

West Virginia Executive Branch
Privacy Tip of the Week

Senate Bill 340

Question:

I hear a lot about HIPAA and the need to protect medical information, but what about protecting other personal information, like my Social Security number, financial account numbers, etc.? Does West Virginia have a law to protect non-medical information?

Answer:

You're right; we all get bombarded with information about HIPAA (Health Insurance Portability and Accountability Act of 1996). We know that the HIPAA Privacy Rule provides federal protections for personal health information held by covered entities and gives patients an array of rights with respect to that information. At the same time, the Privacy Rule is balanced so that it permits the disclosure of personal health information needed for patient care and other important purposes.

Regarding other personal information - yes, West Virginia has a law related to Breach of Security of Consumer Information. Introduced as Senate Bill 340, the law passed on March 8, 2008 and became effective June 4, 2008. 46 states (including the District of Columbia, Puerto Rico and the Virgin Islands) have now enacted legislation requiring notification of security breaches involving personal information. Senate Bill 340 provides for notice to consumers when there is a breach of a secure data system. It also provides for a procedure to notify consumers when the unauthorized acquisition of computerized data that compromises the security, confidentiality or integrity of personal information maintained by the data collector occurs. Civil penalties and other remedies are provided for violations.

Click on the link below to see the final version of:

BREACH OF SECURITY OF CONSUMER INFORMATION

To view all 46 states' security breach notification laws [click here](#).