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Report on Patient Privacy Volume 20, Number 1. January 09, 2020 Patient Privacy Court Case: January 2020

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Banner Health Data Breach Victims Get Up to $6M in Settlement.[1] Banner Health has agreed to pay up to $6 million to a group of patients, insurance plan members, health care providers and employees. In 2016, Banner Health suffered a massive cyberattack that they initially claimed affected around 3.7 million people. It was one of the biggest data breaches that year.

In its first complaint, the putative class contended that Banner Health neglected its duty to potential class members to protect their sensitive personal information, including birth dates, names, addresses, Social Security numbers and medical data. Banner Health confirmed that the compromised information may have included names, birth dates, addresses, physicians' names, dates of service, claims information, health insurance information, and Social Security numbers. The plaintiffs further alleged that the breach was a direct result of Banner Health's failure to implement adequate cybersecurity measures. The class sought compensatory and punitive damages and injunctive relief based on claims of negligence, negligent misrepresentation, unjust enrichment and violation of the Arizona Consumer Fraud Act.[2]

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