

## Data Privacy + Cybersecurity Insider

Leveraging Knowledge to Manage Your Data Risks

### CYBERSECURITY

#### [CISA + Partners Issue Alert for Protection of Water Systems, Dams, Energy + Food + Ag](#)

In response to the growing threat by pro-Russia hackers, on May 1, 2023, CISA and other national agency partners issued an Alert to operators of industrial control systems and small-scale operational technology systems in North America and Europe on mitigation techniques for cyber operations to prevent a compromise of industrial control systems, including "Water and Wastewater Systems, Dams, Energy, and Food and Agriculture Sectors." [Read more](#)

### ENFORCEMENT + LITIGATION

#### [FCC Fines Wireless Carriers \\$200M for Sharing Location Data with Third Parties](#)

The Federal Communications Commission (FCC) has announced that it has levied almost \$200 million in fines against "the nation's largest wireless carriers for illegally sharing access to customers' location information without consent and without taking reasonable measures to protect that information against unauthorized disclosure." [Read More](#)

### DATA PRIVACY

#### [Nebraska Becomes the Latest State to Enact a Comprehensive Consumer Privacy Rights Law](#)

Last month, Nebraska passed the Nebraska Data Privacy Act (NDPA), making it the latest state to enact comprehensive privacy legislation. Nebraska joins California, Virginia, Colorado, Connecticut, Utah, Iowa, Indiana, Tennessee, Montana, Oregon, Texas, Florida, Delaware, New Jersey, New Hampshire, Kentucky, and Maryland. The law will take effect on January 1, 2025. [Read more](#)

### HIPAA

#### [OCR Issues Final Rule for Reproductive Privacy](#)

The Office for Civil Rights (OCR) of the Department of Health and Human Services (HHS) recently issued its Final Rule to modify HIPAA "to support reproductive health care privacy." The Final Rule is in response to Executive Order 14076, where President Biden directed HHS to take actions to protect reproductive health information following *Dobbs v. Jackson Women's Health Organization* and the following restrictive state laws enacted on abortion services. [Read more](#)

### ARTIFICIAL INTELLIGENCE

#### [Watchdog Files GDPR Privacy Complaint Over ChatGPT's Hallucinations](#)

May 2, 2024

### FEATURED AUTHOR:

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The privacy advocacy group noyb, founded by privacy activist Max Schrems, has raised concerns over how ChatGPT handles questions about real-life individuals. The group alleges that ChatGPT has been generating inaccurate personal data, such as incorrect birth dates, which they claim is a violation of the European Union's General Data Protection Regulation (GDPR). [Read More](#)

## PRIVACY TIP #396

### [FTC Settles with InMarket for Selling Precise Location Information of Consumers](#)

On May 1, 2024, the Federal Trade Commission (FTC) announced a settlement with InMarket Media (InMarket), a digital marketing and data aggregator, to resolve the FTC's allegations that InMarket "unlawfully collected and used consumers' location data for advertising and marketing." This is just the latest of several settlements the FTC has conducted over the last year. Learn more about how the FTC is working to keep your personal information safe in this week's Privacy Tip. [Read more](#)

## UPCOMING EVENTS AND NEWS

- **Sean Griffin Among the First to be Certified as an Artificial Intelligence Governance Professional**  
Artificial Intelligence Team lawyer [Sean Griffin](#) has recently received certification from the International Association of Privacy Professionals (IAPP) as an [Artificial Intelligence Governance Professional](#) (AIGP), making him one of the first in the world to receive the designation. The AIGP certification designates individuals who can help implement policies and procedures to establish safety and trust in the development and deployment of ethical artificial intelligence (AI), the ongoing management of AI systems, and how major AI frameworks can be governed in compliance with applicable laws in the United States and Europe.
- **Blair Robinson Authors Journal on Emerging Issues in Litigation Article on Practical Approaches to Governing AI**  
Artificial Intelligence Team lawyer [Blair Robinson](#) authored the article "Adapting to Artificial Intelligence: A Practical Approach to Governance," published in the April 2024 issues of the *Journal on Emerging Issues in Litigation*. The article discusses the double-edged sword of artificial intelligence (AI) and the need to establish a cohesive and adaptable governance framework that enables a diligent, strategic, and technically nuanced regulatory approach. Blair emphasizes that AI governance is a multi-faceted issue that requires cooperation from federal and state levels in addition to companies establishing ethical frameworks to harness AI's transformative promise responsibly. "Taking a methodical approach and use-case-drive approach may allow a business to embrace the transformative power of AI in critical areas while managing 'wild west' -style use by employees without governance approval," writes Blair. "AI governance must be a comprehensive framework of policies and processes designed to uphold AI ethics, accountability, safety, and other crucial standards."  
To read the article, click [here](#).
- **Linn Freedman Explains Pixel Litigation and Offers Risk Mitigation Strategies in Security Technology**  
Data Privacy + Cybersecurity Team chair [Linn Freedman](#) authored the article, "Pixel Litigation: How Security Professionals Can Assist with Risk Mitigation," published in the April 2024 issue of *Security Technology*, a publication of ASIS International. In the article, Linn explains the new and growing issue of pixel litigation, which typically alleges that organizations collect, use and disclose personal information of consumers, who browse their website without providing their consent. Linn suggests there are several things legal, compliance and security professionals can consider doing now in their effort to assess and mitigate the risk of potential future pixel litigation. Among them, if an organization's website uses ad tracking, pixels or cookies, they can review the website's privacy policy to determine whether it should be made more transparent about the use of tracking technology, what the technology is capturing, and to whom that data is disclosed. Read the [article](#).
- Artificial Intelligence Team lawyer [Sean Griffin](#) will be the keynote speaker at the New York Association of Independent Insurance Adjusters' (NYAIAI) Spring Seminar on May 2. His presentation, entitled "Artificial Intelligence & Claims," will discuss the ongoing rapid transformation of artificial intelligence in the workplace and how it will impact the adjusting and insurance landscape moving forward. For more information, click [here](#).

## ABOUT ROBINSON+COLE

Robinson+Cole is an AmLaw 200 law firm established over 179 years ago, with a deeply-rooted culture of collaboration, civility, and inclusion. The Mansfield Rule Certified Plus-firm has more than 250 lawyers in eleven offices throughout the Northeast, Mid-Atlantic, Florida, and California, serving regional, national, and international clients, from start-ups to Fortune 50 companies. For more information, please visit [www.rc.com](http://www.rc.com).



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