

## CRA Privacy Questions

1. What deficiencies has the OMA identified in CRA tax data regarding the total physician overhead versus what would be found in personal and PC tax filings?
2. When did the OMA start to communicate with the CRA, Statscan and federal Privacy Commissioner? Which organisation was contacted first?
3. Why does the OMA need access to personal information about physician professional corporations?
4. Has the OMA sought this type of personal information in the past through third parties? Has the OMA retained the information or destroyed it? Please provide full details of the OMA's collection, use and disclosure of non-member professional corporations.
5. Is the OMA also seeking the personal tax information for those physicians who have indicated they do not want to be a paid OMA member and therefore do not meet the implied consent test used by the OMA?
6. Thousands of physicians are now objecting to the collection, use and disclosure of their personal information for this Study. Is the OMA going to formally advise the federal Privacy Commissioner that those physicians' data must be removed from any overhead project results if the OMA continues this unprecedented activity?
7. Lawyers who have reviewed the OMA's own privacy policy are of the view that this request and activity is in violation of that policy as set out as follows:
  - *"Purposes for Collecting, Using and Disclosing Your Personal Information*
  - *As an OMA member, we collect, use, and disclose your personal information for the following purposes:*
    - *To register you as an OMA member;*
    - *To communicate with you for OMA membership products, services, and information;*
    - *To assess your needs as an OMA member to determine which OMA products and services are useful and relevant to you;*
    - *To manage our continuing relationship with you;*
    - *To conduct surveys and polls of OMA members;*
    - *To permit affiliated and other reputable third-party organizations, subsidiaries, and preferred suppliers to provide products, services, and information to you;*
    - *To facilitate communication and otherwise assist individuals or institutions during a public health or other emergency;*
    - *To meet any legal or regulatory requirements such as disclosures under the Corporations Act;*
    - *For other purposes consistent with the above."*
8. Where in the OMA's own Privacy Policy does it indicate that members personal information will be used for statistical or scholarly studies, particularly broken down by individual speciality?
9. Will the OMA admit that the Relativity statistical study is not a statistical or scholarly study and is in fact being conducted for commercial purposes?

10. Why did the OMA think that members' implied consent for general OMA membership activities would extend to this kind of overhead study?
11. How did the OMA determine that using personal information from members for a statistical study was a "purpose consistent with" other membership collection and uses?
12. Why did the OMA think that members' implied consent for general OMA membership activities would extend to this kind of Study? Why was the OMA afraid to openly disclose this unprecedented use of implied consent to access physicians' personal tax information and seek an approval from members?
13. Has the OMA used members' personal information to receive their professional corporate or partnership information in other circumstances? If so, can you please provide a list of the personal information disclosed, dates of disclosure and the list of third parties to which the personal information was provided?
14. What steps has the OMA taken to monitor and limit internal access to the personal information that could be collected, used or disclosed for the Study? Which specific OMA divisions, groups or members will have access to it?
15. What is the precise purpose of the Study? Is it to provide relativity tax data to OMA or to provide an analysis of physician overhead for government negotiations?
16. Can you please confirm whether the OMA is intending to use the Study internally, or whether it plans on disclosing the Study results to others?
17. What impact assessment has the OMA undertaken to date to gauge the potential impact this will have on the profession? What will the OMA do if it finds that CRA data lowers current physician overhead assumptions? Continue or terminate the project?
18. Will the results of the Study be confidential? Who will have access to the Study's results? Will members receive a copy of the Study once it is completed?
19. Are the results of the Study going to stay in OMA's possession, or does OMA intend to share them directly with the provincial government during negotiations?
20. Does the OMA have any other intended uses for the Study beyond negotiating with the provincial government?
21. Has the OMA considered the need to terminate the request to CRA/Statscan in view of the widespread concerns raised by thousands of Ontario physicians? What other data mining is the OMA proposing to do with these overhead data?
22. Has any other provincial medical association made a similar overhead request to CRA/Statscan? If not, why is the OMA pursuing this while being unaware of the downsides to physicians like audits or the expected repeat that CRA data on physicians for several reasons is incomplete and will only provide flawed answers that do more harm to physicians with an MOH that has repeatedly tried to undermine doctors?