



## Marcy Wilder

Partner

Washington, D.C.

### Biography

Marcy Wilder, who co-leads our global Privacy and Cybersecurity practice, is best known for her success in managing large, complex, and high-profile cyberattacks and privacy investigations and for her cutting-edge data protection work in digital health and wearable technology.

Prior to joining Hogan Lovells, Marcy served as deputy general counsel of the U.S. Department of Health and Human Services (HHS), where she led the legal team in drafting Health Insurance Portability and Accountability Act (HIPAA) privacy and security regulations.

Marcy has helped manage hundreds of security incidents and successfully defended clients in numerous privacy-related federal and state investigations, including by the HHS Office for Civil Rights (OCR), the Federal Trade Commission (FTC), and state attorneys general. She is routinely called upon to advise on proposed regulatory and legislative changes that will impact the electronic health environment. Marcy has helped plan and execute global compliance programs and supervised privacy assessments and information security policy audits for leading global health, education, and technology enterprises.

Marcy was named to *The National Law Journal's* "Regulatory & Compliance Trailblazers," and is



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### Languages

English

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### Practices

Privacy and Cybersecurity

Cyber Risk Services

Health Law

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### Industries

Life Sciences and Health Care

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### Areas of focus

California Consumer Privacy Act

consistently ranked as a top-tier privacy lawyer by both *Chambers USA* and *The Legal 500*. She was named to the inaugural *Legal 500* Hall of Fame for her work in data protection and privacy. In addition to serving on the board of directors for the national eHealth Initiative, Marcy has been a featured speaker at conferences and seminars across the country, and she lectures frequently on data privacy and cybersecurity, data analytics, digital health, cross-border data transfers, and privacy issues related to medical and genomic research.

## Representative experience

Successfully represented Anthem and helped drive a favorable resolution of the HHS OCR regulatory investigation and related litigation related to high-profile data breach.

Obtained closure of HHS OCR and related government investigations for data breach involving four million individuals, with no adverse action against top-tier academic medical center client.

Lead privacy and security counsel for wearable health and wellness devices for one of the largest global consumer device companies.

Successfully represented numerous clients in HHS OCR investigations, FTC, and state attorneys general privacy-related investigations and enforcement.

Privacy counsel to life sciences and medical device companies related to health information technology, clinical trials, data exchange, and genomics.

## Awards and rankings

- Privacy & Data Security: Healthcare, *Chambers Global*, 2020
- Incident Response 30, *Cybersecurity Docket*, 2020
- Privacy & Data Security (Nationwide), *Chambers USA*, 2008-2020

Digital Health

Health Privacy and Cybersecurity

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## Education and admissions

### Education

Woman's Law and Public Policy Fellowship, Georgetown University Law Center, 1989

J.D., Stanford Law School, 1988

B.A., Union College, magna cum laude, 1985

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## Memberships

Board of Directors, e-Health Initiative

Board of Trustees, National Partnership for Women and Families

Former Board of Trustees Member, Georgetown Day School

Health IT Policy Workgroup, Center for Democracy and Technology

Member, American Health Lawyers Association

Member, International Association of Privacy Professionals (IAPP)

National Leadership Council and Former Board Member, Lambda Legal

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## Bar admissions and qualifications

- Privacy & Data Security (USA), *Chambers Global*, 2011-2019
- Life Sciences Star, *Legal Media Group*, 2017-2019
- Data, Privacy, Cybersecurity, *Expert Guides: Best of the Best USA*, 2017-2019
- Media, Technology, and Telecoms: Cyber Law (Including Data Protection and Privacy), Hall of Fame, *Legal 500 US*, 2017-2020
- Media, Technology, and Telecoms: Cyber Law (Including Data Protection and Privacy), Leading Lawyer, *Legal 500 US*, 2008-2018
- Healthcare: Health Insurers, *Legal 500 US*, 2017
- Leading Practitioner, *Expert Guides: Women in Business Law*, 2017
- Health Care, *Washington, D.C. Super Lawyers*, 2011-2015
- Regulatory & Compliance Trailblazer, *National Law Journal*, 2015

## Latest thinking and events

- Published Works
  - The MLB, NHL, and NBA may be coming back, but they're going to have to deal with a minefield of data and privacy issues if they want fans back in the stands *Business Insider*
- Hogan Lovells Publications
  - COVID-19 exit strategy: A global privacy and cybersecurity guide
- News
  - Now available: Global employment and data privacy considerations for COVID-19 (webinar materials)
- News
  - Coronavirus and data protection: Europe's data protection authorities' views
- News

District of Columbia

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## Court admissions

U.S. Supreme Court

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## Accolades

"She has done much of the cutting-edge work on wearable technologies and sensors."

*The National Law Journal,  
Regulatory & Compliance  
Trailblazers*

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"Unparalleled expertise and a very practical, solution-oriented approach to regulatory compliance."

*Chambers USA*

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"Well-regarded healthcare privacy lawyer Marcy Wilder ... has specialist knowledge of the use of personal data across a variety of industry sectors."

*Legal 500*

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- Privacy 2040: An initiative for collaboration between policymakers and businesses
- Awards and Rankings
  - Three Hogan Lovells teams win spots in Law360's Practice Groups of the Year