

**Robinson+Cole**

## Data Privacy + Security Insider

Leveraging Knowledge to Manage Your Data Risks



### CYBERSECURITY

#### [OCR Alerts Listservs about Fake Phishing Email to Covered Entities and Business Associates](#)

On November 28, 2016, the Office for Civil Rights (OCR) issued an alert to its listservs that a phishing email is being circulated on “mock HHS Departmental letterhead under the signature of OCR’s Director, Jocelyn Samuels” to employees of HIPAA-covered entities and business associates. [\*Read more\*](#)

#### [Federal Court Rules That FEC Cybersecurity Study Is Exempt from FOIA Disclosure](#)

Last week, a D.C. federal judge ruled that an investigative reporter was not entitled to a 2014 cybersecurity study performed by an outside vendor detailing vulnerabilities in the Federal Election Commission’s information technology infrastructure. [\*Read more\*](#)

### DATA BREACH

#### [U.S. Navy Announces Breach of 134,386 Sailors’ Information from Laptop of Vendor](#)

The U.S. Navy has revealed that it has been notified by one of its vendors that a laptop of the contractor was the source of a data breach that compromised the names and Social Security numbers of 134,386 current and former U.S. Navy personnel.

The Navy is continuing to investigate the incident but will be notifying the Navy personnel of the incident by telephone, email, and mail. It will offer credit monitoring services for them.

### HIPAA

December 1, 2016

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### **[UMass Amherst Settles HIPAA Violations with OCR for \\$650,000](#)**

The Office for Civil Rights (OCR) has announced that the University of Massachusetts Amherst (UMass) has agreed to settle an investigation against it for \$650,000, along with implementing a Corrective Action Plan. The settlement is the result of a self-reported breach on June 18, 2013, when UMass reported that a workstation in the Center for Language, Speech, and Hearing became infected with malware that compromised PHI. [Read more](#)

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### **DRONES**

#### **[FAA Releases New Video for Safe Operation of Drones This Holiday Season](#)**

The Federal Aviation Administration (FAA) released a friendly warning for those who choose to purchase a drone this year for the holidays: fly it safely. The FAA released a [new video](#) summarizing the rules and regulations that each drone operator must follow to ensure safe flights. [Read more](#)

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### **PRIVACY TIP #63**

#### **[NYC Concertgoers—You May Need to Check Your Bank Records](#)**

Madison Square Garden has announced that it has suffered a year-long data breach of debit and credit cards used at concession stands at Madison Square Garden, the Theater at Madison Square Garden, Radio City Music Hall, the Beacon Theatre, and the Chicago Theatre between November 9, 2015, and October 24, 2016.

The breach occurred through an intrusion by hackers who were able to obtain the credit and debit card holders' names, credit or debit card numbers, expiration dates, and security codes as they were being processed. The public reports haven't confirmed this, but there is technology out there now that actually allows the hackers to take screen shots as the credit or debit card is being processed. UGH.

The breach did not affect Ticketmaster purchases or payments made on the Madison Square Garden website, so that extra fee you pay for Ticketmaster might have been a plus.

I went to the Beacon Theatre to see a great concert, so I am going to check my credit card records now. Of course, I don't have a debit card. If you have used a credit or debit card at any of these venues in the last year, you too, should check your records just to make sure nothing fishy has happened.

If you are going to see the Rockettes over the holidays, you may want to use cash, although Madison Square Garden has confirmed that the

"issue" has been resolved and customers may use their cards with confidence at MSG venues." Isn't Phish playing there on New Year's Eve?



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