

What is the Pennsylvania Breach of Personal Information Notification Act?

Pennsylvania Senate Bill 713 the Breach of Personal Information Notification Act, requires businesses to notify individuals when a security breach results in their personal information being released to unauthorized parties and the security breach causes or cause loss or injury to a Pennsylvania resident. The Act specifies the notification steps businesses must follow in the event of a security breach. The Act will come into force in the summer of 2006.

Who is affected?

This Act affects all businesses that conduct business in Pennsylvania and that store personal information of Pennsylvania residents. Personal Information is defined as the first name or initial and last name in combination with one or more of the following nonpublic unencrypted pieces of information: a social security number, a driver's license number or state identification card, financial account number, credit card or debit card number accompanied by the applicable passwords or security codes.

What does the Breach of Personal Information Notification Act have to do with information management?

According to the Act, Pennsylvania businesses are responsible for the security of their computerized customer records. If companies experience a security breach and disclose personal information to unauthorized parties, they are responsible for notifying the affected individuals.

By monitoring and controlling the amount of customer data held on site in computerized form, businesses can reduce the risk of losing or otherwise releasing data to unauthorized parties. Computer backups containing personal information that are no longer needed should be disposed of securely. Similarly, other computerized mediums containing personal information, such as CDs, computer disks and hard drives should be destroyed once no longer needed.

What do companies have to do to comply with the ACT?

Businesses must alert affected customers when personal information which is not publicly available is acquired, or is thought to have been acquired, by unauthorized parties. Methods for notifying affected individuals are outlined in the Act. If the cost of notifying affected individuals is more than \$100,000 or the number of affected individuals exceeds 175,000, substitute notification methods may be followed.

Additionally, businesses that experience a security breach of more than 1000 personal records at a time must contact all consumer reporting agencies that compile and maintain consumer records on a nationwide basis to notify them of the breach.

A violation of the Act constitutes an unfair or deceptive trade practice under Pennsylvania's Unfair Trade Practices and Consumer Protection Law.

How can we help?

As you develop your document disposal program in accordance with the Pennsylvania Breach of Personal Information Notification Act, consider contracting Securit to handle your document destruction needs. Securit destroys all of your confidential materials, including computerized data such as CD-ROMs/CD-Rs/DVDs and computer backups. By providing locked consoles for your office, Securit makes it easy and efficient to destroy unnecessary copies of your customers' personal information. Securit destroys documents on site in our mobile shredding truck. Documents are shredded into confetti-sized pieces and then recycled. For peace of mind, contact Securit today at 1 800 697-4733.

For more information:

Pennsylvania General Assembly - <http://www.legis.state.pa.us>

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