



### Anna Spencer

Partner

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Anna Spencer focuses on the privacy, security and exchange of health information. She brings nearly twenty years of experience to bear when helping companies in the health care sector craft practical solutions to complex regulatory, public policy and enforcement matters that involve the processing of personal information. She counsels a diverse group of companies, including health plans, pharmaceutical and medical device manufacturers, healthcare providers, health information technology companies, digital health companies, pharmacies, electronic health record vendors, private equity companies, financial institutions and employers that sponsor group health plans.

She helps companies leverage data assets, respond to data breaches and advocate for simplified, common sense rules for the electronic exchange of health information. Anna regularly advises companies with respect to HIPAA, HITECH, Part 2 protections for substance abuse treatment records, GINA, the privacy and security rules promulgated by the Centers for Medicare & Medicaid Services (CMS), the Food and Drug Administration's cybersecurity guidance for medical device companies and privacy requirements under the Common Rule. She also defends covered entities and business associates in investigations by the Office for Civil Rights, US Department of Health and Human Services (OCR). She lobbies Congress and federal agencies for changes to federal and state laws that govern the processing of health information.

Anna regularly assists clients on privacy and security compliance issues related to cloud computing, big data, health information technology, mobile applications, digital health, clinical trials, processing of bio-specimens and de-identification of data sets. She works closely with consultants that perform security risk assessments and compromise assessments. She also has extensive knowledge of state information privacy and security laws, including CMLA and CCPA. Anna co-authored a treatise on health information privacy and security for Bloomberg Law. She is a frequent speaker on a broad range of health care data privacy and security topics.

#### RELATED SERVICES

- Technology Transactions and Strategic Sourcing

#### RELATED SECTORS

- Healthcare

## CREDENTIALS

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### Admissions

- Alabama
- District of Columbia
- Georgia

## Education

- J.D., Vanderbilt University
- B.A., Sewanee  
Phi Beta Kappa

## Memberships

- Certified Information Privacy Professional (CIPP) by International Association of Privacy Professionals

## INSIGHTS

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### Publications

#### **California on the verge of instituting new deidentification requirements, broader research exemptions for health data**

23 September 2020

AB 713 has an emergency clause that means it will go into immediate effect once the governor signs it.

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#### **HHS issues notification of enforcement discretion under HIPAA for certain uses and disclosures by business associates**

7 April 2020

This announcement permits business associates to share personal health information with public health authorities and agencies in accordance with HIPAA exceptions as part of COVID-19 relief efforts.

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#### **OCR issues guidance on permitted health information sharing to protect US law enforcement and first responders**

27 March 2020

HIPAA-covered entity may, under certain circumstances, disclose protected health information about an individual who has been infected with, or exposed to, SARS-CoV-2 or COVID-19 without an individual's authorization.

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#### **US HHS issues waiver of certain HIPAA sanctions and penalties amidst COVID-19**

18 March 2020

The HHS Secretary uses emergency authority under the Social Security Act to waive sanctions and penalties for certain provisions of HIPAA for certain covered hospitals.

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## Events

### Upcoming

#### Driving Diversity in Law & Leadership

14 April 2021 | 9:15 - 10:00 ET  
Driving Diversity in Law & Leadership  
Webinar

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### Previous

#### 2021 Healthcare Leadership Conference: Day 2 - Unlocking innovation and collaboration through digital health and technology

9 March 2021 | 12:00 PM - 3:30 PM ET  
2021 Healthcare Leadership Conference

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#### The ransomware threat is changing – sectoral implications

17 June 2020 | 11:30 – 12:30 ET  
Webinar

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#### Healthcare CCPA Webinar

25 APR 2019  
Webinar

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- Presenter, "Topics in U.S. Privacy and Data Protection: Pharmaceutical and Biotech Considerations," Seton Hall University of Law, Virtual Event, October 12, 2020
  - Presenter, "5th Annual Medical Device Cybersecurity Risk Mitigation Conference – Case Study One: IMDRF Principles and Practices," Virtual Event, September 30, 2020
  - Presenter, "The Ransomware Threat is Changing – Sectoral Implications" a DLA Piper CLE Webinar, June 17, 2020
  - Presenter, "US Privacy and Data Protection: Issues Facing the Pharmaceutical and Biotech Industry," Seton Hall University of Law, October 14, 2019
  - Presenter, "Lost, Stolen or Damaged Medical Records: Organized a Nightmare," Lorman Education Services, Webinar, September 30, 2019
  - Presenter, "Managing Data Privacy Compliance at the Crossroads of HIPAA, GDPR and CCPA: Guidance for Attorneys on Managing Operational Issues," Blue Cross Blue Shields 2019 National Summit, Grapevine, Texas, April 29, 2019
  - Presenter, "California Consumer Privacy Act and Its Impact on Healthcare Companies," Webinar, April 25, 2019
  - Presenter, "Data Risk: The CCPA, GDPR and California Action Risk," GDPR Edge, October 29, 2018
  - Panelist, "What Life Sciences Companies Should Know About Data Privacy, Integrity and Security," BIOCOM, September 14, 2017
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- Panelist, "Innovative Multi-Stakeholder Collaborations to Improve Medical Device Cybersecurity," Medical Device Cybersecurity Risk Mitigation, July 17, 2017
- Presenter, "Privacy and Data Protection: Issues Facing the Pharmaceutical and Biotech Industry," Healthcare Compliance Certification Program, June 12, 2017
- Panelist, "Opting out of Privacy: Emerging Trends and Issues," AHIP's 2017 Institute & Expo, June 9, 2017
- Panelist, "The EU's General Data Protection Regulations and its Impact on the US," Health Privacy Summit 2017, June 1, 2017

## NEWS

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### **DLA Piper advises ConsejoSano in its US\$17 million Series B financing**

20 January 2021

DLA Piper represented ConsejoSano, Inc., a fast-growing healthcare technology company that aims to help close the gap in multicultural patient care, in its recent US\$17 million Series B financing led by Magnetic Ventures.

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### **DLA Piper advises The Shrink Space in its acquisition by ProtoCall Services**

30 November 2020

DLA Piper represented The Shrink Space, a referral management software platform widely used by university counseling centers, students and behavioral health providers, in its recent acquisition by ProtoCall Services, a leading provider of telephonic crisis intervention and behavioral health assessment services.

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### **DLA Piper advises Osceola Capital in its acquisition of Healthcents**

14 January 2020

DLA Piper is pleased to announce that the firm represented Osceola Capital in its acquisition of Healthcents, Inc.

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