

# YOUR PRACTICE IS AT RISK UNDER THE NEW PRIVACY PROTECTION LAWS



**Mass Data Protection Law** – enforced 3/1/10

**HITECH Act** – expansion of HIPAA data privacy rules

**FTC Red Flag Rules** – creates ID theft standard of care

**Federal Data Accountability & Trust Act** – pending federal law to regulate customer data breach notification

The most common source of a breach is **ACCIDENTAL**: a stolen or lost laptop, PDA, desktop computer or thumb drive.

- average cost of a data breach is over \$200 per patient record
- total costs typically exceed \$100,000
- most practices have neither the legal nor technological resources to respond to a breach
- slow or incomplete response increases liability & damages customer relationships

**Organizations can and will be held liable in the case of a data breach.  
Data Breach Insurance will protect you!**

**Coverage Available:**

- Data Breach Claim Coverage** – for claims from outside parties related to privacy issues and technology security breaches, as well as regulatory action against the practice
- Data Breach Containment** – covers costs of notification, crisis management expenses, credit monitoring costs, costs to investigate existence of a breach
- Technology Extortion** – expenses involved with an extortion attempt, “hacker” case
- Data Restoration** – cost to restore, recover or replicate data that is damaged or unrecoverable

**Can you afford NOT to buy this coverage???**

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