

Breach Analysis

Expert investigation, assessment and response for positive outcomes



If you suspect a data breach, you need answers fast: what PHI was lost, who is affected and if notification is required. Delays in responding to a breach can increase the threat to victims and incur fines up to \$1.5 million.

Under the HITECH Act, your chances of facing a data breach has increased — to date, more than 29,000 data breaches have been reported to the Department of Health and Human Services (HHS) since the law was passed in 2009. To ensure a positive outcome, you need to assess your risks, understand the laws and plan a proper response.

At ID Experts, we do just that. Our digital forensic professionals will analyze the facts around an incident, and our breach response team will complete a risk assessment to determine your regulatory requirements. Based on this information, we'll help you tailor an effective response. We work with you as partners in data breach response; our mission is to protect your good name and the patients you serve.

Digital Forensic Analysis

When a privacy incident concerning PHI happens, your first impulse may be to immediately notify the affected population and regulatory agencies. However, not all privacy incidents constitute a breach of sensitive PHI, as defined by HITECH. ID Experts offers prompt, professional forensic analysis of an incident, so you can correctly determine if, when and how PHI was lost or stolen.

Our digital forensic professionals are experts in collecting, analyzing and processing computer data stored in all types of devices, operating systems and shared platforms, from cell phones to distributed "cloud networks." With our forensic partners, we have testified as experts and worked on almost every type of computer media, configuration and email application.

Incident Risk Assessment

If you're faced with a privacy incident, the HITECH Act requires you to carry out an incident risk assessment and determine whether the incident crosses the "harm threshold" for the people whose data is lost or compromised. ID Experts' RADAR™ is a secure, web-based tool that steps you through the assessment process in a manner that complies with HITECH, helping you determine whether an incident is indeed a breach — and whether notification is required based on the harm threshold criteria. This tool also helps provide the required notification to the HHS.

For more complex situations, we offer professional assessments by our team of data breach professionals who understand the HITECH Act regulations and who are experienced in every aspect of incident response. We can also prepare you for any post-breach investigation from the HHS Office for Civil Rights (OCR).

ABOUT ID EXPERTS

ID Experts is the leader in comprehensive data breach prevention and response, with a focus on full recovery. Founded in 2003, ID Experts has managed hundreds of data breach incidents for leading healthcare organizations, corporations, financial institutions, universities, and government agencies across the United States. We are passionate about protecting the organizations and individuals we serve from the threat of identity crime.



BREACH ANALYSIS: COMPONENTS AND BENEFITS

Digital Forensic Analysis	Our forensic professionals are experts in collecting, analyzing and processing computer data, so you can accurately determine if, when and how PHI was stolen or lost.
Incident Risk Assessment	The law requires you to complete an incident risk assessment for every potential data breach. Our RADAR tool helps you properly evaluate the facts of every incident, documenting your process and decisions about notification, and helps you with regulatory reporting.
Customized Breach Response Strategy	We help ensure a timely, cost-effective response to a data breach, including notification that meets legal and regulatory requirements. We also provide notification and support for diverse patient populations.
HITECH & State Regulatory Compliance	Our tools and professionals help you ensure compliance with federal and state privacy and data breach regulations, to reduce your post-breach liabilities and risks.
HHS/Office for Civil Rights Reporting	We help you prepare the required reports to the HHS and state regulatory authorities, as well as help you prepare for the post-breach investigation from the HHS Office for Civil Rights.

Customized Data Breach Response Strategy

We've had extensive experience in managing data breach responses for healthcare organizations, and we also understand the complex web of federal and state regulations surrounding PHI data privacy. Our data breach response professionals help ensure your timely response and regulatory compliance for all aspects of data breach management — from notification and reporting to patients, regulatory authorities and the media, to identity monitoring and recovery for affected patients.

Based on our analysis of the relevant state and federal regulations, and the circumstances of your specific data breach, we'll customize a plan that identifies, who, when and how to notify in compliance with these laws, and then how best to protect the affected individuals. With our experience in notifying unique and diverse populations, such as the critically ill, deceased or disabled, you can rely on ID Experts for a professional, caring response.

Our Healthcare Expertise

Healthcare is the industry third most frequently victimized by data breach.

Data breach issues and risks are different in the healthcare sector — the data (both PHI and PII) and victims are diverse, regulations are more complex and financial risks are extreme. ID Experts is trusted by many prominent healthcare providers, payors and other industry participants to provide a full spectrum of data privacy and breach solutions — before, during and after an incident.

ID Experts has the focused expertise to deliver industry-specific products and services that best protect healthcare organizations and the patients they serve. Our certified professionals, industry experience and our focus on "full recovery" help demonstrate your commitment to breach victims firsthand — as well as exhibit credibility and compliance to regulators and other relevant audiences.

With ID Experts as your partner, your organization will minimize the reputational, legal and financial risks of a data breach, and help ensure positive outcomes for everyone involved.

Talk to an expert today:

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Connecticut and Vermont authorities fined Health Net a combined \$1.18 million (including a victim's reserve fund) for the breach of more than 446,000 members' PHI and financial information — and for waiting six months to notify. ¹

The High Cost of a Data Breach

Visit www.idexpertscorp.com for more information.

¹ "Health Net Fined Again for Breach," by Howard Anderson, Executive Editor, HealthcareInfoSecurity.com, January 20, 2011 and "HealthNet and Connecticut settle breach suit," by Steve Fox, and Vadim Schick, Health IT Law Blog, July 8, 2010

