

## Why All Maine Businesses Should Worry About

# Data Breach

By **Berney Kubetz**,  
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A data breach occurs when a business suffers a theft or other unintended and unauthorized loss of data containing sensitive personally identifiable information, potentially compromising the confidentiality or integrity of the data. One needs to be only a casual follower of current news events to be aware of the spread of data breaches among all sizes of businesses in the United States. From Wal-Mart to Dairy Queen, from Target to J.P. Morgan, from Hannaford to Staples, businesses large and small are getting hit with costly data breaches. Recently an FBI agent in Maine was quoted as saying that the issue is not whether a Maine business will be subject to a data breach; the only question is when.

A business which unintentionally allows confidential customer information to be compromised is subject to a daunting range of civil, regulatory and enforcement actions including fines, expensive remediation procedures, loss of good will, customers and profits and class-action lawsuits.

Maine law imposes burdensome requirements on businesses victimized by data breach. When unauthorized persons obtain personal data that could result in identity theft, the breached business must promptly investigate and determine the scope of the breach and the steps that are necessary to restore the security and integrity of the confidential data in the breached system. Notice must be given to all affected customers if the investigation reveals that misuse of a Maine resident's personal information has occurred or it is reasonably possible

that such misuse will occur.

So how does a Maine business prepare for Armageddon? Every business that stores confidential personal data should immediately develop a data breach and security plan. Elements of such a plan should include establishing a "need to know access to confidential information policy," maximum encryption of personally identifiable information stored in a company's electronic records, secure storage of hard copies of such information, tight security requirements governing employee use of

personal devices, frequent changing of passwords, installing remote "wiping capability" on all company portable devices. Serious consideration should also be given to procuring cyber risk and data breach liability insurance coverage.

Not surprisingly, the onslaught of data breaches has spawned a new breed type of

business - data security and identity protection and monitoring companies. Those companies offer a wide range of services that include data breach and fraud monitoring, internet surveillance, credit report monitoring, recovery assistance, protection of Social Security numbers, email addresses, credit card numbers, bank account monitoring and medical insurance protection. Some provide insurance coverage for loss as well.

The time to plan for your first data breach is before it happens, not when a business is scrambling to try to figure out what to do in the face of a potential catastrophe.

**So how does a Maine business prepare for Armageddon?**

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### MARK YOUR CALENDAR!

**Thursday, December 11th:**

**BUSINESS AFTER HOURS**

Four Points by Sheraton Bangor Airport  
5-7 p.m., 308 Godfrey Blvd, Bangor

FOUR  
POINTS  
BY SHERATON

**Wednesday, December 17:**

**EARLY BIRD BREAKFAST - DATA BREACH**,  
presented by representatives of Eaton Peabody,  
Bangor Savings Bank and Maine Security Surveillance

7-9 a.m., Hilton Garden Inn, Bangor  
Sponsored by Eaton Peabody  
Media Sponsor: WVOM

**Wednesday, December 17:**

**MEMBER ORIENTATION - Pizza with the Prez**  
Noon, Chamber Office, 20 South Street in Bangor

**Friday, December 19:**



**Women's Leadership Luncheon**

Guest: EMHS President/CEO Michelle Hood

Date: December 19, 2014 Time: 11:30 AM - 1:00 PM  
Spectacular Events Center, Bangor

BANGOR REGION CHAMBER OF COMMERCE

# ANNUAL AWARDS



PRESENTED BY:



OXFORD NETWORKS

**Wednesday,  
January 21st**  
at the Cross Insurance Center

**Annual Breakfast**  
**Wednesday, January 7th**  
at the Cross  
Insurance Center

PRESENTED BY:



**For all events, RSVP online at  
bangorregion.com,**

e-mail [admin@bangorregion.com](mailto:admin@bangorregion.com) for log-in info  
or call 947-0307