

<p>Pol. 801</p> <p>4. Delegation of Responsibility 73 P.S. Sec. 2303</p> <p>73 P.S. Sec. 2302</p>	<p>3. Financial account number, credit or debit card number, in combination with any required security code, access code or password that would permit access to an individual's financial account.</p> <p>Personal information does not include publicly available information that is lawfully made available to the general public from federal, state or local government records.</p> <p>Records - means any material, regardless of its physical form, on which information is recorded or preserved by any means, including written or spoken words, graphically depicted, printed or electromagnetically transmitted. This term does not include publicly available directories containing information that an individual has voluntarily consented to have publicly disseminated or listed, such as name, address or telephone number.</p> <p>The Administrative Director or designee shall ensure that the center provides notice of any system security breach, following discovery, to any state resident whose unencrypted and unredacted personal information was or is reasonably believed to have been accessed and acquired by an unauthorized person. Such notice shall be made without a reasonable delay, except when a law enforcement agency determines and advises the center in writing that the notification would impede a criminal or civil investigation, or the center must take necessary measures to determine the scope of the breach and to restore the reasonable integrity of the data system. The center will also provide notice of the breach if the encrypted information is accessed and acquired in an unencrypted form, if the security breach is linked to a breach of security of the encryption, or if the security breach involves a person with access to the encryption key.</p> <p>The center shall provide notice by at least one (1) of the following methods:</p> <ol style="list-style-type: none"> 1. Written notice to last known home address for the individual. 2. Telephone notice if the individual can be reasonably expected to receive the notice and the notice is given in a clear and conspicuous manner; describes the incident in general terms; verifies the personal information but does not require the individual to provide personal information; and provides a telephone number to call or Internet web site to visit for further information or assistance. 3. E-mail notice, if a prior business relationship exists and the center has a valid e-mail address for the individual.
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<p>73 P.S. Sec. 2305 15 U.S.C. Sec. 1681a</p>	<p>4. Substitute notice if the center determines that the cost of notice exceeds \$100,000, the affected individuals exceed 175,000 people, or the center does not have sufficient contact information. Substitute notice shall consist of an e-mail notice, conspicuous posting of the notice on the center's web site, and notification to major statewide media.</p> <p>If the center provides notification to more than 1,000 persons at one (1) time, the center shall also notify all consumer reporting agencies that compile and maintain files on consumers on a nationwide basis of the timing, distribution and number of notices, without unreasonable delay.</p> <p>References:</p> <p>Breach of Personal Information Notification Act – 73 P.S. Sec. 2301 et seq</p> <p>Fair Credit Reporting Act – 15 U.S.C. Sec. 1681a</p> <p>Joint Operating Committee Policy – 801</p>
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