

**Robinson+Cole**

## Data Privacy + Cybersecurity Insider

Leveraging Knowledge to Manage Your Data Risks



### CYBERSECURITY

#### [Michigan Governor Establishes Cyber Civilian Corps](#)

Michigan Governor Rick Snyder has signed into law the Cyber Civilian Corps Act, which established the Michigan Cyber Civilian Corps, dubbed MiC3. The corps has been in existence for three years but not statutorily deployed.

The law, effective on October 26, provides authority for the governor to reach out to a cadre of cyber experts when the state is the victim of a cyber-attack and to assist with any security incidents. The law allows the corps to provide voluntary technical and other assistance. The corps includes members of the government, nonprofits, businesses, and higher education, and other stakeholders, who come together to assist with the cybersecurity needs of the state. Michigan describes it as similar to volunteer firefighters.

What a great idea!

### DATA BREACH

#### [CFPB Releases Data-Sharing Principles for Financial Services Industry](#)

The Consumer Financial Protection Bureau (CFPB) recently issued principles for the access and disclosure of sensitive data in the financial services industry. The CFPB referred to the guidelines as principles instead of regulations so fintech and other firms can innovate while protecting consumers' information and give consumers the ability to consent to the sharing of information for products and services to be offered to them.

According to its press release, the CFPB "seeks to ensure a workable data aggregation market that gives consumers protection and value."  
[Read more](#)

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### **Maryland Data Breach Notification Law Updated: Effective 1/1/18**

The Maryland Personal Information Protection Act has been updated, and the new provisions are effective January 1, 2018.

The new law expands the definition of personal information protected under the statute. Presently, the definition of personal information includes a Maryland resident's first and last name or initial and last name, along with a driver's license number, Social Security number, financial account number, credit or debit card number (with a security code, expiration date, or password that would allow the card to be used) or taxpayer identification number.

The new definition of personal information includes passport numbers, other federal government-issued ID numbers, state identification card numbers, any information covered by HIPAA rules, biometric data, an email address in combination with a password or security question that permits access to the account, health insurance policy information, certificate numbers, or subscriber ID numbers in combination with an identifier that allows the information to be used.

[Read more](#)

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### **Beazley Publishes Special Report on 2017 Health Care Breaches**

Beazley has published a report outlining data breaches in the first nine months of 2017. The report notes that the highest cause of a data breach in 2017 so far are unintended disclosures, which accounted for 41 percent of all incidents. Beazley stated, "We urge organizations not to ignore this significant risk and to invest time and resources towards employee training." [Read more](#)

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## **DATA PRIVACY**

### **Empowerment or Intrusion? The College Transparency Act of 2017**

Stating the obvious, college is one of the most important and expensive investments that Americans make. From a consumer perspective, in addition to tuition costs, other factors should be important in deciding on a college, including graduate employment prospects, average student loan debt, and average number of semesters taken to complete a degree. If you were making a decision on buying a car, you would have access to a tremendous amount of comparative information, some generated and collected by the federal government and other coming from the manufacturers themselves.

Despite the fact that there are vast amounts of very detailed consumer information on colleges that could be used by students for comparison purposes, the Higher Education Act currently prevents the collation

and publication of this otherwise useful comparative data. As a result of the act, students are left with incomplete and inconsistent data in which base their college decision.

Accordingly, the College Transparency Act of 2017, backed primarily by state colleges, looks to remedy this gap by allowing existing federal government data to be combined and published. [Read more](#)

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## DATA SECURITY

### **A CIO Budget Playbook for 2018**

It's budget season again, a time when organizations set priorities on how to strategically spend their money in 2018. In the information technology (IT) world, this can be a daunting task for any CIO.

According to Gartner, artificial intelligence (AI), machine learning, and tools such as conversational platforms, digital twins, and blockchain should be at the top of the list. [Read more](#)

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## HIPAA

### **OCR Clarifies Privacy Rule for Sharing PHI on Opioid Overdoses**

In the wake of the national opioid overdose crisis, the Office for Civil Rights (OCR) has provided clarification on when covered entities are permitted to disclose patient information during opioid emergencies.

The OCR commented that some health care providers believe they must have the patient's consent to share information with family members about a patient's opioid overdose.

The OCR has clarified that health care providers may share limited protected health information in natural disasters and during drug overdoses, if sharing the information could prevent or lessen a serious and imminent threat to a patient's health or safety. [Read more](#)

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## DRONES

### **Drones Make Bridge Inspections Cheaper and Easier**

The United States has a lot of bridges—more than 600,000—many of which are in disrepair or reaching the end of their planned lives. According to the 2017 Infrastructure Report Card from the American Society of Civil Engineers, 9.1 percent of the bridges in the U.S. were structurally deficient in 2016, meaning that drivers made an average of 188 million trips across a deficient bridge every day. That means that

inspecting bridges is a critical activity for many states. Many states are looking to drones to bolster that activity. For example, the State of Minnesota plans to make drones a standard part of its bridge inspection toolkit. While Minnesota isn't among the states with the highest number or percentage of deficient bridges, it does struggle with the increasing costs of bridge inspections, and that's where drones come in. [Read more](#)

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## PRIVACY TIP #113

### Protect Seniors' Personal Information

I just read an article about a nurse from Florida who was convicted of wire fraud, theft of government funds, possession of unauthorized access devices, and aggravated identity theft.

The nurse worked in a nursing home between October 2011 and December 2012, and while employed in that capacity, she stole the personal information of 26 patients and had access to the personal information of up to 150 residents of the nursing home.

Using the residents' personal information, the nurse filed false tax returns and received \$141,790 in fraudulent tax refunds.

Our seniors are easy prey for scammers such as this nurse. She had access to personal information that was present in the residents' rooms and contained in their medical file. You can imagine how easy it was for this nurse to conduct the scam.

If your loved one is in an assisted living facility or a nursing home, and there are multiple people in and out of the room, consider taking their sensitive personal information out of the room and bring it to your home for safe keeping or buy your loved one a locked filing cabinet so it is more secure. Leaving sensitive personal information lying around and in view of others is tempting. Protect your loved one by keeping personal information safe from loss or theft.