure a qualified protective order. A qualified protective order is an order of a court or administrative tribunal or a stipulation by the parties to the litigation or administrative proceeding that prohibits the parties from using or disclosing the protected health information for any purpose other than the litigation or proceeding for which such information was requested and requires the return to the covered entity or destruction of the protected health information (including all copies made) at the end of the litigation or proceeding.

### NEW QUESTION # 177

The concept of data portability refers to what?

- A. The ability of individuals to easily change to another similar service provider if fees are unlawfully being raised

- **B. The ability of individuals to obtain and reuse their personal data for their own purposes across different services.**
- C. The practice of disclosing all the data sources one organization uses to enhance data collection from different social media platforms
- D. The technical measures organizations use to empower consumers' control in case data is being transferred to service providers

**Answer: B**

Explanation:

The concept of data portability refers to an individual's right to access and transfer their personal data from one organization to another. It enables individuals to obtain and reuse their personal data for their own purposes across different services. For example, an individual can request their data from one service provider and transfer it to another provider, facilitating competition and giving consumers more control over their data.

This right is commonly associated with General Data Protection Regulation (GDPR) but is becoming more widely discussed in U.S. privacy contexts, such as under the California Consumer Privacy Act (CCPA) and similar state laws. Although the CCPA does not explicitly mention "data portability," the concept aligns with its provision that grants individuals the right to access their data in a portable and usable format.

Explanation of Options:

- \* A. The practice of disclosing all the data sources one organization uses to enhance data collection from different social media platforms: This describes a data disclosure practice, not data portability.
- \* B. The technical measures organizations use to empower consumers' control in case data is being transferred to service providers: This refers to technical controls but does not fully capture the essence of data portability.
- \* C. The ability of individuals to obtain and reuse their personal data for their own purposes across different services: This is the correct answer and accurately defines data portability.
- \* D. The ability of individuals to easily change to another similar service provider if fees are unlawfully being raised: While data portability might facilitate switching providers, it is not specifically tied to the issue of unlawful fee increases.

References from CIPP/US Materials:

- \* GDPR Article 20: Provides the right to data portability in the EU.
- \* CCPA Section 1798.100: Requires businesses to provide personal data in a readily usable format upon request.
- \* IAPP CIPP/US Certification Textbook: Discusses data portability as part of consumer rights and privacy frameworks.

#### **NEW QUESTION # 178**

What is the most important action an organization can take to comply with the FTC position on retroactive changes to a privacy policy?

- A. Publicizing the policy changes through social media.
- B. Reassuring customers of the security of their information.
- C. Describing the policy changes on its website.
- **D. Obtaining affirmative consent from its customers.**

**Answer: D**

Explanation:

The FTC has stated that it is a deceptive practice to make retroactive changes to a privacy policy that affect how a company uses or shares previously collected personal information, unless the company obtains affirmative consent from the affected consumers. This means that the company must clearly and conspicuously disclose the changes and obtain the consumers' express agreement to them. Simply describing the policy changes on the website, publicizing them through social media, or reassuring customers of the security of their information are not sufficient to comply with the FTC's position.

#### **NEW QUESTION # 179**

Which of the following best describes the ASIA-Pacific Economic Cooperation (APEC) principles?

- A. A bill of rights for individuals seeking access to their personal information.
- B. A code of responsibilities for medical establishments to uphold privacy laws.
- **C. An international court ruling on personal information held in the commercial sector.**
- D. A baseline of marketers' minimum responsibilities for providing opt-out mechanisms.

**Answer: C**

Explanation:

The APEC principles are part of the APEC Privacy Framework, which is an inter-governmental agreement among the 21 member economies of the Asia-Pacific Economic Cooperation (APEC) to promote information privacy protection and the free flow of information in the region. The APEC Privacy Framework consists of four parts: a preamble, a scope, a set of nine information privacy principles, and an implementation section. The APEC information privacy principles are:

Preventing harm: Personal information controllers should take reasonable steps to protect personal information from loss, misuse, unauthorized access, disclosure, alteration, and destruction, and to address the risks and challenges posed by specific technologies and business practices. Notice: Personal information controllers should provide clear and easily accessible statements about their personal information handling practices, including the types of personal information they collect, the purposes for which they collect it, the types of third parties to which they disclose it, the choices and means they offer individuals for limiting the use and disclosure of their personal information, and how they can contact the personal information controller with inquiries or complaints.

**NEW QUESTION # 180**

U.S. federal laws protect individuals from employment discrimination based on all of the following EXCEPT?

- A. Age.
- B. Genetic information.
- C. Marital status.
- D. Pregnancy.

**Answer: C**

**NEW QUESTION # 181**

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