



Obamacare: A Security Breach... That Wasn't Malicious?

By Naomi Lopez-Bauman
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Life in the digital age affords us many conveniences, such as paying for purchases with credit and debit cards, digital wallets and smartphones. This is possible when consumers trust that their vendors have taken important steps to protect their sensitive financial information.

When breaches do occur, vendors understand that their reputation and customer loyalty are at stake. In fact, they have every incentive to provide swift [assistance](#) to customers in monitoring and rectifying any nefarious uses of their personal information.

But the federal government has been taking the exact opposite approach in cases where personal information may have been disclosed on the Healthcare.gov website.

A congressional [hearing](#) last month revealed that federal officials at the Centers for Medicare and Medicaid Services, or CMS, had not been completely forthcoming in disclosing releases of personal information from the healthcare.gov website. In particular, there have been at least [13 security incidents](#) related to the healthcare.gov website. CMS was also found to have been unresponsive to requests from the U.S. General Accounting Office, or GAO, for detailed information on those incidents. In addition to that troubling lack of cooperation, [GAO's](#) recent report, which was released at the hearing, identified many weaknesses that continue to threaten users' personal information.

One particularly dramatic exchange during the hearing occurred when Chairman of the Committee on Oversight and Government Reform Darrell Issa (R-Calif.) took CMS Administrator Marilyn Tavenner to task for stating that “no malicious attacks” involving personally identifiable information had occurred when, in reality, that claim was little more than clever wordsmithing. There were occasions when personally identifiable information of other users may have been exposed and observable to other website users.

This is yet another example of how the Obama administration is willing to put politics ahead of individuals' sensitive and private information – and it has been occurring from the beginning.

Prior to the launch of healthcare.gov, the government's own [audit](#) raised serious concerns about the system's security. In September of last year, Michael Astrue, a former general counsel of the U.S. Department of Health and Human Services and former Social Security Commissioner was

calling on the Obama administration to delay Obamacare implementation due to privacy concerns.

Testifying before a congressional subcommittee in September 2013, Astrue presciently [stated](#):

“Congress is bitterly divided about the Affordable Care Act, but there should be common ground. Whether or not you support an individual mandate, you can embrace the principle that no one should be forced to sacrifice privacy in order to comply with that mandate.”

Astrue maintained that the federal government had not been taking, at a minimum, the same steps that a Fortune 500 company would take to secure sensitive personal information. Astrue concluded:

“President Obama has delayed other parts of the Affordable Care Act. Vulnerable Americans without lobbyists deserve the same respect and deference given to the business community. You should support a moratorium on the exchanges until HHS secrecy ends, and until we know whether uninsured Americans, will be forced to pay—along with their premiums—the high price of their privacy.”

Today, the secrecy remains. Obama administration assurances that healthcare.gov is “secure” belie the facts, as well as the government’s own findings.

According to the GAO: “Until these weaknesses are addressed, the systems and the information they contain remain at increased risk of unauthorized use, disclosure, modification, or loss.”

Americans are already paying an enormous price for Obamacare’s many broken promises – higher premiums, canceled health plans, not being able to keep their doctors and a narrow networks of providers. Many may now, unwittingly, be paying the price of compromised personal information.

This pathetic episode confirms that record [distrust](#) of the federal government is well founded. The only question is whether Americans shouldn’t trust their government because it is malicious or incompetent – or both?

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