

Robinson+Cole

Data Privacy + Security Insider

Leveraging Knowledge to Manage Your Data Risks



CYBERSECURITY

[NIST Releases Draft Cybersecurity Guidance for Wireless Infusion Pumps](#)

The National Institute of Standards and Technology (NIST) announced this week that it has issued draft cybersecurity guidance for hospitals to consider when using infusion pumps, particularly because infusion pumps are no longer stand-alone devices and many are now wireless. This increases the risk of cybersecurity threats that could potentially compromise personal information if the device is hacked, or hinder the functionality of the device. The wireless connection of medical devices is referred to as the Internet of Medical Things (IoMT). [Read more](#)

[FTC Launches Website to Help Small Businesses with Cyber-Attacks](#)

The Federal Trade Commission (FTC) announced on May 9, 2017, that it has launched a new website that “helps small businesses avoid scams and cyber-attacks.” The website, www.ftc.gov/SmallBusiness.com, is filled with articles, videos, and other information to help small businesses avoid scams and recover from a cyber-attack, as well as security tips to protect networks and customer data. [Read more](#)

HIPAA

[OCR Settles with Texas Health System for \\$2.4 Million for Disclosing PHI to Media in a Press Release](#)

The Office for Civil Rights (OCR) issued a press release yesterday announcing it has settled alleged HIPAA violations with Memorial Hermann Health System (MHHS) for \$2.4 million. According to the Resolution Agreement it has inked with the OCR, MHHS must also implement a corrective action plan, including updating its policies and procedures, training staff, and requiring all of the facilities in the system to “attest to their understanding of permissible uses and

May 11, 2017

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[Student Data](#)
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disclosures of PHI, including disclosures to the media.” [Read more](#)

ENFORCEMENT + LITIGATION

[Central Payment Co. Settles TCPA Class Action for \\$6.5 Million](#)

Last week, Chief U.S. District Judge Clay D. Land, Middle District of Georgia, approved the final order and judgment to settle class action claims that Central Payment Co. LLC (Central Payment) violated the Telephone Consumer Protection Act (TCPA) for \$6.5 million. Lead plaintiff, Fred Heidarpour, claimed that Central Payment violated the TCPA by hiring third parties to "cold call" prospective clients using prerecorded telemarketing calls without the required prior consent. This class action was filed back in August 2015. Discovery in this case revealed that more than 27 million attempted prerecorded calls had been made on behalf of Central Payment during the proposed class period. [Read more](#)

STUDENT DATA

[EFF Report Finds That Student Data Is Not Adequately Protected By Ed Tech Companies](#)

On April 13, 2017, the Electronic Frontier Foundation (EFF) published *Spying on Students*, a report detailing its investigation into school-issued devices and student privacy. EFF found that parents were overwhelmingly not informed about what educational technology (Ed Tech) their students were using. As a result, students and/or parents were the ones burdened with investigating what Ed Tech was used, what privacy policies were governed, and what privacy implications they may carry. Not surprisingly, parents were particularly concerned with what personally identifiable information was being collected, and whether that information would be shared or sold. [Read more](#)

DATA PRIVACY

[Repeal of FCC Privacy Rules Sparks Concern in U.S. and Europe](#)

The Federal Communications Commission privacy rules required providers such as Comcast Corp. and AT&T Inc. to get subscribers' permission before collecting and sharing their personal data. On April 4, 2017, President Donald Trump signed a congressional resolution rescinding those rules, and sparking major concern both in the U.S. and Europe. Indeed, according to a survey taken shortly after the rollback of the federal privacy rules was announced, some 95 percent of Americans said they are concerned about businesses' collection

and sale of their personal information without permission. [Read more](#)

[In the Privacy of Your Home](#)

Recordings are becoming a normal, but often unexpected, part of our daily routines. Urban legend has it that some smart televisions record your conversations. The same goes for smartphones; supposedly, some of your mobile apps can record every word that falls from your lips. Also questionable. Security cameras? Obviously. As a society, it's safe to say that many of us have willingly given up our privacy for convenience and functionality, but how much we're willing to sacrifice may be an open question. [Read more](#)

DRONES

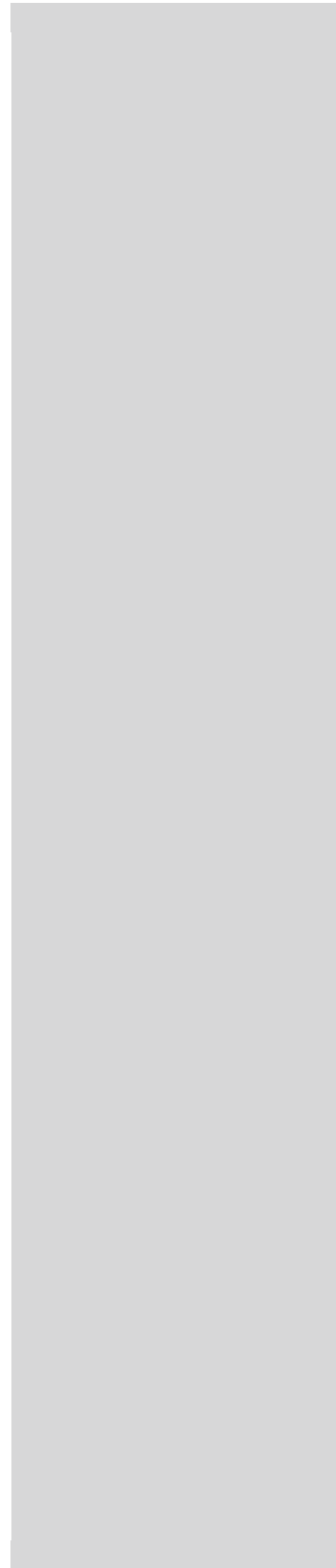
[Filmmaker Arrested for Flying Drone over the NFL Draft](#)

A 27-year-old resident of Philadelphia, Pennsylvania, Jonathan Kolleh, was arrested and spent 14 hours in a holding cell last week for flying his drone in the vicinity of the National Football League (NFL) Draft. Kolleh began using drones for his filmmaking last year after purchasing a DJI drone. While shooting his latest project, *Straight Outta Philly*, capturing images near the Schuylkill River Boardwalk, (a bridge over the river that splits Center City and West Philadelphia and Franklin's Paine Skatepark near the Philadelphia Museum of Art), he was approached by a police officer. The police officer informed Kolleh that he was not allowed to fly drones "at this event"—Kolleh said he was not aware of any restrictions. [Read more](#)

[Drone Package Delivery Calls for Drone Traffic Management System](#)

By 2020, it is estimated that 7 million drones will be flying around the country delivering packages, taking photos, inspecting infrastructure, or conducting search and rescue missions. However, before that happens, we will need a system in place to avoid collisions between the drones themselves, buildings, people and drones, and, most importantly, passenger aircraft. The National Aeronautics and Space Administration (NASA), along with the Federal Aviation Administration (FAA) and industry partners, have been researching the requirements needed to establish a drone traffic management system. The hope is to test out those systems this summer. [Read more](#)

PRIVACY TIP #87



[“Share with Care”](#)

This week (May 8–12, 2017) is Privacy Awareness Week—an annual initiative of the Asia Pacific Privacy Authorities (APPA) a forum that concentrates on sharing information about privacy practices and rules.

The APPA is an interesting group made up of privacy regulators from Australia, British Columbia, Canada, Colombia, Hong Kong, Japan, Korea, Macao, Mexico, New South Wales, New Zealand, the Northern Territory, Peru, Queensland, Singapore, the United States (both the Federal Communications Commission and the Federal Trade Commission are included), and Victoria. It has been in existence since 1992 (way before privacy became such a huge issue with the Internet), and they meet twice a year to “form partnerships and exchange ideas about privacy regulation, new technologies and the management of privacy enquiries and complaints.” What a brilliant idea...

This year’s theme for Privacy Awareness Week is “Care When You Share,” and APPA is “encouraging individuals to care about their privacy and better inform themselves of what will or might happen to their personal information before they share it” as well as better educating employees of governmental agencies to understand their responsibilities with others’ personal information and to basically respect it and treat it as their own.

APPA and its members have distributed great resources for Privacy Awareness Week, including posters with the theme “Pause for Privacy,” a quickguide for CIOs, a guide on “How to Embed and Support a Culture of Privacy,” and guides for the sharing of information between governmental agencies.

So, embrace Privacy Awareness Week and “Share with Care.” Pause before you click “I agree.” Think twice before you give your Social Security number to someone or enter all of your personal information into a website form. These are all previous Privacy Tips from this blog, but it is always good to revisit them—especially when the theme of Privacy Awareness Week is “Share with Care.”

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