

## Donald DePass

Senior Associate  
Washington, D.C.

### Biography

Donald DePass helps clients tackle challenging state, federal, and international privacy and data security issues. He advises on compliance with the Health Insurance Portability and Accountability Act (HIPAA), state health-privacy laws, the Federal Trade Commission (FTC) Act, and the Family Educational Rights and Privacy Act (FERPA), among other privacy and data security laws and regulations.

Donald regularly counsels clients on incident response, including breach notification obligations as well as response to government investigations and enforcement actions in the wake of large-scale cyberattacks. He also helps clients develop and implement compliance programs and draft contractual language for safeguarding sensitive information and legitimizing cross-border data transfers.

Donald counsels clients facing dynamic regulatory environments in a wide range of industries, primarily in the technology, life sciences and health care, and education sectors. In addition to assisting clients with complex legal matters, Donald helps clients resolve complicated policy issues affecting data privacy and security. In a rapidly evolving marketplace, he provides practical solutions that help clients meet legal and policy challenges and retain consumer trust.

While in law school, Donald served as a student attorney in the Georgetown Social Enterprise & Nonprofit Clinic and was a member of *The Tax Lawyer*.



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### Languages

English

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### Practices

Government Relations and Public Affairs

Health

Investigations, White Collar, and Fraud

Privacy and Cybersecurity

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### Industries

Life Sciences and Health Care

Insurance

Education

Consumer

## Representative experience

Obtained successful resolution, without penalty, in numerous HHS OCR investigations of academic institutions and insurance organizations.

Assisted a major U.S. university in responding to cybersecurity incidents, including forensic review, notification analysis, and remediation.

Helped a global company assess compliance with privacy laws in multiple countries, focusing on privacy notices, cross-border transfers, and data use restrictions.

Advised clients on privacy-related HHS OCR and state attorney general and insurance commission investigations and enforcement actions.

Conducted privacy- and cybersecurity-related diligence for several transactions involving health care and education companies.

Privacy counsel in largest health-related cyberattacks in U.S. history, supporting breach response, government investigation, and privacy compliance.

## Awards and rankings

- Top 40 Under 40, *The National Black Lawyers*, 2019
- Recognized for work in Privacy and Data Security, *Best Lawyers: Ones to Watch*, 2022

## Latest thinking and events

- News
  - HHS seeks comment by June 6 on recognized security practices as mitigating factor in HIPAA enforcement
- News
  - FTC emphasizes expectations around the health breach notification rule
- News
  - NIH requests feedback on its genomic data sharing policy
- News

Technology and Telecoms

Sports, Media and Entertainment

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## Areas of focus

Breach Preparedness, Response, Investigation, and Communications

Health Privacy and Cybersecurity

Privacy and Cybersecurity Public Policy Counseling and Advocacy

Risk Management, Governance, and Compliance

Retail and Consumer Goods

Hospitals and Health Care Providers

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## Education and admissions

### Education

J.D., Georgetown University Law Center, with honors, 2014

B.A., Duke University, with honors, 2011

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## Memberships

Member, American Bar Association

Member, International Association of Privacy Professionals

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## Bar admissions and qualifications

District of Columbia

New York

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- FTC reinforces breach notification duties for health apps and connected health and wellness devices
- News
  - CPRA countdown: New compliance obligations and challenges around “sensitive personal information”
- News
  - The long road to getting fans in the stands