



Calm After the Storm:
Preserving Trust in the
Aftermath of a Breach

What is privacy?



A privacy breach may lead to...

▶ For the individual

- ▶ Stigmatization/discrimination
- ▶ Emotional/psychological harm
- ▶ Ineligibility of health insurance coverage, employment, housing opportunities

▶ For the institution

- ▶ Fines and lawsuits
- ▶ Reputational damage
- ▶ Additional cost associated with containing, investigating and/or remediation efforts



Not if, when...

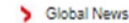
- ▶ In April 2023, Hamilton Health Sciences (HHS) learned of a privacy breach involving eight (8) employees who inappropriately accessed the personal health information of approximately 4,000 patients
- ▶ Upon conducting a comprehensive privacy breach investigation, HHS concluded that these were snooping cases and as a result, all eight employees were terminated.
- ▶ **Our notification approach included:**
 - An information letter mailed to all affected patients
 - Notification to the Information and Privacy Commissioner of Ontario and regulatory college (where applicable)
 - Public notification on HHS' external website
 - Proactive disclosure to local media and on HHS public website



HHS fires 8 employees who 'snooped' through records of 4,000 patients

Hamilton Health Sciences says it has fired eight employees who 'snooped' through personal health information over a 12-month span — the...

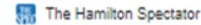
Aug 28, 2023



Hamilton Health Sciences employees terminated after privacy breach - Hamilton | Globalnews.ca

Share ... Hamilton Health Sciences (HHS) says eight employees have been terminated after a privacy breach in which the personal information of...

Aug 28, 2023



Eight HHS employees breached records of 4,000 patients

Eight employees, some nurses, 'snooped' on 4000 patient records for a year, internal probe found.

Aug 28, 2023



HHS fires 8 employees who breached 4000 patient's records

Hamilton Health Sciences says it has fired eight employees who "inappropriately accessed" the personal health information of approximately...

Aug 30, 2023



Breach management is important

1) Learn the facts!

- Deploy institutional policy and protocols relevant for conducting a comprehensive investigation
- Understand the scope and root cause of the incident
- Act swiftly to contain the incident
- Notify and engage all relevant stakeholders

2) Understand the data

- What type of data was breached (personal health information, personal information, financial information, etc.)
- Ensure impacted data is validated, accurate and up-to-date
- Understand your impacted demographic (adult, pediatric, deceased)

3) Band together: Effective communication approaches for the win!

- Establish a dedicated working group and project management timelines
- Work collaboratively with stakeholders to manifest the notification strategy for the public, internal staff, external stakeholders, and regulatory governing bodies
- **Consistent messaging is key!**

4) Close the Loop

- Compile lessons learned and standardize breach management workflows (where possible)
- Implement long-term controls and remediation measures

Communication approaches to trust-building

▶ **Be Proactive**

- If possible and appropriate, take a proactive position to demonstrate transparency and maintain control over the facts of the story
- Anticipate likely questions and answer them upfront, where possible
- **HHS approach:**
 - Pre-scheduled interview w/ local newspaper (Hamilton Spectator) to disclose breach incident
 - Timed once patient breach notifications had been mailed
 - Additional media inquiries followed & were fielded

Communication approaches to trust-building

▶ Choose Transparency

- Determine what you are able and prepared to say
- Offer spokespeople; ensure they are media trained and equipped to represent the issue

- Communicate to your employees first
 - Most invested audience
 - Unofficial spokespeople/brand ambassadors
 - Deserve to hear the news from you vs. a news report

Communications approaches to trust-building

- ▶ **Demonstrate care and compassion first and foremost**
 - Acknowledge the impact and take accountability
 - *“We sincerely apologize to those affected...”*
 - Provide reassurance re: risk of harm
 - *“There is no on-going risk of harm to those affected...”*
 - Be clear in your intentions to prevent future breaches
 - What mitigation strategies have occurred/will occur?

Lessons Learned...

▶ **Kindness Matters**

- Be respectful, empathic, compassionate and understanding

▶ **Openness and Transparency Reign Supreme!**

- Your communication approach is integral to a successful breach management strategy
- Anticipate likely questions and answer them upfront, where possible
- Proactive notification may be a friend, not a foe

▶ **Re-building trust is not a one-size fits all approach**

- Provide timely responses to patient inquiries
- Assist patients with understanding their rights
- Encourage patient feedback: Listen, Learn, Reflect, Re-evaluate, Re-educate, Repeat