March 27, 2018

TLP White

We start first with discussing how the NIST Cybersecurity Framework can continue to improve the healthcare industry's cyber detection methods and then address a new state breach notification bill. We also take a look at the recent Facebook "breach" and conclude with a new problem surrounding Google's search suggestions. Welcome back to *Hacking Healthcare:*

Hot Links –

1. <u>*Agencies. I'll have an order of NIST's Framework, please.*</u> The healthcare industry can improve its cybersecurity detection methods, according to a recent study conducted by CynergisTek, a healthcare cybersecurity and information management firm.[1] The study measured how the healthcare industry conforms to the NIST Cybersecurity Framework (NIST CSF).[2]

   Although the healthcare industry's highest ranking was in the Core Elements of response and recovery, and had an average 45% conformance with the NIST CSF,[3] the study found that "most organizations are not prepared to respond comprehensively to a cyber incident at their organization."[4] Specifically, the study found that out of all the five elements of the NIST CSF, the healthcare industry ranked lowest in detecting potential cybersecurity incidents. Mac McMillan, CEO of CynergisTek, says he "expect[s] to see greater frequency and intensity of cyberattacks in healthcare" and believes the NIST CSF "gives healthcare organizations the framework they need to build the resilience that 21st century healthcare is going to require."

2. <u>*Legislation. Alabama May Join the Breach Notification Club.*</u> Alabama may soon be the 49th state to issue its own breach notification law requiring organizations to notify victims in the event of a breach.[5] Specifically, the Alabama Data Breach Notification Act

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[1] https://cynergistek.com/about/

[2] https://www.businesswire.com/news/home/20180301005672/en/CynergisTek-Releases-2018-Report-Cybersecurity-Findings-Healthcare

[3] https://healthitsecurity.com/news/improving-cybersecurity-response-in-healthcare-organizations

[4] https://healthitsecurity.com/news/improving-cybersecurity-response-in-healthcare-organizations

[5] https://healthitsecurity.com/news/alabama-data-breach-notification-act-accounts-for-medical-data

of 2018 (SB 318),[6] passed unanimously in the Senate, would require organizations to notify victims and permit the Attorney General's Office to issue fines and file suit on behalf of the victims if organizations failed to issue notifications.

The healthcare industry should take particular note of SB 318 because the bill's definition of "personally identifying information (PII)" includes medical and health insurance information such as an individual's medical history and health insurance policy number. However, encrypted information and information lawfully made public do not qualify as PII under the bill.

The bill now awaits action from the Alabama House of Representatives.

3. *Legal News.* **Breach or No Breach?** In the case of Facebook's recent incident, the answer at the moment seems to be – it depends. Last weekend news broke that an app harvested data from over 50 million Facebook user profiles and then provided that information to a U.K. firm, Cambridge Analytica, which has ties to President Donald Trump's 2016 campaign.[7] Since the announcement, Facebook has been choosing its words wisely, take care to avoid calling the incident a "breach."[8]

While no one hacked into Facebook as we would expect from a typical breach, there is still an underlying misuse of data that is leaving a bad taste. Former Federal Trade Commission Director of the Bureau of Consumer Protection Jessica Rich noted that the use of the word "breach" is not material to the questions raised by the incident.[9] She emphasized that the important inquiry is whether Facebook "exercised appropriate oversight" as well as whether the resulting data sharing exceeded the privacy settings of the affected users.

4. *Latest in Tech.* ***Moveover Smog: Google Search Pollution.*** Academics have discovered that one of every 200 Google search autocomplete suggestions are poisoned, meaning that they are used to drive traffic to misleading sites, malware, or other malicious content.[10] Autocomplete pollution has emerged as one of the most recent flavors of blackhat[11] search engine optimization (BHSEO) techniques and has resulted in profits ranging from $1 to $20 per day for the services providing it. Researchers have relied on a technique appropriately called Search AutoComplete Abuse Checking or "Sacabuche" to identify poisoned search autocomplete suggestions from a pool of 117 million suggested terms. Keep an eye out for Google search pollution, as it is expected to

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[6] http://alisondb.legislature.state.al.us/ALISON/SearchableInstruments/2018RS/PrintFiles/HB410-int.pdf

[7] https://www.cnbc.com/2018/03/21/facebook-cambridge-analytica-scandal-everything-you-need-to-know.html

[8] http://time.com/money/5210825/facebook-data-breach-experts/

[9] https://www.law360.com/aerospace/articles/1023752/-breach-or-not-facebook-in-legal-hot-water-over-data-use

[10] https://www.bleepingcomputer.com/news/google/one-in-every-200-google-search-suggestions-is-polluted/

[11] A "blackhat" is a person or group that engages in illegal activities using technical hacking methods.

become an increasingly popular technique as the number of mobile Internet users continues to multiply.

Congress –

Tuesday, March 26:
--No relevant hearings scheduled

Wednesday, March 27:
--No relevant hearings scheduled

Thursday, March 28:
--No relevant hearings scheduled

Conferences and Webinars –

--Health IT Summit – Cleveland, OH (3/27) <https://vendome.swoogo.com/2018-Cleveland-Health-IT-Summit>
--Health IT Summit – San Francisco, CA (4/5) <https://vendome.swoogo.com/2018-San-Francisco-HIT-Summit>
--Security Workshops at Intermountain Health – Park City, UT (4/24) <https://nhisac.org/events/nhisac-events/security-workshop-at-intermountain-park-city-ut/>
--Medical Device and Pharmaceutical Security Workshop – London <https://nhisac.org/events/nhisac-events/security-workshops-london/>
--2018 NH-ISAC Spring Summit – Sawgrass, FL (5/14-17) <http://www.marriott.com/hotels/travel/jaxsw-sawgrass-marriott-golf-resort-and-spa/>
--Health IT Summit – Philadelphia, PA (5/21) <https://vendome.swoogo.com/2018-Philly-HITSummit>
--Health IT Summit – Minneapolis, MN (6/13) <https://vendome.swoogo.com/2018-Minneapolis-Health-IT-Summit>
--Biotech / Pharmaceutical Security Workshop - Dublin, Ireland (6/21) <https://nhisac.org/events/nhisac-events/medical-device-and-pharmaceutical-security-workshop-dublin/>
--Health IT Summit – Nashville, TN (6/28) <https://vendome.swoogo.com/2018-Nasvhille-HITSummit>
--Health IT Summit – Denver, CO (7/12) <https://vendome.swoogo.com/2018-Denver-HITSummit>
--Health IT Summit – St. Petersburg, FL (7/24) <https://vendome.swoogo.com/StPetersburg-HITSummit-2018>
--Health IT Summit – Boston, MA (8/7) <https://vendome.swoogo.com/2018-Boston-Health-IT-Summit>
--Biotech/Pharma Security Workshop at Gilead Sciences, Foster City, CA (8/29) <https://nhisac.org/events/nhisac-events/biopharma-workshop-at-gilead-sciences-foster-city-ca/>

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--Health IT Summit – Seattle, WA (10/22) <https://vendome.swoogo.com/2018-Seattle-HITSummit>
--2018 NH-ISAC Fall Summit – San Antonio, TX (11/26-29)
<https://www.destinationhotels.com/la-cantera-resort-and-spa>

Sundries –

--**AHIMA Continues Push for Balance in Patient Data Access, Security**
<https://healthitsecurity.com/news/ahima-continues-push-for-balance-in-patient-data-access-security>
--**Primary Health Care announces email breach one year after discovery**
<http://www.healthcareitnews.com/news/primary-health-care-announces-email-breach-one-year-after-discovery>
--**IBM Reveals a Computer the Size of a Grain of Salt**
<https://www.bleepingcomputer.com/news/technology/ibm-reveals-a-computer-the-size-of-a-grain-of-salt/>
--**Google Deploys New Anti-Phishing & Malware Detection Features for G Suite Users**
<https://www.bleepingcomputer.com/news/google/google-deploys-new-anti-phishing-and-malware-detection-features-for-g-suite-users/>
--**Spending bill will offer $380M for election cybersecurity improvements**
<https://www.cyberscoop.com/election-cybersecurity-fund-omnibus-2018-eac/>
--**Expedia's Orbitz says 880,000 payment cards hit in breach**
<https://www.reuters.com/article/us-orbitz-cyber/expedias-orbitz-says-880000-payment-cards-hit-in-breach-idUSKBN1GW23V>
--**Puerto Rico power utility hacked but customer data not at risk**
<https://www.reuters.com/article/us-usa-puertorico-cyberattack/puerto-rico-power-utility-hacked-but-customer-data-not-at-risk-idUSKBN1GV30A>
--**Mozilla stops Facebook ads amid data privacy concerns**
<http://thehill.com/policy/technology/379707-mozilla-stops-facebook-ads-amid-concerns-about-data-privacy>

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