Columbia Bioethics/ Columbia Law
CLE Program
Outline/ Timed Agenda
March 28, 2024
6:15-8:15pm

Title: Should You Pay the Ransom? Navigating the law and ethics of a ransomware attack, the special case of Health-care institutions.

Program description:

This CLE program will explore the unique Cyber/Privacy/Data Management, ethical and legal challenges faced by a heath-care institutions in formulating their response to a ransomware attack. We will explore the challenges to good decision-making regarding public communication, dealing with the "THREAT-ACTORS", protecting patient privacy, and of course paying the ransom, or not!

The program will conclude with a simulation of the first discussions an organization's leader must have when an attack is suspected.

Speakers:

David Hoffman
Assistant Professor
Columbia University, Bioethics Master's Program

Thomas Hallsey
Director, Health Information Technology
Healthcare Association of New York State

Susan Regan
Healthcare and Hospital Attorney
Former Associate General Counsel, VNS Health
Co-Chair, VNS Health Hospice Ethics Committee

Cordell Schachter
Chief Information Officer (CIO)
US Dept of Transportation
Former CIO, NYC Dept of Transportation

Timed Agenda

1) How did we get here? The ethical and technological context of ransomware and data privacy obligations of Health care organizations. One organization's experience with Ransomware.

    David N. Hoffman   6:15-6:45pm

2) The role of advocacy and preparedness in preventing and responding to ransomware attacks.

Thomas Hallsey   6:45– 7:05pm

3) Crawl, Walk, Run to achieve DHS' Cybersecurity Performance Goals

Cordell Schachter   7:05– 7:25pm

4) Who should be at the table, before, during and after a ransomware attack. What should they be talking about.

Sue Regan   7:25-7:45pm

5) What should happen after first contact with LOCKBIT?
Issues of confidentiality, duty to patients and community, and what about paying the ransom?
Panel Discussion   7:45-8:15pm

Speakers Bios:

David Hoffman, J.D.
Assistant Professor
Columbia University, Bioethics Master's Program

David N. Hoffman is a health care attorney and clinical ethicist and is the Chief Compliance Officer at Carthage Area Hospital, where he supports the clinical and administrative staff in the areas of ethical practice and legal compliance. He has written on a variety of healthcare subjects including use of medical imaging technology in litigation, equal protection rights of physicians, and regulatory responses to the emerging physician shortage, and has served on and advised hospital ethics committees and institutional review boards. He was a member of the faculty of the Montefiore Medical Center/NYU Pilot Certificate Program on Human Research Subject Protection. Hoffman is a volunteer member of the Surrogate Decision-Making Committee of the New York State Department of Health, Commission on Quality of Care/Justice Center. He served as the Chair of the Committee on Bioethical Issues of the Association of the Bar of the City of New York (ABCNY) and as a member of the Committee on Professional Ethics of the New York State Bar Association. He was the principal author of the committee's advisory opinion on internet-based attorney referral services. He previously served as the Legislative Liaison for the Special Committee on Medical Malpractice at ABCNY, where he authored the Association's policy statement on the National Practitioner Databank. He also chaired the ABCNY Sub-Committee on human transplant organ procurement. Mr. Hoffman completed the pilot post-graduate program in Bioethics and the Medical Humanities at Columbia University Medical Center.

Thomas Hallsey
Director, Health Information Technology
Healthcare Association of New York State

Tom has spent his entire career improving healthcare quality and operations through the advancement of technology. Tom began his career at EMR vendor MEDITECH and went on to spend nearly 20 years leading healthcare IT strategy and implementation at several healthcare systems in New York and Washington, D.C. He served as CIO at Cayuga Medical Center in Ithaca, Cortland Regional Medical Center and United Medical Center in Washington, D.C.

Tom is now a Trustee on the board of a local health system and HANYS' head of digital health strategy. Tom formulates and executes HANYS' state and federal HIT regulatory and legislative advocacy agenda and provides education and collaboration to New York health systems. His work includes guiding statewide collaborative efforts to improve care through technology in areas such as virtual/telehealth, cybersecurity and clinical informatics. He further partners with government agencies, lawmakers and other organizations to advance HANYS' HIT agenda on behalf of New York's hospitals and health systems.

Susan Regan, J.D.
Susan is Former Associate General Counsel, VNS Health, and is currently the Co-Chair Of the VNS Health Hospice Ethics Committee. She is also a Lecturer in Law and Bioethics, Columbia University. Susan has spent over 35 years representing and advising Health-care organizations in private practice and in-house roles.

Cordell Schachter
Chief Information Officer
US Dept of Transportation
Former CIO, NYC Dept of Transportation

Cordell Schachter was sworn in as Chief Information Officer of the U.S. Department of Transportation on August 30, 2021. He serves as principal advisor to the Secretary of Transportation and to the leadership of DOT Operating Administrations on matters involving information technology (IT) and information assurance including cybersecurity and privacy. He leads DOT's Office of the Chief Information Officer (OCIO) and its collaborative teams and dedicated personnel responsible for the projects and services required to meet DOT's strategic goals and mission "to deliver the world's leading transportation system, serving the American people and economy through the safe, efficient, sustainable, and equitable movement of people and goods."

Cordell and OCIO oversee the Department's IT portfolio and its $3.5 billion in annual spending. They ensure all IT projects and investments are planned and implemented according to government best practices. They lead the department's efforts to transform DOT by creating smart technology solutions, promoting innovation, and strengthening DOT's cybersecurity, in accordance with the Federal Information Technology Acquisition Reform Act (FITARA), the Federal Information Security Management Act (FISMA), other laws, and executive orders in support of DOT's mission.

Previously, Cordell served as the New York City Department of Transportation's (NYC DOT) Chief Technology Officer and CIO for over 13 years and served in NYC government for a total of 26 years in a variety of roles. He led NYC DOT teams to innovate services and improve accessibility of New York City's physical infrastructure of roads, bridges, sidewalks, and transportation technologies, and to launch new mobility such as Bike Share and e-Scooter Share. The teams also improved the NYC's virtual

infrastructure of digital services for inspections, permitting, mapping, data, communications, and economic development. They responded to crises by maintaining and transforming services during the rapid restoration after Superstorm Sandy and a by making a quick transition to telework and implementing Open Restaurants during the NYC's Covid-19 pandemic response.

Cordell also worked in leadership positions at several IT companies and was elected to NYC's largest community school board overseeing 50,000 K-8 students where he served as president and secretary. He created and taught the masters level course "Civic Technology for Innovation" at NYU and at Saint Peter's University in Jersey City, NJ. He's is a certified project manager and holds an MS in Management from NYU's Wagner School of Public Service, and a BA in Economics from SUNY Buffalo. He served on the board of directors of ITS America, served on Hunter College's Computer Science Advisory Board, and serves on SUNY Buffalo's College of Arts & Sciences Dean's Advisory Council.