# **CYBERSECURITY**& PRIVACY

### KMK Law



#### It's Time to Take Control

KMK provides effective cybersecurity solutions to minimize risk before, during, and after a data breach.

The threat of cyber attacks and data breaches isn't new, but it's changing—quickly. The KMK team can assess and construct powerful processes to help you manage a broad range of risks and protect your organization. You will benefit from our forward-thinking approach to cybersecurity through planning, education and management.

Balancing organizational demands with cybersecurity risks requires a commitment of time and resources that can divert your focus. Threats are hard to detect, regulations change often, and data management and protection are becoming more complicated. That's why you need a multi-disciplinary partner like KMK. Cybersecurity is our passion, which means our team is dedicated to keeping current on data privacy and cybersecurity issues while maintaining flexibility so that we can react quickly to ever-evolving threats.

73% of major U.S. based businesses expect to experience a major security breach within a year.<sup>1</sup>



# CYBERATTACKS ARE THE FASTEST GROWING CRIME IN THE U.S., AND THEY ARE INCREASING IN SIZE, SOPHISTICATION, AND COST.

## **Empower Your Organization with KMK's Strategic Solutions**

### Cybersecurity Plans, Privacy Policies, and Information Governance

Cybersecurity breaches are an unremitting threat to all businesses, but being prepared will help you better manage risk and respond rapidly. KMK's Cybersecurity & Privacy Team helps you create an Information Governance framework. Our team will:

- Counsel and educate about regulations in your industry
- Asses how well your policies, practices and procedures fit the regulations
- Assist with information governance and cybersecurity risk management in policies and agreements
- Counsel your C-Suite and directors about proper oversight of cybersecurity risk
- Help educate and train your workforce on cyber attacks

#### GDPR Preparation and Management

Does the General Data Protection Regulation (GDPR) apply to your company? If the statements below describe your organization, you need to take steps now to comply with this sweeping and highly technical framework.

- The company processes or controls personal data of individuals in the EU
- The company is involved in activity that relates to offering goods and services in the EU
- The company's activity relates to monitoring individual activities within in the EU

KMK is committed to helping your team understand how GDPR will impact your organization and will work with you to ensure your policies and procedures meet the GDPR requirements. Our team will evaluate your compliance structure, policies and procedures and work closely with you on updates to ensure compliance with this new regulation.

Every 39 seconds computers with internet access are attacked.<sup>2</sup>

#### Strategic Insurance Protection

Companies of all sizes must not only guard against a data breach, but also minimize associated risks and damage—that's why insurance protection may be critical. KMK offers comprehensive services from insurance policy evaluation to claims resolution. Our team will:

- Work with a broker to make sure your insurance matches your company's cyber and data breach risks
- Negotiate with the broker to tailor your company's policy so that it best covers the risks and exposure
- Advise on reporting claims and work with the insurer and broker to ensure a fair resolution











91%

of cyber-attacks begin with a phishing email.3

### Information Technology Assessment and Data Maps

Before you can protect and manage enterprise data, you need to assess your data, know where it's stored and know who owns and administers it. KMK conducts information technology assessments and develops electronically stored information (ESI data maps) to identify, manage and secure your primary sources of ESI for litigation and/or corporate needs.

The result is a real-time and fully functional ESI data map that provides enterprise-level benefits which enables your organization to:

- Respond to litigation
- Improve business processes
- Enhance organizational knowledge and management

#### **HIPAA** Management

The Health Insurance Portability and Accountability Act (HIPAA) is a federal law designed to protect the security and ensure the confidentiality of protected health information. As a healthcare provider or associated business, your HIPAA program needs to be reviewed periodically so that it is aligned with current regulations and interpretations. The KMK team will use their expertise to:

- Draft HIPAA privacy and security policies and procedures, including breach notification procedures
- Review business associate agreements
- Help your IT staff perform a HIPAA Security Rule gap analysis and draft a security report

Sources:

- 1 Tektonika, 2017
- 2 Security Magazine http://bit.ly/2EiDVcp
- 3 PhiseMe.com

#### Contact a member of our Cybersecurity & Privacy Team.



Jospeh M. (Joe) Callow, Jr.
Partner
Litigation
513.579.6419
jcallow@kmklaw.com



Roberc C. (Rob) Lesan, III

Partner

Business Representation & Transactions
513.579.6939

rlesan@kmklaw.com



Christopher S. (Chris) Brinkman Associate Business Representation & Transactions 513.579.6953 cbrinkman@kmklaw.com



Drew M. Hicks
Partner
Litigation
513.579.6565
dhicks@kmklaw.com



Megan C. Hymore
Partner
Business Representation & Transactions
513.579.6463
mhymore@kmklaw.com



Margaret M. (Meg) Johnson
Associate
Business Representaion & Transactions
513.579.6982
mjohnson@kmklaw.com



John F. Meisenhelder
Partner
Employee Benefits & Executive Compensation
513.579.6914
jmeisenhelder@kmklaw.com



Mark E. Musekamp
Associate
Business Representation & Transactions
513.579.6590
mmusekamp@kmklaw.com



Associate
Litigation
513.579.6464
jmellen@kmklaw.com



Stephanie M. Scott
Associate
Litigation
513.579.6582
sscott@kmklaw.com



Anthony M. (Tony) Verticchio
Partner
Litigation
513.639.3878
averticchio@kmklaw.com



**Richard E. (Rich) Wills**Chief Information Officer
513.579.6588
rwills@kmklaw.com

The law firm of Keating Muething & Klekamp PLL (KMK Law\*) is a nationally recognized law firm delivering sophisticated legal solutions to businesses of all sizes - from start-up companies to *Fortune* 50 corporations.

Attorneys at Law
One East Fourth Street | Suite 1400 | Cincinnati, Ohio 45202
P: 513.579.6400 | F: 513.579.6457 | kmklaw.com