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QUESTION 1

SCENARIO

Please use the following to answer the next question:

Declan has just started a job as a nursing assistant in a radiology department at Woodland Hospital. He has also started a program to become a registered nurse.

Before taking this career path, Declan was vaguely familiar with the Health Insurance Portability and Accountability Act (HIPAA). He now knows that he must help ensure the security of his patients' Protected Health Information (PHI).

Therefore, he is thinking carefully about privacy issues.

On the morning of his first day, Declan noticed that the newly hired receptionist handed each patient a HIPAA privacy notice. He wondered if it was necessary to give these privacy notices to returning patients, and if the radiology department

could reduce paper waste through a system of one-time distribution.

He was also curious about the hospital's use of a billing company. He questioned whether the hospital was doing all it could to protect the privacy of its patients if the billing company had details about patients' care.

On his first day Declan became familiar with all areas of the hospital's large radiology department. As he was organizing equipment left in the hallway, he overheard a conversation between two hospital administrators. He was surprised to

hear that a portable hard drive containing non-encrypted patient information was missing. The administrators expressed relief that the hospital would be able to avoid liability. Declan was surprised, and wondered whether the hospital had

plans to properly report what had happened.

Despite Declan's concern about this issue, he was amazed by the hospital's effort to integrate Electronic Health Records (EHRs) into the everyday care of patients. He thought about the potential for streamlining care even more if they were

accessible to all medical facilities nationwide.

Declan had many positive interactions with patients. At the end of his first day, he spoke to one patient, John, whose father had just been diagnosed with a degenerative muscular disease. John was about to get blood work done, and he

feared that the blood work could reveal a genetic predisposition to the disease that could affect his ability to obtain insurance coverage. Declan told John that he did not think that was possible, but the patient was wheeled away before he

could explain why. John plans to ask a colleague about this.

In one month, Declan has a paper due for one of his classes on a health topic of his choice. By then, he will have had many interactions with patients he can use as examples. He will be pleased to give credit to John by name for inspiring him to

think more carefully about genetic testing.

Although Declan's day ended with many questions, he was pleased about his new position.



Based on the scenario, what is the most likely way Declan's supervisor would answer his question about the hospital's use of a billing company?

- A. By suggesting that Declan look at the hospital's publicly posted privacy policy
- B. By assuring Declan that third parties are prevented from seeing Private Health Information (PHI)
- C. By pointing out that contracts are in place to help ensure the observance of minimum security standards
- D. By describing how the billing system is integrated into the hospital's electronic health records (EHR) system

Correct Answer: C

QUESTION 2

Which statement is FALSE regarding the provisions of the Employee Polygraph Protection Act of 1988 (EPPA)?

- A. The EPPA requires that employers post essential information about the Act in a conspicuous location.
- B. The EPPA includes an exception that allows polygraph tests in professions in which employee honesty is necessary for public safety.
- C. Employers are prohibited from administering psychological testing based on personality traits such as honesty, preferences or habits.
- D. Employers involved in the manufacture of controlled substances may terminate employees based on polygraph results if other evidence exists.

Correct Answer: C

Reference: <https://hawleytroxell.com/2019/01/psychological-exams-and-personality-tests-in-employment-a-fine-line/>

QUESTION 3

Which was NOT one of the five priority areas listed by the Federal Trade Commission in its 2012 report, "Protecting Consumer Privacy in an Era of Rapid Change: Recommendations for Businesses and Policymakers"?

- A. International data transfers
- B. Large platform providers
- C. Promoting enforceable self-regulatory codes
- D. Do Not Track

Correct Answer: A

Reference: <https://www.ftc.gov/news-events/press-releases/2012/03/ftc-issues-final-commission-report-protecting-consumer-privacy>

QUESTION 4



Federal laws establish which of the following requirements for collecting personal information of minors under the age of 13?

- A. Implied consent from a minor's parent or guardian, or affirmative consent from the minor.
- B. Affirmative consent from a minor's parent or guardian before collecting the minor's personal information online.
- C. Implied consent from a minor's parent or guardian before collecting a minor's personal information online, such as when they permit the minor to use the internet.
- D. Affirmative consent of a parent or guardian before collecting personal information of a minor offline (e.g., in person), which also satisfies any requirements for online consent.

Correct Answer: B

Reference: <https://www.ftc.gov/tips-advice/business-center/guidance/complying-coppa-frequently-asked-questions-0>

QUESTION 5

SCENARIO

Please use the following to answer the next question:

Otto is preparing a report to his Board of Directors at Filtration Station, where he is responsible for the privacy program. Filtration Station is a U.S. company that sells filters and tubing products to pharmaceutical companies for research use.

The company is based in Seattle, Washington, with offices throughout the U.S. and Asia. It sells to business customers across both the U.S. and the Asia-Pacific region. Filtration Station participates in the Cross-Border Privacy Rules system

of the APEC Privacy Framework.

Unfortunately, Filtration Station suffered a data breach in the previous quarter. An unknown third party was able to gain access to Filtration Station's network and was able to steal data relating to employees in the company's Human

Resources database, which is hosted by a third-party cloud provider based in the U.S. The HR data is encrypted. Filtration Station also uses the third-party cloud provider to host its business marketing contact database. The marketing

database was not affected by the data breach. It appears that the data breach was caused when a system administrator at the cloud provider stored the encryption keys with the data itself.

The Board has asked Otto to provide information about the data breach and how updates on new developments in privacy laws and regulations apply to Filtration Station. They are particularly concerned about staying up to date on the

various U.S. state laws and regulations that have been in the news, especially the California Consumer Privacy Act (CCPA) and breach notification requirements.

The Board has asked Otto whether the company will need to comply with the new California Consumer Privacy Law (CCPA). What should Otto tell the Board?

- A. That CCPA will apply to the company only after the California Attorney General determines that it will enforce the statute.
- B. That the company is governed by CCPA, but does not need to take any additional steps because it follows CPBR.



- C. That business contact information could be considered personal information governed by CCPA.
- D. That CCPA only applies to companies based in California, which exempts the company from compliance.

Correct Answer: A

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