

Robinson+Cole

## Data Privacy + Cybersecurity Insider

Leveraging Knowledge to Manage Your Data Risks



### CYBERSECURITY

#### [Health Care Organizations Saw an 89% Increase in Ransomware in 2017](#)

Our experience last year is consistent with the conclusion of a new report issued by Cryptonite in its [2017 Health Care Cyber Research Report](#)—that the number of hacking events targeted at health care entities involving ransomware increased a whopping 89% from 2016.

The report analyzed the self-reporting database of the Office for Civil Rights (OCR) which requires covered entities to report data breaches. The number cited by Cryptonite may in fact be lower than reality. Pursuant to the Health Information Technology for Economic and Clinical Health Act, covered entities have until March 1, 2018, to report breaches of records that involve less than 500 individuals, so additional reporting is forthcoming. The report notes that there were 140 IT/hacking events reported to the OCR in 2017, which was 24% more than the 113 reported in 2016. This is up from 57 reported in 2015 and 35 in 2014. Those numbers alone show that the health care industry continues to be a target. [Read more](#)

#### [Spectre and Meltdown Vulnerabilities Affect Processors in Wide Range of Computing Devices](#)

This week, the world learned of widespread and serious vulnerabilities in most central processing units (CPU). CPUs manage the instructions received from the hardware and software running on a computer. The vulnerabilities, named Meltdown and Spectre, affect virtually every computer existing today, in particular those with Intel, Advanced Micro Devices, Inc. (AMD), Nvidia, and Arm Holdings (ARM) processors.

Spectre and Meltdown essentially permit unauthorized access to an operating system's secure and secret kernel memory, which often contains highly sensitive data, such as passwords, secret keys, and other credentials as well as personal photos and emails. Generally, any personal or desktop computer, laptop, cloud system, mobile device, tablet, or other computing device that uses these processors is vulnerable. In addition, Intel processors are used in a wide array of products, from personal computers to medical equipment. Click [here](#)

January 11, 2018

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for a detailed technical description of how the vulnerabilities can be exploited. [Read more](#)

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### **[Customs and Border Patrol Issues New Rule for Searching Devices at Borders](#)**

We previously reported that U.S. Customs and Border Patrol (CBP) has been stopping U.S. citizens at the borders of the United States and demanding passwords for access to mobile devices [view related [post](#)]. According to CBP, 19,051 mobile devices were searched at the border in 2016, which increased to 30,200 in 2017. All of these searches were performed without a showing of probable cause and a warrant. [Read more](#)

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### **VIRTUAL CURRENCY**

#### **[Initial Coin Offerings and Cryptocurrencies Will be a Priority for FINRA in 2018](#)**

In a ten page letter that previews the Financial Industry Regulatory Authority's (FINRA) priorities for 2018, initial coin offerings (ICOs) and transactions involving cryptocurrencies. This follows previous warnings by both the Securities and Exchange Commission (SEC) and FINRA about the risks associated with investing in ICOs and virtual currencies, including Bitcoin. [Read more](#)

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### **HIPAA**

#### **[Lessons Learned from Recent OCR HIPAA Audits](#)**

Covered entities, including employer sponsored health plans, should brace for audits and enforcement of the Privacy, Security, and Breach Notification rules by the Department of Health & Human Service Office of Civil Rights (OCR) following OCR's recent announcement of a large HIPAA settlement last month on the heels of its release of the preliminary results from Phase 2 of the HIPAA Audit Program. [Read more](#)

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### **DRONES**

#### **[Stanford Medical Center Seeks FAA Approval for Blood Delivery by Drone](#)**

Stanford Medical Center (Stanford) is pursuing a new concept in the health care world—blood delivery to hospitals by drones. Currently, Stanford is seeking the Federal Aviation Administration’s (FAA) approval for this type of delivery, which it hopes to receive, since Stanford believes such delivery will help to save lives. Regardless of the traffic on the roadways, a drone can make a 2.5 mile flight from Stanford Blood Center to the medical center in less than five minutes, and for critical patients with a critical need for blood, that five minute drone flight might be the difference between living and dying. [Read more](#)

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### **[Drones May Improve Safety and Efficiency for U.S. Airport Operations](#)**

While it may seem counter-intuitive, airports might just be one of the safest places for drones to fly; that is, with the caveat that drone flight in the unregulated airspace around the airports is clearly not safe and not permitted. Otherwise, drones can serve as a powerful tool to improve the safety, efficiency, and cost-effectiveness of U.S. airport operations in years ahead. How? Well, drones can execute critical tasks such as foreign object debris inspections, security flyovers, fuselage inspections, wildlife detection (or deterrence), and more. The Federal Aviation Administration (FAA) already works with U.S. airports and tower personnel to ground planes and put airports on lock down to carry out critical tasks (e.g., de-icing or debris removal). If the FAA shuts down operations at an airport, drones can certainly help carry out some of these tasks with the help of trained, monitored, and authorized drone operators. [Read more](#)

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### **[First Drone Passenger Flight Set for 2018 in London](#)**

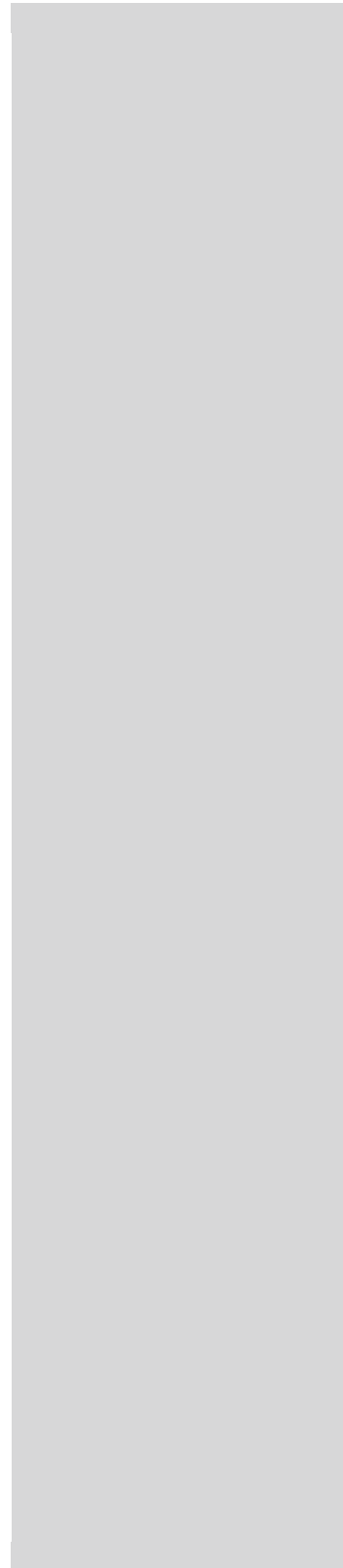
The first drone passenger flight (test flight that is) is set for 2018 in London. These passenger drones (also known as vertical take-off and landing aircraft –VTOLs) could cut the travel time from the Charing Cross train station to Heathrow airport to only 12 minutes from 40 minutes. Martin Warner, serial entrepreneur, inventor, and owner of Autonomous Flight, has performed a few flights without passengers in its Y6S drone, and is set to run further tests using sandbags to adjust for human weight sometime this summer. [Read more](#)

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### **PRIVACY TIP #121**

#### **[Patch, Patch, Patch](#)**

We all learned the hard way how important patching vulnerabilities are when a major data breach occurred during 2017 that exposed the

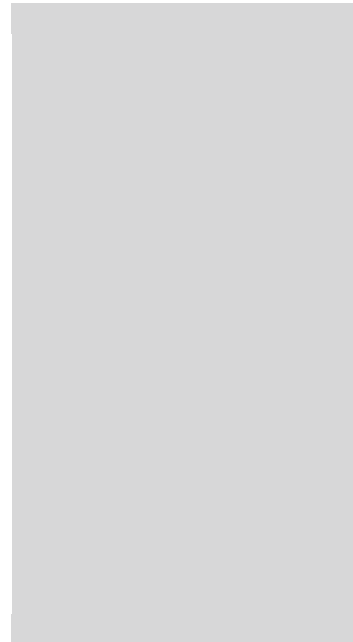


personal information of 80% of U.S. adults, which was reportedly avoidable with a patch.

The biggest news in 2018 about patching is that in response to the Spectre and Meltdown flaws [view related [post](#)], and a zero-day vulnerability in Microsoft Office, Microsoft issued 14 security updates this week.

It is being reported that computers using AMD chips are having difficulty pushing the patch issued by Microsoft, and Microsoft has stated that it is suspending the patches for computers running AMD chips as they are having difficulty rebooting following the fix. Microsoft is presently working with AMD to find a suitable update. So if you have a computer using an AMD chipset, you will have to wait for a patch to be issued in the near future.

For the rest of us, the Microsoft patches issued this week (as well as all security updates received from manufacturers) are extremely important. Following the recommendation of Microsoft and other manufacturers in pushing their patches is something to consider.



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