



May 5, 2021

The Honorable Yvette Clarke
Chair
House Committee on Homeland Security
Subcommittee on Cybersecurity,
Infrastructure Protection & Innovation
Washington, D.C. 20515

The Honorable Andrew Garbarino
Ranking Member
House Committee on Homeland Security
Subcommittee on Cybersecurity,
Infrastructure Protection & Innovation
Washington, D.C. 20515

Dear Chair Clarke and Ranking Member Garbarino:

On behalf of the Confidentiality Coalition, we thank you for holding a hearing on, "Responding to Ransomware: Exploring Policy Solutions to a Cybersecurity Crisis."

The Confidentiality Coalition serves as an exclusive platform for joint discussion and collaboration in advancing healthcare information exchange, while protecting the privacy and confidentiality of personal data by advancing innovative privacy and security policy for the healthcare environment. We enable a diverse group of organizations from all sectors of American healthcare to come together and to collaboratively create a patient-centered vision that promotes higher quality, value and interoperability in healthcare information delivery for all Americans. Our members comprise a broad base within healthcare industry, including but not limited to hospitals, medical teaching colleges, health plans, pharmaceutical companies, medical device manufacturers, vendors of electronic health records, biotech firms, employers, health product distributors, pharmacies and pharmacy benefit managers, health information and research organizations and patient groups.

Ransomware attacks in the healthcare sector are one of the greatest cybersecurity challenges to patients and providers. A March study estimated that over 600 healthcare facilities encountered ransomware attacks affecting over 18 million patient records at a cost of approximately \$21 billion.¹ The COVID-19 health pandemic has further exacerbated the risk of ransomware attacks. From March – July 2020, there was a 72% increase in ransomware attacks.² These attacks compromise patient privacy and impact the operations of healthcare entities, resulting in an interruption of care.

The Confidentiality Coalition applauds the Committee for their work in providing the Cybersecurity and Infrastructure Security Agency (CISA) \$650M in the *Consolidated*

¹ Paul Bischoff, *Ransomware attacks on US healthcare organizations cost \$20.8bn in 2020*, Comparitech (March 10, 2021), https://www.comparitech.com/blog/information-security/ransomware-attacks-hospitals-data/#How_much_did_these_ransomware_attacks_cost_healthcare_organizations_in_2020.

² *COVID-19 Pandemic Sparks 72% Ransomware Growth, Mobile Vulnerabilities Grow 50%*, Skybox Security (July 21, 2020), <https://www.prnewswire.com/in/news-releases/covid-19-pandemic-sparks-72-ransomware-growth-mobile-vulnerabilities-grow-50--817268901.html>.

Appropriations Act. HLC also supports proposals by President Biden to increase CISA's annual funding. Providing federal agencies the tools to respond to ransomware attacks will allow for healthcare stakeholders to work with these agencies in responding to attacks and working to improve cybersecurity infrastructure for future events.

The constantly evolving landscape of ransomware attacks has been a significant challenge for healthcare stakeholders to prepare and respond. We appreciate Congress' decision to pass legislation last year that would grant the Secretary of Health and Human Services (HHS) the authority to recognize satisfactory cybersecurity practices implemented by HIPAA covered entities and their business associates when determining fines for breaches of protected health information that are the result of a cyberattack. Additionally, the Coalition supports efforts by the federal government to focus on educating stakeholders when ransomware attacks occur rather than automatically imposing penalties. Identifying the causes of a ransomware attack and working with impacted parties on prevention will help ward off future attacks and will create a culture of collaboration on cybersecurity improvements.

The Confidentiality Coalition looks forward to working with you on ways to improve cybersecurity in healthcare environments. Please feel free to contact Tina Grande at tgrande@hlc.org or 202-449-3433 with any questions.

Sincerely,

A handwritten signature in black ink that reads "Tina O. Grande". The signature is written in a cursive, flowing style.

Tina O. Grande
Chair, Confidentiality Coalition and
Executive VP, Policy, Healthcare Leadership Council