

The Complexities of Managing Vendor Relationships: Practical Strategies for Navigating Data Breaches in the New Age of Data Privacy"

Introduction

- **Overview of Presentation**
 - Importance of managing vendor relationships in data privacy
 - Brief introduction of presenters: Maria Salgado, Kelly Pollock, Shalyn Watkins

Objectives

- **Explore Legal Requirements**
 - Preventing data breaches
 - Understanding HIPAA and HITECH Act provisions
- **Best Practices for Vendor Contracts**
 - Negotiation strategies
 - Key elements of Business Associate Agreements (BAA)
- **Pitfalls and Lessons Learned**
 - Case studies of vendor breaches
 - Recent examples and outcomes

Legal Framework

- **HIPAA and HITECH Act**
 - Definitions of IIHI and PHI
 - Business Associate obligations
- **FTC Act Health Breach Notification Rule**
 - Breach definitions and implications

Vendor Agreements

- **BAA Requirements**
 - Safeguards and reporting obligations
 - Termination and subcontractor clauses
- **Negotiation Considerations**
 - Breach reporting and costs
 - Data usage restrictions

Economic Impact

- **Financial Costs of Data Breaches**
 - Average costs and industry-specific impacts
 - Litigation and operational disruptions

Case Studies

- **Healthcare Data Breach Settlements**
 - Examples of settlements and fines
 - Lessons from Meta Pixel and other breaches

Best Practices

- **Data Governance and Vendor Contracting**
 - Stricter controls and risk assessments
 - Collaboration between legal and marketing teams