

Robinson+Cole

Data Privacy + Security Insider

Leveraging Knowledge to Manage Your Data Risks



CYBERSECURITY

[NIST Releases Update to Cybersecurity Framework](#)

The National Institute of Standards and Technology (NIST) has [issued an update](#) to its Framework for Improving Critical Infrastructure Cybersecurity, which includes information relating to managing supply chain risks, measuring methodology, and reducing cybersecurity risks to organizations. [Read more](#)

[Los Angeles Community College Pays Ransomware to Retrieve Data](#)

On December 30, 2016, the Los Angeles Community College computer network was kidnapped by cybercriminals requesting a ransom for its return. The ransomware encrypted the college's entire network system, including email and voice mail systems. Rather than attempt to restore all of the data days before classes were to resume on January 4, 2017, the college agreed to pay [see [related post](#)] \$28,000 to the hackers for the "key" to allow access to the computer systems. [Read more](#)

[Outgoing Homeland Security Chief: Cybersecurity Has Improved but More Work Remains to Be Done](#)

Following an election season characterized by missing emails, private servers, and personal laptops, and amidst pervasive allegations of Russian cybercrimes, outgoing secretary of Homeland Security, Jeh C. Johnson, issued an [exit memo](#) outlining the cybersecurity strides made by the Department of Homeland Security (DHS) during the Obama administration. Despite acknowledging "tangible progress," Johnson warned that "more work remains to be done." [Read more](#)

HEALTH INFORMATION

[SAMHSA Issues Final Rule for Update to Part 2](#)

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The Substance Abuse and Mental Health Services Administration (SAMHSA) issued its final rule updating proposed changes to the Confidentiality of Alcohol and Drug Abuse Patient Records regulations (also known as 42 CFR Part 2 or Part 2), which updates the 40-plus-year-old regulations to provide guidance on sharing substance abuse treatment in an electronic age. According to the Office of Health and Human Services (OHHS), the rule “improves the exchange of medical information in ways that protect the privacy of people receiving substance use treatment.” [Read more](#)

ENFORCEMENT + LITIGATION

[Mississippi AG Sues Google for Collection of Student Data](#)

Mississippi Attorney General Jim Hood filed a complaint against Google last week for alleged violations of the state’s Consumer Protection Act for its collection and use of students’ personal information and search history. The suit alleges that Google is using public school students’ information through G Suite for Education accounts to “advance its business interests and increase its revenue.” [Read more](#)

[Employer Has No Legal Duty to Protect Employee Electronic Information](#)

A court in Pennsylvania recently held that an employer does not have a legal duty to act reasonably in managing its computer systems to safeguard sensitive personal information collected from its employees when the employer elects, for purposes of its own business efficiencies, to store and manage such sensitive employee data on its Internet-accessible computer system, leaving it vulnerable to computer hackers, in the absence of reasonable safeguards. [Read more](#)

[Mapco Express Pays \\$1.9 Million in Data Breach Settlement](#)

A Tennessee federal judge has approved a proposed settlement of up to \$1.9 million to be paid by Mapco Express to individuals affected by a payment card data breach that occurred in 2013.

Two banks alleged that Mapco had lax security measures, which led to the breach, causing the banks to reissue payment cards to affected individuals. [Read more](#)

DRONES

[L.A. County Sheriff's Department Begins Use of UAS for Dangerous, Hostile, and Life-Saving Operations](#)

The Los Angeles County Sheriff's Department's (LASD) use of unmanned aircraft systems (UAS or drones) has been approved by the Federal Aviation Administration (FAA) for "dangerous, hostile and life-saving operations." LASD Sheriff Jim McDonnell explained in a press release that the drones will be used in situations involving search and rescue, explosive ordnance detection, hazardous materials incidents, disaster response, arson fires, hostage rescue, and barricaded or armed suspects. The UAS will be assigned to the Special Enforcement Bureau of the LASD. Many LASD deputies have been trained on UAS operations, and each has a remote pilot certification. Each drone used by the LASD will be brightly colored with the LASD logo visible so that residents will recognize when a particular drone is being used by the LASD. [Read more](#)

[Seattle Jury Convicts Man of Reckless Endangerment for Drone Operation](#)

A Seattle Municipal Court jury convicted a man of reckless endangerment for losing control of his drone at the Gay Pride Parade in Seattle in 2015. According to police reports, a 25-year-old woman was "knocked unconscious" by Skinner's two-pound drone that "crashed into a building and fell into the crowd" at the parade. [Read more](#)

[SkyPan and FAA Settle UAS Enforcement Cases](#)

SkyPan International, Inc. (SkyPan), based in Chicago, and the Federal Aviation Administration (FAA) agreed upon a comprehensive settlement to resolve the enforcement cases where the FAA alleged that SkyPan operated unmanned aircraft systems (UAS or drones) in airspace over New York City and Chicago in violation of airspace regulations and operating rules. [Read more](#)

DATA BREACH

[Vendor Causes Breach of Over 5,000 Patient Records](#)

The continued risk that vendors pose to companies, including health care entities, cannot be overemphasized. This week, Sentara Healthcare (Sentara) announced that one of its third-party vendors was the victim of a "cybersecurity incident" that compromised the

names, dates of birth, Social Security numbers, procedure information, demographic information, and medications of 5,454 patients who received vascular and thoracic procedures at its 12 hospitals in Virginia and North Carolina. [Read more](#)

PRIVACY TIP #70

Renters: Check Out This Scam Thwarted by the FTC

I know a lot of people who have looked for and been successful in finding an apartment and/or a roommate on craigslist. If you are looking for an apartment on craigslist right now—listen up.

The Federal Trade Commission (FTC) announced yesterday (January 18, 2017) that it has charged Credit Bureau Center LLC and three individuals associated with it for “luring consumers with fake rental property ads and deceptive promises of ‘free’ credit reports into signing up for a costly credit monitoring service.”

The scam worked like this: the company placed craigslist ads for fake rental properties or properties that it didn’t have authority to offer to renters. When people responded to the craigslist ads, the individuals associated with the company impersonated property owners and sent emails offering tours if consumers would first obtain their credit reports and scores from their website.

Although the sites claimed that the credit reports and scores were free, when consumers provided information to obtain the credit report and score, they were automatically enrolled in a credit-monitoring service that cost \$29.95 per month, which was continuing and was deducted from bank accounts or charged to credit cards.

The sites in question include eFreeScore.com, CreditUpdates.com, and FreeCreditNation.com.

The FTC has filed a complaint to stop the defendants from the practice and to return the money to consumers who were scammed. Good for the FTC!

Here are a couple of tips as takeaways from these facts and this case:

1. Don’t give your Social Security number or other personal information to anyone through a website (you need to give a Social Security number to get a credit report. These consumers probably provided their Social Security number to the website to get enrolled in the services);
2. Be careful about providing debit card or credit card numbers to websites if you are not actually purchasing an item (in this case, the consumers were supposed to be getting a free credit report, so why would they give their credit or bank account information, which the FTC says were continuously charged); and

3. Only get your free annual credit report from AnnualCreditReport.com or by calling 877-322-8228.



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