



Sarah Cronan Spurlock

Title: Member

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Sarah Cronan Spurlock is a member of the firm's Health Care Service Group and is Co-Chair of the firm's Privacy & Data Security Group. Sarah regularly advises clients on a wide range of health care issues, including fraud and abuse laws, compliance guidance, physician self-referral, physician employment agreements, physician and hospital contracting, technology and general contracting, HIPAA privacy and security, and data breach prevention and response. Her practice includes regulatory and transactional matters and health care litigation. Sarah is a Certified Information Privacy Professional (CIPP/US) and serves as the firm's Chief Privacy Officer.

## CAPABILITIES

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### Practice Areas

- Behavioral Health Care
- Health Care
- Privacy & Data Security

## RECENT ASSIGNMENTS

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- Successfully obtained summary judgment for a healthcare provider in Jefferson Circuit Court in a putative class action asserting claims for negligence, negligence per se, and invasion of privacy stemming from an alleged data breach disclosing patient information. Judgment was obtained prior to any class being certified.

## BAR ADMISSIONS

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- Kentucky

## RECENT NEWS, ARTICLES & SPEAKING ENGAGEMENTS

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- Framework debate shows as Kentucky nears comprehensive privacy law  
by Joseph Duball, International Association of Privacy Professionals (IAPP), *The Privacy Advisor*, March 12, 2024
- US Chamber Urges 6th Circ. To Ax FirstEnergy Class Cert.  
By Katryna Perera, Law360.com, February 20, 2024
- Mitigating Hospital Cyber Risks - Ransomware's Impact on Operations and Outcomes  
Cybersecurity Crisis Management: Strategies for Health Care Professionals, Kentucky Hospital Association, January 23, 2024
- Artificial Intelligence in Healthcare  
Stites & Harbison Client Event, November 2, 2023
- Cybersecurity: The Rising Cost of Cyber Threats  
by Shannon Clinton, *The Lane Report*, September 25, 2023
- Cybersecurity: The Rising Cost of Cyber Threats  
by Shannon Clinton, NationalCyberSecurity.com, September 2023
- Mitigating Hospital Cyber Risks - Ransomware's Impact on Operations and Outcomes  
Kentucky Hospital Association 94th Annual Convention, Lexington, KY, May 15-17, 2023

- Health Care Providers and Business Associates Beware: Use of Online Tracking Technology May Violate HIPAA *with Stacy Shea Luna (Shea)* Stites & Harbison Client Alert, April 27, 2023
- Kentucky Lawmakers Considering Comprehensive Data Privacy Legislation *with Ameena R. Khan* Stites & Harbison Client Alert, March 8, 2023
- Ransomware Threats: Prevention Tips and Response Strategies  
panelist, American Bar Association, Infrastructure and Regulated Industries Section Webinar, February 28, 2023
- Incident Preparedness: Developing a Program to Respond to Security Incidents  
Speaker, Data Security and Privacy Symposium, Atlanta, February 8, 2023
- Call to Action for Critical Infrastructure Businesses - New Federal Cyber Breach Reporting: Obligations and Ransomware Prevention Strategies Bench & Bar, Kentucky Bar Association, November/December 2022
- Patient Inducement Prohibitions: Anti-Kickback and Civil Monetary Penalty Considerations  
Kentucky Primary Care Association Annual Conference, October 11, 2022
- Under Attack: Ransomware Threats, Prevention Tips, and Response Strategy for Health Care Providers  
Revenue Cycle and Compliance Summit, First Healthcare Compliance, June 23, 2022
- U.S. Privacy And Data Security Developments - Where Do We Go From Here? Mondaq WEBINAR, January 6, 2022
- Help! They've Hijacked Our Network and They Want Money - Now What? Strategies for Managing the Cyber-Attack  
Moderator, IADC 2021 Annual Meeting, August 15-19, 2021
- “No Company is Safe” — White House Urges Private Sector to Act Now in Hardening Defenses Against Growing Ransomware Threats Stites & Harbison Client Alert, June 10, 2021
- U.S. Privacy and Data Security Developments - Where Do We Go From Here? Webinar, presented by Mondaq, June 3, 2021
- Data Privacy Day: Scanning Data Privacy Issues for 2021 *with Alexandra MacKay* Stites & Harbison Client Alert, January 29, 2021
- Liberating Patient Data – Is Your Hospital Ready for the Information Blocking Rule?  
Webinar, Kentucky Hospital Association, January 26, 2021

- Not Your Grandma's Quilt: Exploring the Current 'Patchwork' and Recent Trends in U.S. Data Privacy and Security Laws  
Kentucky Bar Association Corporate House Counsel Webinar, November 18, 2020
- Joint Agency Cyber Alert Warns of Imminent and Credible Ransomware Threat Against U.S. Health Care and Public Health Sectors *with Dustyn B. Jones and Ian T. Ramsey* Stites & Harbison Client Alert, November 2, 2020
- Medical Liability Considerations for Physicians  
Kentucky Medical Association Virtual Town Hall, September 24, 2020
- Eliminating Kickbacks in Recovery Act  
Kentucky Health Law Institute, UK CLE, September 2, 2020
- The Future of Medicine for the Emerging Physician post COVID-19  
Kentucky Medical Association Virtual Annual Meeting, August 22, 2020
- Is Telehealth Here to Stay?  
*Medical News*, June 30, 2020
- OSHA Revises COVID-19 Guidance *with Shannon Antle Hamilton* Stites & Harbison, PLLC, Client Alert, June 5, 2020
- Privacy 2020 – California's Seismic Shift  
Discussion of the California Consumer Privacy Act (CCPA), Southern Law Network, April 16, 2020
- OCR Eases HIPAA Burdens for Telehealth during COVID-19 National Emergency *with Jennifer Henry Jackson* Stites & Harbison Client Alert, March 18, 2020
- Information You Need on the COVID-19 Coronavirus *Stites & Harbison, PLLC* March 2020
- Shifting Sands of U.S. Privacy Laws  
International Association of Defense Counsel Webinar, December 11, 2019
- No-fault insurance in Kentucky *with K. Kelly White Bryant* Medical News, July 8, 2019
- Cybersecurity and Data Breach Response for Lawyers: Threats, Prevention Tips, and Mitigation Strategies for Lessening the Risks of a Cyberattack  
Kentucky Bar Association Annual Convention, June 12, 2019
- Groundhog Day? Supreme Court Strikes Down Class Arbitration Efforts...Again *with Marjorie A. Farris and Chadwick A. McTighe* Stites & Harbison Client Alert, April 30, 2019

- The Race to Privacy  
Stites & Harbsion Thirsty Thursday Speaker Series, April 25, 2019
- Cyber Security for Rural and Critical Access Hospitals: Tips for Improving Data Security and Mitigating the Impact of a Cyber Attack  
Alliant Management Services Management Meeting, April 10, 2019
- Introduction to Health Law  
Panel member, Health Enterprise Network Healthcare Fellows, University of Louisville Louis D. Brandies School of Law, March 19, 2019
- Taking Stock of Your 2019 Cybersecurity Resolutions *with Jennifer Henry Jackson* Stites & Harbison Client Alert, February 8, 2019
- Pings That Go Bump in the Night: A Discussion of Health Care, Cybersecurity Threats, Prevention Tips and Mitigation Tactics  
Moderator and Panelist, 2018 Kentucky Health Law Institute, Lexington, KY, September 14, 2018
- Telehealth reform: Coverage expansion, reimbursement criteria will improve access to care  
Medical News, June 25, 2018
- Residents in Business  
faculty panel, University of Louisville School of Medicine, May 15-17, 2018
- Employment Contracting Seminar  
Kentucky Medical Association, Louisville, Ky., January 27, 2018
- Kentucky Supreme Court Declines to Recognize New Tort of "Negligent Credentialing"  
*Medical News*, November 8, 2017
- Leadership in Action: Take the Lead in Solving the Opioid Epidemic  
2017 Kentucky Medical Association Annual Meeting, Louisville, KY, August 25, 2017
- Cyber Threats & Ransomware  
Kentucky Academy of Hospital Attorneys, Kentucky Hospital Association Annual Convention, May 29, 2017
- Digital Fortress  
*Modern Steel Construction*, May 2017

- Residents in Business  
faculty panel, University of Louisville School of Medicine, May 15-16, 2017
- Cybersecurity for business: Improving data security and mitigating the impact of a cyber-attack  
Kentucky Society of CPAs Spring Business Conference, Louisville, KY, April 20, 2017
- Be Cyberwise: Protect & Position Your Business for Growth  
Ohio River Valley Women's Business Council, 2017 Catch the Wave Conference, April 18, 2017
- The Interplay Between Social Media and Healthcare Privacy  
American Bar Association Regional CLE, Brave New World: Emerging Cyber and Electronic Issues in Health Care Litigation, March 31, 2017
- Improving Data Security and Mitigating the Impact of a Cyber-Attack  
Kentucky Medical Group Management Association Spring Conference, March 16, 2017
- Under Attack: Cyber Threats Against the Health Care Industry  
presentation, Kentucky Health Law Institute, September 15, 2016
- Passwords, Revisited  
*The Goods*, Kentucky Association of Manufacturers, September 2016
- Build a Better Machine *with Ian T. Ramsey* *The Goods*, Kentucky Association of Manufacturers, July 2016
- Residents in Business  
faculty panel, University of Louisville School of Medicine and Greater Louisville Medical Society, May 24-26, 2016
- Stop. Think. Connect.  
presentation, Stites & Harbison Summer Associate Program, May 16, 2016
- Law Firm Data Security: It's the End of the World As We Know It (And I Don't Feel Fine)  
presentation, Southern Law Network, Louisville, Kentucky, May 13, 2016
- Don't Bet on Longshots - Practical Advice on Data Security for Financial Institutions  
Stites & Harbison Creditors' Rights & Bankruptcy Service Group Day at the Races, Keeneland, April 14, 2016
- Identifying and Protecting Your Core Data  
*The Goods* (p.36), Kentucky Association of Manufacturers, March 2016

- OCR Launches Phase 2 HIPAA Audits via Email Destined for Your Spam Folder *with Dustyn B. Jones* Stites & Harbison Legal Update, March 24, 2016
- Data Breaching Now Its Own Industry  
by Robert Hadley, *The Lane Report*, December 8, 2015
- Data Breaches: Is Your Attitude about Data Security Putting You and Your Company at Risk?  
*The Goods* (p. 16), Kentucky Association of Manufacturers, November 2015
- Employee Attitudes Fuel Your Data Security Plan  
*Legaltech News*, October 29, 2015
- Are you ready for a HIPAA Audit?  
Kentucky Association of Health Care Facilities Webinar, October 21, 2015
- Technology Highlights for the Restructuring Professional: Privacy, Data Security & Electronic Discovery  
co-presenter, International Women's Insolvency & Restructuring Confederation (IWIRC) Day at Keeneland, October 9, 2015
- Data breaches: Is your attitude about data security putting you and your company at risk?  
*Inside Counsel*, September 24, 2015
- Privacy & Data Security - April 23, 2015 *with Ian T. Ramsey* Keeneland, April 23, 2015
- Data Breaches: Is Your Attitude about Data Security Putting You and Your Company at Risk?  
*with Ian T. Ramsey* Stites & Harbison Client Alert, July 21, 2015
- Data breaches: Is your attitude about data security putting you and your company at risk?  
*Medical News*, July 6, 2015
- Prevention and Response: Is Your Business Prepared for a Data Security Breach?  
Stites & Harbison, PLLC Thirsty Thursday networking event, May 21, 2015
- Are your employees putting your organization at risk for a cyber-attack? *with Ian T. Ramsey*  
Stites & Harbison Client Alert, April 3, 2015
- Is your attitude about data security putting you and your company at risk?  
Professional Insight, *Business First of Louisville*, March 27, 2015
- Target Data Breach Opens Potential Recovery Path for Financial Institutions *with Brian R. Pollock and Ian T. Ramsey* Stites & Harbison Client Alert, March 4, 2015

- Hot Topics in the Area of Health Law Privacy  
Kentucky Health Law Institute, November 7, 2013
- HIPAA Wants You Stites & Harbison Thirsty Thursday networking event, July 25, 2013
- Final Rule Amending HIPAA Regulations Stites & Harbison Client Alert, January 21, 2013
- Physician Employment Contracting Symposium  
co-presenter, Kentucky Medical Association, November 3, 2012
- Turning up the heat on HIPAA compliance: What to expect from increase enforcement and Office for Civil Rights audits  
co-author, Louisville Bar Association's *Bar Briefs*, November 2012
- HIPAA Update for Physician Office Managers  
Kentucky Pediatric Office Managers Association, October 11, 2012
- Stolen laptop leads to \$1.5 million HIPAA settlement Stites & Harbison, PLLC, Client Alert, September 26, 2012
- HIPAA and HITECH's Impact on Certified Public Accountants  
Kentucky Society of CPAs Healthcare Conference, May 16, 2012
- Keeping up with technology demands: Delayed deadlines for Meaningful Use and ICD-10 reflect overburdened healthcare providers  
*Medical News*, April 2012
- HIPAA Audits and Investigations - What to expect when the Office for Civil Rights comes knocking  
Louisville Bar Association, Health Law Section, April 11, 2012
- Make Way for Medicaid Managed Care: What to expect as Kentucky departs from traditional fee-for-service reimbursement in favor of managed care for Medicaid recipients across the Commonwealth  
Louisville Bar Association's *Bar Briefs*, November 2011
- HITECH Challenges for Physicians: Keeping Up with Changes to Health Information Privacy and Security Rules in an Expanding Electronic Environment  
Kentucky Medical Association, August 23, 2011



- HIPAA and Social Media Issues for Employers, Hot Topics and Critical Issues Pertinent to Employers and Health Care Providers  
Health Law and Labor & Employment Sections, Louisville Bar Association, June 2, 2011
- HITECH's Amendments to HIPAA: Recent Changes to Health Information Privacy and Security Rules and their Impact on State Regulatory Investigations  
National Board for Certification in Occupational Therapy, Annual Conference on Occupational Therapy State Regulation, October 23, 2010
- HIPAA Update for Employers  
Society of Human Resources Management Mid-West Kentucky Chapter, Madisonville, Ky., April 2010
- How will the HITECH Act affect your law firm?  
Louisville Bar Association, Health Law Section, April 28, 2010
- EMTALA  
The Regional Medical Center of Hopkins County, Madisonville, Ky., March 2010
- Current Trend: Employment of Physicians by Hospitals  
*2010 Health Law and Compliance Update 1-2* (John Steiner ed., 2010)
- Grounding Cyberspeech: Public Schools' Authority to Discipline Students for Internet Activity  
*97 Kentucky Law Journal* 149 (2008)

## FIRM LEADERSHIP

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- Chief Privacy Officer
- Privacy & Data Security Practice Group, Co-Chair
- Office of General Counsel, as Chief Privacy Officer

## MEMBERSHIPS

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- American Bar Association , Health Law Section
- Kentucky Bar Association
- Louisville Bar Association , Health Law Section, Chair (2011)
- American Health Lawyers Association
- International Association of Privacy Professionals
- International Association of Defense Counsel , Cyber Security, Data Privacy and Technology Committee, Chair

## COMMUNITY INVOLVEMENT

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- Yew Dell Botanical Gardens, Board of Directors (2018-present)
- Louisville Legal Aid Society, Volunteer (2009-16)
- Sisters of Charity of Nazareth, Inc., Board of Directors (2011-16)
- Focus Louisville, February 2016 Class

## EDUCATION

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University of Kentucky College of Law J.D. *magna cum laude* 2009

- Order of the Coif
- *Kentucky Law Journal*, Notes Editor and Outstanding 2L Source and Cite Editor
- Robert G. Schwemm Scholarship; Dorothy Salmon Memorial Scholarship
- Marshall Writing Club, best appellant brief and best appellant oral argument
- University of Kentucky Equine Law Society
- Golden Key International Honour Society

Indiana University B.A., Sociology 2000

- Double minor, Philosophy & Psychology

## MORE THAN STITES & HARBISON

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Sarah joined Stites & Harbison in September of 2009 after participating in the firm's summer associate program in 2008. In the summer of 2007, she worked in the legal department at Brown-Forman Corporation in Louisville. Before law school, Sarah lived in New York City where she worked at Friedman, Wang & Bleiberg, P.C. as a paralegal, and Lehman Brothers, Inc. in human resources supporting the information technology division.

Sarah is an accomplished equestrian and enjoys riding American Saddlebred horses in her free time.

## ACCOLADES

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- *Best Lawyers in America*®, Health Care Law (2019-24)
- *Business First of Louisville*, 20 People to Know in Law (2018)
- *Business First of Louisville*, Partners in Health Care People to Watch (2014)