

Data Security Services

Our firm offers a broad array of services to help clients address their data security and privacy needs.

QUICK REACTION

Responding to a Data Breach

Clients turn to us for quick and decisive action in the event of a data security breach. There are more than 45 different laws requiring notification of security breaches involving personal information. We can help organizations navigate the complex and often inconsistent requirements of those laws. In addition, we can help assess and minimize the legal exposure that attends a data breach, whether the threat is posed by a state attorney general, a contract partner, or individuals whose personal information was compromised.

PRUDENT PLANNING

Developing a Comprehensive Data Security Plan

Smart organizations are now devoting increasing resources to preventing, rather than merely responding to, data breaches. In fact, new Massachusetts regulations require virtually all Massachusetts businesses (and many businesses outside its borders) to develop and implement a comprehensive, written information security plan to maintain the confidentiality, integrity and security of personal information. Operating without a data security plan is not only taking a large gamble with your business, it will soon be illegal.

COMPLYING WITH THE NEW MASSACHUSETTS DATA SECURITY REGULATIONS

The Massachusetts regulations require significant and expensive changes in the way personal information is often acquired, maintained, transmitted and used. Under the new approach, for example, laptops and PDAs containing personal information must be encrypted and service providers with access to such information must be certified compliant. The *Boston Business Journal* has reported that the new regulatory scheme could cost businesses over \$1 billion in Massachusetts alone.

We have developed a program specifically focused on compliance with the Massachusetts data security regulations. It includes:

- ❖ **The Roadmap.** We offer a roadmap for organizations beginning the compliance process, providing both written documentation and face-to-face counseling. We will walk through the meaning and reach of the regulations with you in detail. In addition, we can work with your IT department, or with one of our own IT partners, to assist in an initial audit of your organization's IT infrastructure and security-related practices in the context of the regulatory requirements.
- ❖ **The Written Information Security Plan.** At their core, the regulations call for the creation and implementation of a written information security plan. We develop that document and the related policies with you, taking into account the risks, resources and opportunities specific to your business.
- ❖ **Employee Education and Training.** The regulations call for the education and training of company employees, to address the proper use of computer systems and the importance of personal information security. We develop and conduct a training program for you, based on the written information security plan you adopt.
- ❖ **Post-compliance Assessment and Evaluation.** Regulatory compliance is a process, not a destination. The Massachusetts regulations, for example, require ongoing reviews, audits and updates of the data security plan. We will assess areas of risk and exposure even after the initial process has concluded, to provide meaningful intelligence you can use to allocate resources, evaluate insurance coverage, assess contractual relationships and position your business positively in this new information marketplace.

Your written information security plan must be in place by May 1, 2009. For further details, please contact Joe Laferrera at joe.laferrera@gesmer.com.