

CONTENTS

AUTHOR BIOGRAPHIES	9
CHAPTER 1: INTRODUCTION	
<i>by Stephen Bennett</i>	13
The Challenge of Privacy Protection in the Modern Corporation	13
The Purpose of This Book	14
What Is Privacy?.....	14
The Modern Information Society	15
The Importance of Personal Information	15
CHAPTER 2: A RISK-BASED APPROACH TO PRIVACY	
<i>by Stephen Bennett</i>	17
The Information Life Cycle	17
Identifying Risk Forms and Sources.....	18
Myths and Mistakes in Privacy Risk Management	19
Essential Features of Risk Assessment.....	20
Developing Risk Control Methods	21
Emergency Planning.....	22
CHAPTER 3: PRIVACY LAW FUNDAMENTALS: ORIGINS OF GOVERNING PRINCIPLES	
<i>by Laura Ellsworth, Cecilia Dickson, and Amanda Miller</i>	25
Introduction	25
History of the Right to Privacy	26
Sources of Privacy Protection.....	27
International Law	43
Private Law/Contracts.....	43
Conclusion	44

CHAPTER 4: INFORMATION SECURITY

by Jessica Repa and Adam Sand 45

- Overview of Business and Management Issues..... 45
- Security Threats 51
- Encryption and Other Technology Solutions 62
- Conclusion 66

CHAPTER 5: EMPLOYEE PRIVACY

by Michael Gray 67

- Pre-Employment Inquiries 67
- Electronic Surveillance..... 72
- Employee Drug Testing..... 83
- Inquiries and Decisions Based on Employee Lifestyle 88

CHAPTER 6: CONSUMER PRIVACY

by Yair Galil..... 95

- Introduction 95
- Federal Consumer Privacy Laws: The Sectoral Approach..... 97
- State Consumer Privacy Laws 111
- Collection of Personal Information Online..... 117

CHAPTER 7: MEDICAL PRIVACY

by Kevin Lyles 129

- Introduction 129
- HIPAA..... 129
- ADA and Medical Privacy 137
- State Law Privacy Requirements 138
- Additional Privacy Concerns..... 139
- Responding to Health Care Data Security Breaches 140
- Conclusion 140

CHAPTER 8: CORPORATE PRIVACY POLICIES	
<i>by Laura Ellsworth and Matthew Divelbiss</i>	143
Introduction	143
Technology at Their Fingertips	145
Technology Misuse	148
Legal Standards Affect Corporate Solutions	150
Crafting a Corporate Privacy Policy	155
Consent	158
Conclusion	160
CHAPTER 9: INTERNATIONAL BUSINESS CHALLENGES	
<i>by Michiru Takahashi and Georg Mikes</i>	163
Privacy in the European Union.....	165
Japan	173
CHAPTER 10: PRIVACY RULES FOR GOVERNMENT	
<i>by Marla Bergman</i>	181
Providing Private Information to the Government	181
Private Information in the Possession of the Government	189
Conclusion	196
GLOSSARY	197
RESOURCES	205
BIBLIOGRAPHY	207