



We're taking you to court – this week's *Hacking Healthcare*:  
TLP White

**Hot Links –**

1. **Going to Court** – CareFirst has been involved in a series of [lawsuits](#) related to data breaches that it disclosed in 2014 and 2015. On November 1, CareFirst filed a [petition](#) with the Supreme Court. If the Supreme Court hears the case, it will set precedent for corporate liability resulting from data breaches.

In question is how the court defines [harm](#) to individuals whose data has been exposed through a data breach. In August, an appeals court determined that plaintiffs only had to demonstrate “substantial risk” of injury through the improper disclosure of private information. By December 1, the Supreme Court will decide to hear the case.

2. **The medical device *Lifecycle*** – Suzanne Schwartz, FDA Associate Director for Science and Strategic Partnerships, has been on a media offensive in the last few weeks. First, here's a [blog](#) that she put out at the end of October, emphasizing the need for manufacturers to consider the security of a device along its full lifecycle. She followed this up with a recent appearance on the Healthcare Info Security [podcast](#) this week. She discusses last year's *Postmarket Cybersecurity Guidance*, in particular highlighting the policy shift that enables manufacturers to issue security patches without seeking re-certification from the FDA.
3. **More breaches** – HealthITSecurity has a great [roundup](#) of recent healthcare breaches. Ransomware, spoofed websites, lost paperwork?
4. **But is bigger worse?** – In a useful [dissent](#), three Vanderbilt University researchers question OCR data breach statistics. Most notable is the observation that “HHS data are biased because larger organizations inherently have a greater chance of reaching the 500 patient threshold...” Better breach data allows security professionals and hospital

November 14, 2017

executives to assess and mitigate risks. It's useful for the industry to question the science behind the data that we have.

5. **SEC Revision** – Publically traded companies may soon see new guidance on how they report material cybersecurity incidents to investors. The Equifax hack, and reports that executives traded shares after learning ([maybe?](#)) about the breach (but before it became public), [apparently prompted](#) the SEC to revisit how they view corporate insider trading policies in such circumstances.

### ***Congress –***

Tuesday, November 14:

--Hearings to examine gene editing technology, focusing on innovation and impact. ([Senate HELP](#))

--Hearing: Bolstering the Governments Cybersecurity: A Survey of Compliance with the DHS Directive ([House Science](#))

Wednesday, November 15:

--Hearing: Oversight Hearing - Veterans Affairs Electronic Health Record ([House Appropriations](#))

--Hearing: Maximizing the Value of Cyber Threat Information Sharing ([House Homeland](#))

-- Hearing: The Federal Information Technology Acquisition Reform Act FITARA Scorecard 5.0 ([House Oversight](#))

Thursday, November 16:

--Hearing: The Race to 5G and its Potential to Revolutionize American Competitiveness ([House Energy and Commerce](#))

### ***Conferences and Webinars –***

--[Healthcare Security Summit: New York City](#) (11/14-15)

--[Cyber Outbreak TTX](#) (NH-ISAC) (11/27)

--[NH-ISAC Fall Summit – Cyber Rodeo](#) (11/28-30)

--[Business Email Compromise Workshop](#) – New York, NY (12/5)

--[Regional Healthcare Cybersecurity Summit](#) – Hebron, KY (12/7)

--[Basic Best Practices in Cybersecurity](#) – Georgia (NH-ISAC) (12/13)

--[Health IT Summit – Dallas](#) (12/14)

### ***Sundries –***

--New Microsoft Word attacks infect PCs sans macros ([Ars](#))

--How a Tiny Error Shut Off the Internet for Parts of the US ([Wired](#))

November 14, 2017

- Security, privacy issues we need to solve before non-medical implants become pervasive ([HelpNet](#))
- Hackers Say They've Broken Face ID a Week After iPhone X Release ([Wired](#))
- How Healthcare Orgs Can Implement Strong End-User Security ([Health IT Security](#))
- Recap: Health IT Summit Beverly Hills ([healthcare informatics](#))
- UK Weekly Threat Report ([National Cyber Security Centre](#))
- Former Yahoo CEO: Stronger Defense Couldn't Stop Breaches ([Healthcare Info Security](#))
- Who Owns Your PII, You or Credit Reporting Agencies? ([Healthcare Info Security](#))
- Simple Banking Security Tip: Verbal Passwords ([krebs](#))
- Cyber crime: North Korea's billion-dollar soft spot ([Lowy](#))

Contact us: follow @NHISAC and email at [bflatgard@nhisac.org](mailto:bflatgard@nhisac.org)