

# Tech Debt in State Government: Ditching the Blame Game

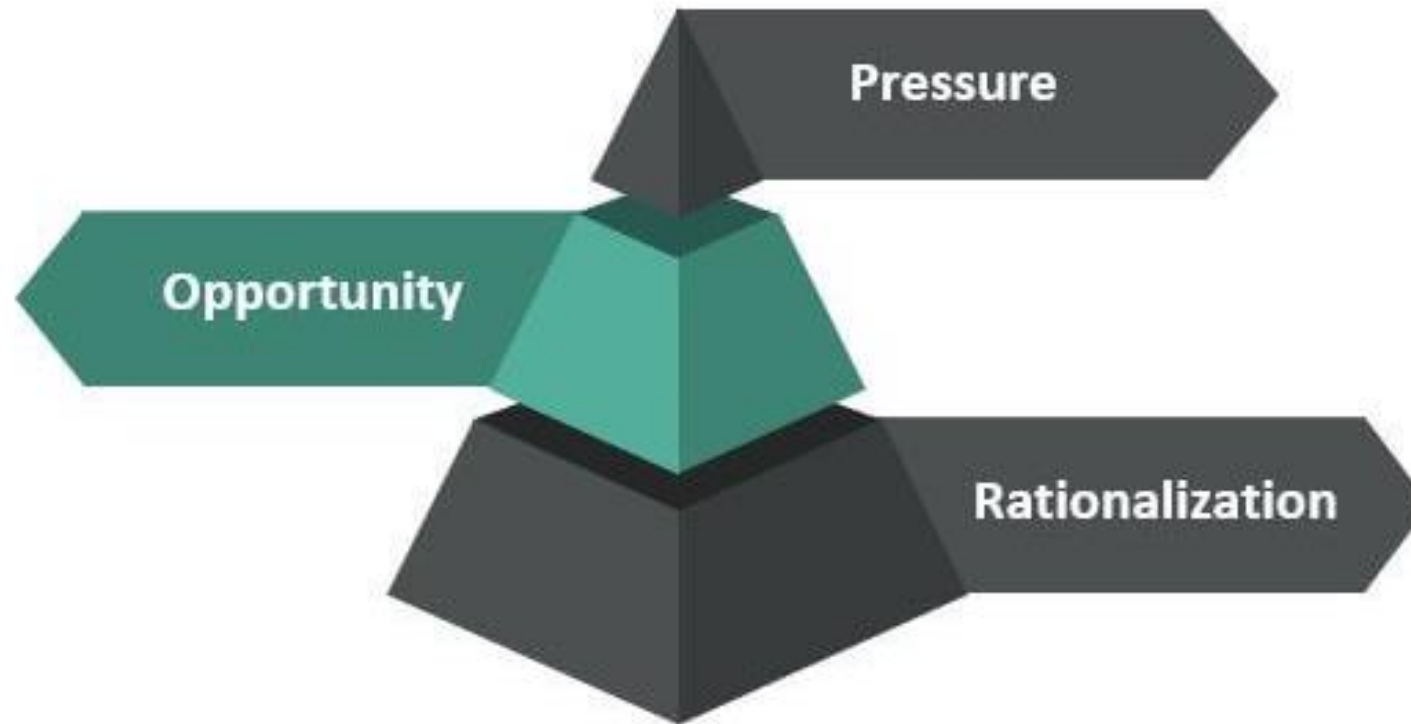
Chris Gordon, Department of Medical Assistance Services

# Overview

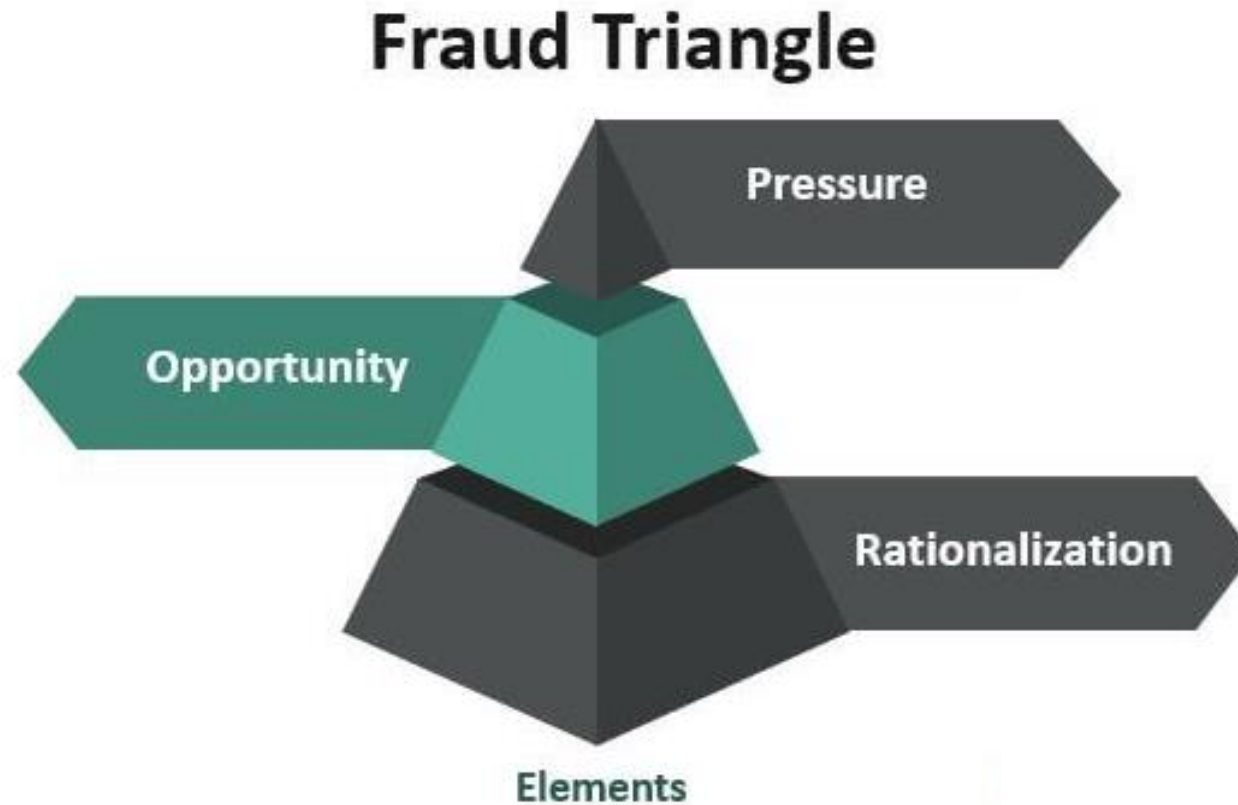
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- **Tech debt**
  - What is it
  - Impact
  - Consequences
- **Information Security—opportunities and solutions**

# Tech debt—another perspective



# Tech debt—another perspective

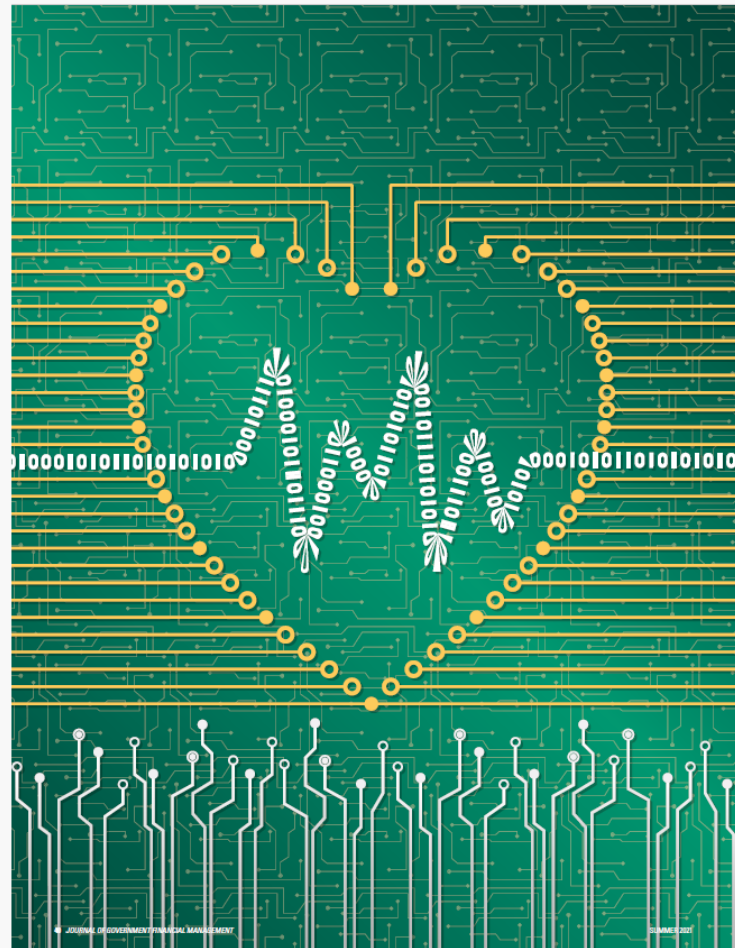


# Tech debt—December 2019

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- 3<sup>rd</sup> party vendor unauthorized access
- Greater than 500 Medicaid member claims accessed
- \$500K re-routed from destination hospital to new bank account
- Cash intercepted by Virginia State Police Hi-Tech Crimes Unit
- Funds recovered

# Tech debt—December 2019



## PROTECTING THE SECURITY OF DIGITAL HEALTH RECORDS

A Brief Overview of HIPAA and the Breach Notification Rule

By Chris Gordon

The use of electronic health records (EHRs) is now standard in health care. The changeover from paper to electronic records was mainly due to a federal mandate in the Health Information Technology for Economic and Clinical Health (HITECH) Act of 2009,<sup>1</sup> which required health care organizations to implement, upgrade and maintain EHR technology.<sup>2</sup> Unfortunately, the widespread adoption of EHRs introduced a concomitant rise in cybersecurity threats and breaches.

As cyber targets, EHRs are particularly coveted because of the personally identifiable information (PII) they contain about individual

patients, which does not expire and can be exploited repeatedly for fraudulent purposes.<sup>3</sup> For instance, selling PII from EHRs to identity thieves on the “cyber black market” is a lucrative criminal enterprise.<sup>4</sup> Since hackers generally perceive cybersecurity measures used in the health care and government sectors to be underdeveloped and easily breached, EHR hacking is rampant.

A complex web of federal laws and regulations<sup>5</sup> protects the security of digital health data, known in legal parlance as protected health information (PHI).<sup>6</sup> The Health Insurance Portability and Accountability Act of 1996 (HIPAA)<sup>7</sup> protects PHI held by

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# Tech debt—August 2023

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- 3<sup>rd</sup> party vendor unauthorized access
- No Medicaid member claims accessed
- \$500K re-routed from destination hospital to new bank account
- Cash intercepted by Virginia Department of Treasury and Virginia State Police High-Tech Crimes Unit
- Funds recovered

# Tech Debt—what changed?

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- Turnover in vendors
- Turnover in staff
- Procedures changed
- New emphasis on oversight



# Summary

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- Solutions require acknowledgment of what didn't work
- Don't fall for the 'shiny, new thing'—go back to the basics
- Do ask for resources—*always*