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QUESTION 1

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 decline the request because Protected Health Information is not subject to CCPA.
- B. MedApps should promptly verify the user's identity and provide the requested information.
- C. MedApps should promptly forward the request to Miraculous for instructions on handling.
- D. MedApps should decline the request because MedApps is not based in California.

Correct Answer: C

Reference: <https://oag.ca.gov/privacy/ccpa>

QUESTION 2

SCENARIO

Please use the following to answer the next question:

Cheryl is the sole owner of Fitness Coach, Inc., a medium-sized company that helps individuals realize their physical fitness goals through classes, individual instruction, and access to an extensive indoor gym. She has owned the

company

for ten years and has always been concerned about protecting customers' privacy while maintaining the highest level of service. She is proud that she has built long-lasting customer relationships.

Although Cheryl and her staff have tried to make privacy protection a priority, the company has no formal privacy policy. So Cheryl hired Janice, a privacy professional, to help her develop one.

After an initial assessment, Janice created a first of a new policy. Cheryl read through the draft and was concerned about the many changes the policy would bring throughout the company. For example, the draft policy stipulates that a

customer's personal information can only be held for one year after paying for a service such as a session with personal trainer. It also promises that customer information will not be shared with third parties without the written consent of the

customer. The wording of these rules worries Cheryl since stored personal information often helps her company to serve her customers, even if there are long pauses between their visits. In addition, there are some third parties that provide

crucial services, such as aerobics instructors who teach classes on a contract basis. Having access to customer files and understanding the fitness levels of their students helps instructors to organize their classes.

Janice understood Cheryl's concerns and was already formulating some ideas for revision. She tried to put Cheryl at ease by pointing out that customer data can still be kept, but that it should be classified according to levels of sensitivity.

However, Cheryl was skeptical. It seemed that classifying data and treating each type differently would cause undue difficulties in the company's day-to-day operations. Cheryl wants one simple data storage and access system that any employee can access if needed.

Even though the privacy policy was only a draft, she was beginning to see that changes within her company were going to be necessary. She told Janice that she would be more comfortable with implementing the new policy gradually over a

period of several months, one department at a time. She was also interested in a layered approach by creating documents listing applicable parts of the new policy for each department.

What is the best reason for Cheryl to follow Janice's suggestion about classifying customer data?

- A. It will help employees stay better organized
- B. It will help the company meet a federal mandate
- C. It will increase the security of customers' personal information (PI)
- D. It will prevent the company from collecting too much personal information (PI)

Correct Answer: C

Reference: https://eits.uga.edu/access_and_security/infosec/pols_regs/policies/dcps/

QUESTION 3

Who has rulemaking authority for the Fair Credit Reporting Act (FCRA) and the Fair and Accurate Credit Transactions

Act (FACTA)?

- A. State Attorneys General
- B. The Federal Trade Commission
- C. The Department of Commerce
- D. The Consumer Financial Protection Bureau

Correct Answer: D

Reference: <https://www.ftc.gov/enforcement/statutes/fair-accurate-credit-transactions-act-2003>

QUESTION 4

In which situation is a company operating under the assumption of implied consent?

- A. An employer contacts the professional references provided on an applicant's resume
- B. An online retailer subscribes new customers to an e-mail list by default
- C. A landlord uses the information on a completed rental application to run a credit report
- D. A retail clerk asks a customer to provide a zip code at the check-out counter

Correct Answer: A

Reference: https://en.wikipedia.org/wiki/Implied_consent

QUESTION 5

The U.S. Supreme Court has recognized an individual's right to privacy over personal issues, such as contraception, by acknowledging which of the following?

- A. Federal preemption of state constitutions that expressly recognize an individual right to privacy.
- B. A "penumbra" of unenumerated constitutional rights as well as more general protections of due process of law.
- C. An interpretation of the U.S. Constitution's explicit definition of privacy that extends to personal issues.
- D. The doctrine of stare decisis, which allows the U.S. Supreme Court to follow the precedent of previously decided case law.

Correct Answer: B

Reference: <https://academic.oup.com/idpl/article/2/4/255/676934>