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The Computer Misuse Act 1990 is a law that stipulates circumstances under which three additional scenarios are considered as offences in the United Kingdom. They include unauthorized access to computer material, unauthorized access with the intention to commit a crime and unauthorized modification of computer data and related contents.

The act was motivated by hackers such as Gold and Schifreen and laid the foundation for development of information security laws in other countries such as Canada and Republic of Ireland.

The act defines the terms under which an unauthorized access of a computer occurs and the circumstances under which such access are executed with the aim of facilitating and furthering the commission of offences. These include fraud, theft criminal damage and forgery and counterfeit. The law had a difficulty in the differentiation between non serious hackers and serious computer criminals due to its rigidity and inadequacy.

A 2004 review of the law sought to amend it to include and criminalize offences such as denial of service and other related offences. A 2011 discussion also sought to broaden the definition of “ smart” phones to be included in the act. The act also criminalizes publicly disclosing identification credentials of a person so that it can be used by others to advance criminal activities.

HITECH is a US healthcare legislation that is aimed at the development of solid healthcare information infrastructure with the purpose of improving quality, efficiency and safety and provision of adequate security for personal health information. The program is expected to offer \$29 billion in HITECH subsidies to health care providers that meet 25 criteria of meaningful users

of health IT.

The HIPAA rules were amended at the same time to enhance notice requirements and impose fines for security related breaches. Formal notice is sent to patients for a breach in case their health information details are revealed to the public. A legitimate concern to address privacy and security is necessary for software applications as consensus is reached on a way forward to implement the HITECH Act. The inputs of physicians and technology experts are important. Implementation of the act will lead to establishments of duties and penalties for business associates and define their limits in use and disclosure of protected health information.

References

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