Confidentiality, Privacy and Security
Privacy

• The desire of a person to control the disclosure of personal health information
Confidentiality

- The ability of a person to control release of personal health information to a care provider or information custodian under an agreement that limits further release of that information
Security

• Protection of privacy and confidentiality through policies, procedures and safeguards.
Why do they matter?

• Ethically, privacy and confidentiality are considered to be rights (in our culture)
• Information revealed may result in harm to interests of the individual
• The provision of those rights tends to ensure that the information is accurate and complete
• Accurate and complete information from individuals benefits society in limiting spread of diseases to society (i.e. HIV)
Why do they matter?

• The preservation of confidentiality assists research which in turn assists patients
Users of health information

• Patient
  – Historical information for current and future care
  – Insurance claims

• MD’s
  – Patient’s medical needs
  – Documentation
  – Interface with other providers
  – Billing
Users

- Health insurance company
  - Claims processing
  - Approve consultation requests
- Laboratory
  - Process specimens
  - Results reporting
  - Billing
Users

- Pharmacy
  - Fill prescription
  - Billing
- Hospital
  - Care provision
  - Record of services
  - Billing
  - Vital statistics
  - Regulatory agencies
Users

• State bureau
  – Birth statistics
  – Epidemiology
• Accrediting organization
  – Hospital review
• Employer
  – Request claims data
  – Review claims for $ reduction
  – Benefits package adjustments
Users

• Life insurance companies
  – Process applications
  – Process claims
  – Risk assessment

• Medical information bureau
  – Fraud reduction for life insurance companies

• Managed care company
  – Process claims
  – Evaluate MD’s
Users

• Lawyers
  – Adherence to standard of practice
  – Malpractice claims

• Researcher
  – Evaluate research program
Security

- Availability
- Accountability
- Perimeter definition
- Rule-limited access
- Comprehensibility and control
Privacy solutions

• Forbid the collection of data that might be misused

• Allow the collection of health information within a structure, but with rules and penalties for violation pertaining to collecting organizations

• Generate policies to which individual information handlers must adhere
Security controls

- Management controls
  - Program management/risk management
- Operational controls
  - Operated by people
- Technical controls
  - Operated by the computer system
Management controls

• Establishment of key security policies, i.e. policies pertaining to remote access
  – Program policy
    • Definition, scope, roles and responsibilities of the computer security program
  – Issue specific policy
    • Example: Y2K
  – System specific policy
    • Who can access what functions where
Core security policies

- Confidentiality
- Email
- System access
- Virus protection
- Internet/intranet use
- Remote access
- Software code of ethics
- Backup and recovery
- Security training and awareness
Biometrics

• The scientific discipline of measuring relevant attributes of living individuals or populations to identify active properties or unique characteristics
  – Can be used to evaluate changes over time for medical monitoring or diagnosis
  – Can be used for security
Approaches to identification

• Token based simple security
  – House key, security card, transponder

• Knowledge based
  – SSN, password, PIN

• Two-factor
  – Card + PIN

ID Authentication

Card + PIN → Access
Approaches to identification

• Authoritative ID
Identification

- Certain and unambiguous
  - Deterministic
- Certain with small probability of error
  - Probabilistic
- Uncertain and ambiguous
- Biometric schemes are probabilistic
Probabilistic

- **False acceptance rate (type I error)**
  - Percentage of unauthorized attempts that will be accepted
  - Also relevant for medical studies
- **False rejection rate (type II error)**
  - Percentage of authorized attempts that will be rejected
  - Also relevant for medical studies
- **Equal error rate**
  - Intersection of the lowest FAR and FRR
Biometric ID

• Acquire the biometric ID
  – How do you ensure that you got the right guy

• Localize the attribute
  – Eliminate noise
  – Develop a template (reduced data set)

• Check for duplicates
Biometric applications

• Identification
  – Search the database to find out who the unknown is
  – Check entire file

• Authentication
  – Verify that the person is who he says he is
  – Check his file and match
Biometric identifiers

- Should be universal attribute
- Consistent – shouldn’t change over time
- Unique
- Permanent
- Inimitable (voice can be separated from the individual)
- Collectible – easy to gather the attribute
- Tamper resistant
- (Cheaply) comparable - template
Biometric technologies

• Fingerprint
  – Automated fingerprint ID systems (law enforcement)
  – Fingerprint recognition – derives template form features for ID
  – Validating temp and/or pulse
  – Optical vs. solid state (capacitance)
  – Low FAR and FRR
Fingerprint

Exhibit 11-5. Fingerprint recognition process.
Fingerprint

- [www.authentec.com](http://www.authentec.com)
Hand geometry

- Dimensions of fingers and location of joints unique
- Low FAR FRR
Retinal scan

- Very reliable
- More expensive than hand or fingerprint
- Extremely low FAR FRR
Retinal scan
Voice recognition

• Automatic speaker verification (ASV) vs. automatic speaker identification (ASI)
  – ASV = authentication in a two-factor scheme
  – ASI = who is speaker
  – Feature extraction and matching
  – Problems with disease/aging etc.
Iris scanning

- Less invasive than retinal scanning
- Technically challenging balancing optics, ambient light etc.
- Can be verified (live subject) by iris response to light
- www.iridiantech.com
Face recognition/thermography

- Facial architecture and heat signature
- Relatively high FAR/FRR
- Useful in two factor scenarios
Hand vein

- Infrared scanning of the architecture of the hand vessels
Signature

- Architecture of the signature
- Dynamics of the signature (pressure and velocity)
<table>
<thead>
<tr>
<th></th>
<th>Attribute</th>
<th>System</th>
<th>Suitability</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Universal</td>
<td>Consistent</td>
<td>Unique</td>
</tr>
<tr>
<td>Finger print</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Hand Geometry</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Retinal Scan</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Voice Print</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Iris</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Hand Vein</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Signature</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Face Recognition</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
<tr>
<td>Thermogram</td>
<td>●</td>
<td>●</td>
<td>●</td>
</tr>
</tbody>
</table>

High = ●
Medium = ●
Low = ○

Exhibit 11.7. Comparison of representative technologies.
Biometric identification issues

- Privacy, anonymity
- Legal issues not defined
Security: availability

• Ensures that accurate, up-to-date information is available when needed at appropriate places
Security: accountability

- Ensures that users are responsible for their access to and use of information based on a documented need and right to know
Security: perimeter definition

- Allows the system to control the boundaries of trusted access to an information system both physically and logically
Security: rule-limited access

• Enables access for personnel to only that information essential to the performance of their jobs and limits the real or perceived temptation to access information beyond a legitimate need
Security: comprehensibility and control

• Ensures that record owners, data stewards and patients can understand and have effective control over appropriate aspects of information confidentiality and access
Availability

• Backups with local and off-site copies of the data
• Secure housing and power sources for CPU even during disasters (when system availability may be crucial)
• Virus protection
Accountability

- Audit trails and warnings
- User
  - Authentication – unique ID process
  - Authorization – to perform set of actions, i.e. access only their own patients
Perimeter definition

• System knows users and how they are using the system
  – Define the boundaries of the system (i.e. within the firewall) Princeton-Penn-HUP
  – How do you permit/monitor off-site access
  – Modems?
• Tools
  – Cryptographic authentication
Perimeter definition

• Public key-private key
  – Encryption
    • Privacy and confidentiality
  – Digital signatures
    • Prescription signature
  – Content validation
    • Message hasn’t been messed with
  – Nonrepudiation
    • “I didn’t say that”
Role limited access

• Spheres of access
  – Patient list: patients one has a role in the care of
  – Content specific: billing clerk/billing info
  – Relevant data: researcher on heart disease shouldn’t be able to learn about HIV status
Taxonomy of organizational threats

• Motive
  – Health records have economic value to insurers, employers, journalists, enemy states etc.
  – Curiosity about the health status of friends, romantic interests, coworkers or celebrities
  – Clandestine observation of employees (GE)
  – Desire to gain advantage in contentious situations (divorce)
Resources

• Attackers may range from
  – Individuals
  – Small group (e.g. law firm)
  – Large group (e.g. insurer, employer)
  – Intelligence agency
  – Organized crime
Initial access

- Site access
- System authorization
- Data authorization
Technical capability

- Aspiring attacker (limited skills)
  - Research target
  - Masquerade as an employee
  - Guess password
  - Dumpster diving
  - Become temporary employee
Technical capability

• Script runner
  – Acquire software from web-sites for automated attacks

• Accomplished attacker
  – Able to use scripted or unscripted (ad-hoc) attacks
Levels of threat

• Threat 1
  – Insiders who make “innocent” mistakes and cause accidental disclosure
  – Elevator discussion, info left on screen, chart left in hallway etc.

• Threat 2
  – Insiders who abuse their privileges
Threat

• Threat 3
  – Insiders who access information inappropriately for spite or profit
  – London Times reported that anyone’s electronic record could be obtained for $300

• Threat 4
  – Unauthorized physical intruder
  – Fake labcoat
Threats

• Threat 5
  – Vengeful employees or outsiders bent on destruction or degradation, e.g. deletion, system damage, DOS attacks
  – Latent problem
Countering threats

• Deterrence
  – Create sanctions
  – Depends on identification of bad actors

• Imposition of obstacles
  – Firewalls
  – Access controls
  – Costs, decreased efficiency, impediments to appropriate access
## Countermeasures

<table>
<thead>
<tr>
<th>Type</th>
<th>System</th>
<th>Data</th>
<th>Site</th>
<th>Threat</th>
<th>Counter</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Y</td>
<td>Y</td>
<td>Y</td>
<td>Mistake</td>
<td>Org and technical measures</td>
</tr>
<tr>
<td>2</td>
<td>Y</td>
<td>Y</td>
<td>N/A</td>
<td>Improper use of access privileges</td>
<td>Authentication and auditing</td>
</tr>
<tr>
<td>3</td>
<td>Y</td>
<td>N</td>
<td>N/A</td>
<td>Unauthorized for spite of money</td>
<td>Authentication and auditing</td>
</tr>
<tr>
<td>4</td>
<td>Y</td>
<td>N</td>
<td>Y</td>
<td>Unauthorized physical intrusion</td>
<td>Physical security and access control</td>
</tr>
<tr>
<td>5</td>
<td>Y</td>
<td>N</td>
<td>N</td>
<td>Technical breakin</td>
<td>Authentication, access and crypto</td>
</tr>
</tbody>
</table>
Counter threat 1

- Behavioral code
- Screen savers, automated logout
- ? Patient pseudonyms
Counter threat 2

- Deterrence
- Sanctions
- Audit
- Encryption (user must obtain access keys)
Counter threat 3

- Audit trails
- Sanctions appropriate to crime
Counter threat 4

- Deterrence
- Strong technical measures (surveillance tapes)
- Strong identification and authentication measures
Counter threat 5

- Obstacles
- Firewalls
Issues with countermeasures

• Internet interface
• Legal and national jurisdiction
• Best balance is relatively free internal environment with strong boundaries
  – Requires strong ID/auth
Recommendations

• Individual user ID and authentication
  – Automated logout
  – Password discipline

• Access controls
  – Role limited
  – Role definitions
    • Cardiologist vs. MD

• Audit trails
Recommendations

• Physical security and disaster recovery
  – Location of terminals
  – Handling of paper printouts

• Remote access points
  – VPN’s
  – Encrypted passwords
  – Dial-ins
Recommendations

• External communications
  – Encrypt all patient related data over publicly available networks

• Software discipline
  – Virus checking programs

• System assessment
  – Run scripted attacks against one’s own system
Recommendations

• Develop security and confidentiality policies
  – Publish
  – Committees
  – ISO’s
  – Sanctions

• Patient access to audit logs
  – Who saw my record and why
Future recommendations

• Strong authentication
  – Token based authentication (two factor)
• Enterprise wide authentication
  – One-time login to authorized systems
• Access validation
  – Masking
• Expanded audit trails
• Electronic signatures
Universal patient identifier

- Methodology should have an explicit framework specifying linkages that violate patient privacy
- Facilitate the identification of parties that make improper linkages
- Unidirectional – should facilitate helpful linkages of health records but prevents identification of patient from health records or the identifier