

RESOLUTION 12.2020-20 (A-21)
RANSOMWARE AND ELECTRONIC HEALTH RECORDS

ISMS Board Action Taken on 01/30/2021

Adopted Resolution 12.2020-20 (A-21), as amended by the Medical Legal Council.

Medical Legal Council Recommendation to ISMS Board on 01/30/2021

The author of the resolution participated in the meeting to provide additional background. The author expressed concern that ransomware and malware can seriously impact a patient's health, and potentially cause catastrophic injury. Additionally, the author emphasized the need for ISMS to have a policy in this area, as it currently does not. Members engaged in a discussion of the issue with the author and expressed desire to amend the resolution to specify their serious concerns about the potential impact of ransomware and other malware on patient health.

The Medical Legal Council recommends that the ISMS Board of Trustees adopt Resolution 12.2020-20 (A-21), as amended:

RESOLVED, that the Illinois State Medical Society (ISMS) adopt policy acknowledging that healthcare data interruptions are especially harmful due to potential physical harm to patients and calling for prosecution to the fullest extent of the law for perpetrators of ransomware and any other malware on independent physicians and their practices, healthcare organizations, or other medical entities involved in providing direct and indirect care to patients; and be it further

RESOLVED, that the ISMS cause to be introduced in Illinois legislation under which perpetrators of ransomware and any other malware on any and all healthcare entities involved in direct or indirect patient care are prosecuted to the fullest extent of the law; and be it further

RESOLVED, that the ISMS delegation to the American Medical Association (AMA) introduce a resolution requesting the AMA to adopt policy acknowledging that healthcare data interruptions are especially harmful due to potential physical harm to patients and calling for prosecution to the fullest extent of the law for perpetrators of ransomware and any other malware on independent physicians and their practices, healthcare organizations, or other medical entities involved in providing direct and indirect care to patients; and be it further

RESOLVED, that the ISMS resolution request that AMA seek to introduce

41 federal legislation which provides for the prosecution of perpetrators of ransomware and
42 any other malware on any and all healthcare entities, involved in direct and indirect
43 patient care, to the fullest extent of the law.