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Question 1

Question Type: MultipleChoice

Which of the following best describes an employer's privacy-related responsibilities to an employee who has left the workplace?

Options:

- A-** An employer has a responsibility to maintain a former employee's access to computer systems and company data needed to support claims against the company such as discrimination.
- B-** An employer has a responsibility to permanently delete or expunge all sensitive employment records to minimize privacy risks to both the employer and former employee.
- C-** An employer may consider any privacy-related responsibilities terminated, as the relationship between employer and employee is considered primarily contractual.
- D-** An employer has a responsibility to maintain the security and privacy of any sensitive employment records retained for a legitimate business purpose.

Answer:

D

Explanation:

A legitimate business purpose for retaining records could aid with references, benefits & pension inquiries; legal proceedings, legal or regulation retention requirements; health & safety issues; etc.

Question 2

Question Type: MultipleChoice

What type of material is exempt from an individual's right to disclosure under the Privacy Act?

Options:

- A-** Material requires by statute to be maintained and used solely for research purposes.
- B-** Material reporting investigative efforts to prevent unlawful persecution of an individual.
- C-** Material used to determine potential collaboration with foreign governments in negotiation of trade deals.
- D-** Material reporting investigative efforts pertaining to the enforcement of criminal law.

Answer:

B

Explanation:

<https://www.dea.gov/foia/privacy-act-exemptions>

Question 3

Question Type: MultipleChoice

Which of the following would NOT constitute an exception to the authorization requirement under the HIPAA Privacy Rule?

Options:

- A- Disclosing health information for public health activities.
- B- Disclosing health information to file a child abuse report.
- C- Disclosing health information needed to treat a medical emergency.
- D- Disclosing health information needed to pay a third party billing administrator.

Answer:

D

Explanation:

Among the options provided, disclosing health information needed to pay a third party billing administrator would NOT constitute an exception to the authorization requirement under the HIPAA Privacy Rule. Generally, when disclosing health information for payment and healthcare operations purposes, specific patient authorization is not required. However, this exception applies primarily to disclosures made to healthcare providers, health plans, and other entities directly involved in the payment or healthcare operations process.

Question 4

Question Type: MultipleChoice

Global Manufacturing Co's Human Resources department recently purchased a new software tool. This tool helps evaluate future candidates for executive roles by scanning emails to see what those candidates say and what is said about them. This provides the HR department with an automated "360 review" that lets them know how the candidate thinks and operates, what their peers and direct reports say about them, and how well they interact with each other.

What is the most important step for the Human Resources Department to take when implementing this new software?

Options:

- A-** Making sure that the software does not unintentionally discriminate against protected groups.
- B-** Ensuring that the software contains a privacy notice explaining that employees have no right to privacy as long as they are running this software on organization systems to scan email systems.
- C-** Confirming that employees have read and signed the employee handbook where they have been advised that they have no right to privacy as long as they are using the organization's systems, regardless of the protected group or laws enforced by EEOC.
- D-** Providing notice to employees that their emails will be scanned by the software and creating automated profiles.

Answer:

A

Question 5

Question Type: MultipleChoice

Acme Student Loan Company has developed an artificial intelligence algorithm that determines whether an individual is likely to pay their bill or default. A person who is determined by the algorithm to be more likely to default will receive frequent payment reminder calls, while those who are less likely to default will not receive payment reminders.

Which of the following most accurately reflects the privacy concerns with Acme Student Loan Company using artificial intelligence in this manner?

Options:

- A-** If the algorithm uses risk factors that impact the automatic decision engine. Acme must ensure that the algorithm does not have a disparate impact on protected classes in the output.
- B-** If the algorithm makes automated decisions based on risk factors and public information, Acme need not determine if the algorithm has a disparate impact on protected classes.
- C-** If the algorithm's methodology is disclosed to consumers, then it is acceptable for Acme to have a disparate impact on protected classes.
- D-** If the algorithm uses information about protected classes to make automated decisions, Acme must ensure that the algorithm does not have a disparate impact on protected classes in the output.

Answer:

A

Explanation:

<https://www.ftc.gov/business-guidance/blog/2020/04/using-artificial-intelligence-and-algorithms> See above. Even the examples provided therein use public information, but result in disparate impacts, and therefore are subject to challenge by the FTC.

Question 6

Question Type: MultipleChoice

Which of the following became the first state to pass a law specifically regulating the practices of data brokers?

Options:

- A- Washington.
- B- California.
- C- New York.
- D- Vermont.

Answer:

D

Question 7

Question Type: MultipleChoice

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

Options:

- 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:

A

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