



Privacy and Data Security

The protection of sensitive electronic data is an increasingly vital issue and source of risk for businesses across a wide spectrum of industries. Whether the data includes protected health information, sensitive personal information, financial information, customer data, company trade secrets, or confidential information, the lawyers at McGinnis Lochridge have experience helping clients navigate regulatory and statutory requirements and the investigations and litigation that can arise when a data breach occurs.

McGinnis Lochridge's Privacy and Data Security Practice Area is multidisciplinary and structured to be a single source for cyber security needs including:

- regulatory and statutory compliance;
- privacy and security audits, investigations, policies, and procedures;
- data breach preparedness and response;
- record retention and electronic discovery; and
- litigation and dispute resolution.

With a breadth of practice that spans numerous industries, McGinnis Lochridge provides these legal services in the areas of health, insurance, education, employment, financial services, utilities, and telecommunications, among others.

Regulatory and Statutory Compliance

McGinnis Lochridge lawyers have experience counseling clients and implementing compliance regimes across a wide spectrum of legislation and regulations that affect privacy and security issues, including:

- Section 5 of the Federal Trade Commission Act
- Gramm-Leach-Bliley Act (GLBA)
- Fair Credit Reporting Act (FCRA)
- Fair and Accurate Credit Transactions Act (FACTA)
- USA Patriot Act
- Sarbanes-Oxley Act
- Health Insurance Portability and Accountability Act (HIPAA)
- The Health Information Technology for Economic and Clinical Health Act (HITECH Act)
- Consumer Fraud and Abuse Act
- Electronic Communications Privacy Act (ECPA)
- Texas privacy and data breach notification laws

Privacy and Security Audits, Investigations, Policies and Procedures

McGinnis Lochridge lawyers can assist with privacy and security audits and governmental investigations and develop policies and procedures required by state and federal law in the areas of employment, education, health care, consumer lending, mortgage lending, utilities, retail, and insurance. We can assist with consumer notices, security compliance and risk management, training programs, vendor agreements,

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identity theft Red Flag programs, workplace privacy rights and personnel policies, and collection, use, and destruction practices. We also provide direct counsel on privacy and security issues to administrators, compliance officers and information security officers.

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