### Robinson+Cole

# Data Privacy + Cybersecurity Insider

Leveraging Knowledge to Manage Your Data Risks



#### **CYBERSECURITY**

#### **Managed Service Providers Hit with Ransomware Attacks**

Cyberliability insurance provider Beazley Insurance Company has analyzed its internal breach response data and determined that in its experience, there has been a thirty-seven percent (37%) increase in ransomware attacks this most recent quarter from the last quarter of 2018. Twenty-five percent (25%) of those incidents were against managed service providers (MSPs). *Read more* 

#### **DATA PRIVACY**

## Stalemate in Use of DNA Profiles from Consumer Databases Meant to Help Crack Cold Cases

More than a year ago, in April 2018, police announced that they had used a new investigative technique to arrest a man known as the Golden State Killer. For the first time, the police submitted DNA from a crime scene into a consumer DNA database, where the information in that database about distant relatives helped them to identify the suspect. Since that announcement, DNA databases have been used to help solve more than 50 rape cases and homicides in 29 different states. However, this year, GEDmatch, the consumer DNA database that helped police crack the Golden State Killer case, changed its privacy policy to restrict law enforcement searches. GEDmatch's revised terms set forth specific details of how investigators were using the website and excluded all users from law enforcement searches unless they specifically opt-in. This dropped the number of profiles available to investigators from more than 1 million to zero overnight. While some users do opt-in to allow their data to be accessed by investigators, cases remain a bit more difficult to solve now. Read more

#### **DATA BREACH**

#### California DMV Exposes 3,200 Drivers' SSNs

The California Department of Motor Vehicles (DMV) announced on November 5, 2019, that it inadvertently had allowed the Social Security numbers of 3,200 California drivers to be accessed by unauthorized individuals in other state and federal agencies, including the Internal Revenue Service, the Small Business Administration, and the district attorneys' offices in Santa Clara and San Diego counties. Read more

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#### **FEATURED AUTHORS:**

<u>Linn Foster Freedman</u> <u>Kathryn M. Rattigan</u> Jean E. Tomasco

#### **FEATURED TOPICS:**

Cybersecurity
Data Breach
Data Privacy
Drones
HIPAA
New + Now
Privacy Tip

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#### **HIPAA**

#### **HHS Increases Civil Monetary Penalties under HIPAA**

In accordance with the Inflation Adjustment Act, the Department of Health and Human Services (HHS) has updated its regulations to reflect required annual inflation-related increases to civil monetary penalties, including those for certain violations of HIPAA's "administrative simplification" provisions. The final regulations became effective on November 5, 2019, the date they were published in the Federal Register. Read more

#### **NEW + NOW**

#### **CCPA Amendment Details to Consider**

In delving deeply into the California Consumer Privacy Act (CCPA), the Amendments recently signed by the California Governor, and the proposed Regulations issued by the California Attorney General, we thought it would be helpful to point out some details that are important to consider for compliance which are not obvious in the CCPA discussions we have been following. This week, we focus on the Amendment relating to employee information. *Read more* 

#### **DRONES**

#### **Cybersecurity Considerations for Drones**

The Federal Aviation Administration (FAA) estimates that by 2023 there will be more than 835,000 commercial drones in the United States. As the use of drones for many commercial purposes (such as aerial inspections, utility projects, monitoring real estate and construction activities) increases, more and more organizations will consider how to integrate these devices into existing networks and systems. However, these organizations must also consider how to limit the cybersecurity and privacy risks associated with the data collected by the drones. Read more

#### **Medical Prescription Delivered by Drone**

Last week, UPS and CVS completed the first commercial medical prescription drone delivery in the United States under a Federal Aviation Administration (FAA) program. The deliveries were made in North Carolina via a cable that lowered the prescriptions to the ground as the drone hovered about 20 feet above each destination. One of the packages was delivered to a customer with limited mobility, which often makes it difficult to visit the nearby store to pick up a prescription. Read more

#### PRIVACY TIP #213

#### **Your Secret Consumer Score**

We all know that retail companies monitor our clicks on their websites, sell our data not protected by law, and aggregate, slice and dice the data

so they can target us with ads, but we may not be as aware as we should be about how companies are rating us by using the data. This week's privacy tip reviews some ways to gain access to your secret file. Read more

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Robinson & Cole LLP | 280 Trumbull Street, Hartford, CT 06103