WEBINAR

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HIPAA & Recognized Security Practices

February 3, 2023

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MEET THE PRESENTER

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AGENDA

WEBINAR

- How Often & How Catastrophic?
- Where Is the HIPAA Security Rule?
- What Are Recognized Security Practices?
- Why Implement Recognized Security Practices?
- How to Demonstrate Recognized Security Practices?
- What Did We Talk About?
- Q&A

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How Often & How Catastrophic?

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CYBERSECURITY IS PATIENT SAFETY

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"When it comes to cyberattacks affecting patient care, the question is no longer a matter of if or when, but *how often & how catastrophic the consequences*"

The Office of U.S. Senator Mark R. Warner released a report titled "Cybersecurity is Patient Safety – Policy Options in the Health Care Sector"

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HOW OFTEN

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For context of how often, **73%** of organizations in a study suffered two or more attacks in the past 12 months

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Veeam 2022 Ransomware Trends Report

HOW CATASTROPHIC

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An example of how catastrophic – University of Vermont Medical Center suffered a cyberattack on October 28, 2020, they were offline for 28 days, & lost an estimated $50 million

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DANGERS ABOUND

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With “how often & how catastrophic” the consequences, implementing Recognized Security Practices (RSP) is **critical** to a healthcare organization

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Where Is the HIPAA Security Rule?

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GOOD PEOPLE, BAD THINGS

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HIPAA amendment signed in early 2021 made changes to provide a carrot

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REMEDIATION TAKES LONGER THAN YOU THINK

- 7% – Less than 1 week
- 24% – 1 week
- 32% – 1 to 2 weeks
- 22% – 2 weeks to 1 month
- 12% – 1 to 2 months
- 3% – 2 to 4 months

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What Are Recognized Security Practices?

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RECOGNIZED SECURITY PRACTICES

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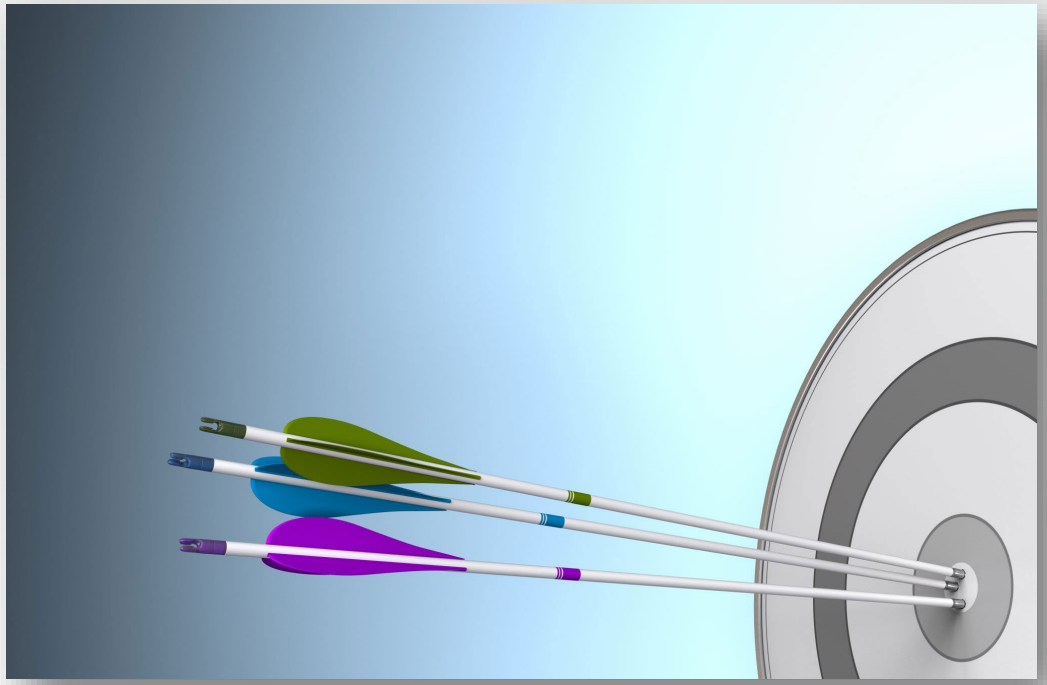
- National Institute of Standards & Technology (NIST) Cybersecurity Framework
- Health Industry Cybersecurity Practices (HICP)
- Other



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CHOICES

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- NIST Cybersecurity Framework
- Other
- Health Industry Cybersecurity Practices (HICP)

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BUILDING BLOCKS

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- Cybersecurity Act of 2015
- 405(d) Task Force
- Health Industry Cybersecurity Practices (HICP)

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FIVE THREATS

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1) Email phishing attack
2) Ransomware attack
3) Loss or theft of equipment or data
4) Insider, accidental, or intentional data loss
5) Attacks against connected **medical devices** that may affect patient safety

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CYBERSECURITY PRACTICES

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1) Email Protection Systems

2) Endpoint Protection Systems

3) Identity & Access Management

4) Data Protection & Loss Prevention

5) IT Asset Management

6) Network Management

7) Vulnerability Management

8)Security Operations Center & Incident Response

9) **Medical Device Security**

10) Cybersecurity Policies

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DOES IT PAY TO PAY?

RANSOM

- 5% No ransom was asked for
- 19% No, we were able to recover data without paying
- 24% Yes, but we still could not recover
- 52% Yes, & we were able to recover the data

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Veeam 2022 Ransomware Trends Report

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Why Implement Recognized Security Practices?

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SOURCES FOR OCR FINES

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- Post Breach Investigation
- Not providing patient requested health information timely & at a reasonable cost

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BENEFIT OF ADOPTING RSPS

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- Mitigate fines
- Favorable early terminations of an audit
- Mitigate remedies

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How to Demonstrate Recognized Security Practices?

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ADEQUATELY DEMONSTRATE

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- Fully Implemented
- Enterprise-Wide
- Metrics

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DOCUMENTATION REQUESTS

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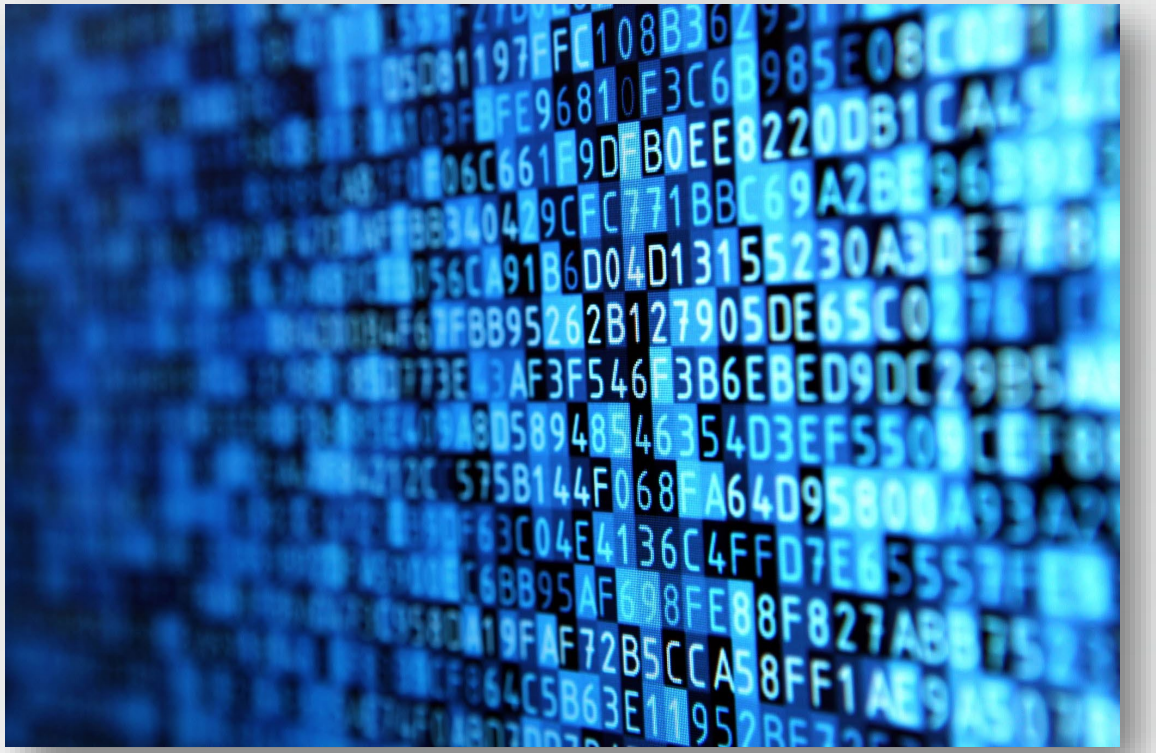
- Yes
  - Illustrative
- Not
  - Comprehensive
  - Exclusive



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WHAT DID WE TALK ABOUT?

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Q&A

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CONTINUING PROFESSIONAL EDUCATION (CPE) CREDIT

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- For questions, concerns or comments regarding CPE credit, please email FORVIS at cpecompliance@forvis.com

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THANK YOU!

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RESOURCES

- https://www.nist.gov/cyberframework/framework-documents
- https://405d.hhs.gov/resources
  - https://405d.hhs.gov/Documents/HICP-Main-508.pdf
  - https://405d.hhs.gov/Documents/tech-vol1-508.pdf (small organizations)
  - https://405d.hhs.gov/Documents/tech-vol2-508.pdf (medium/large organizations)
- https://www.forvis.com/article/2022/11/what-hipaa-safe-harbor
- https://www.forvis.com/article/2023/01/what-are-hipaa-s-recognized-security-practices

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REFERENCES

1. The Office of U.S. Senator Mark R. Warner released a report titled “Cybersecurity is Patient Safety – Policy Options in the Health Care Sector”
2. Veeam 2022 Ransomware Trends Report
3. IBM Cost of a Data Breach Report 2021

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