

To: Deans, Directors, and Dept. Heads

From: Michael Carr
Chief Information Security Officer

Date: March 29, 2006

Re: New Indiana Laws Regarding Social Security Numbers and Other
Personally Identifiable Information

There are two new Indiana laws of which you need to be aware:

1. *Indiana Code § 4-1-10, Release of Social Security Number, and*
2. *Indiana Code § 4-1-11, Notice of Security Breach.*

Under these laws, beginning July 1st, 2006 and except in certain circumstances, a mere disclosure of an individual's Social Security Number (SSN) will require the University to send notices to all Indiana residents whose SSNs are disclosed or compromised even if no other personally identifiable information (like name) is disclosed.

Additionally, a University employee who "knowingly, intentionally, or recklessly" discloses a SSN in violation of the non-disclosure rule can be charged with a felony.

You will, undoubtedly, read and hear more about these two new laws but I wanted to officially make you aware of these new responsibilities. I have attached a brief overview of these new laws and, in the near future, I will share with you tips and techniques that you will be able to, in turn, share with your staffs to reduce the chances of running afoul of either one of these statutes.

Thank you,



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Indiana Code § 4-1-10, Release of Social Security Number

After June 30, 2006, a state agency (including Purdue University) may not disclose an individual's Social Security Number, except in certain circumstances.

Under this law, the mere disclosure of a Social Security Number, even without other personally identifiable information, is enough to trigger the liability and notification provisions of the law. Circumstances permitting disclosure include when an individual gives specific written consent to the release of his or her Social Security Number; when a disclosure is expressly required by state or federal law (i.e. tax or employment requirements) or court order; when disclosure is needed for administering the state agency's health benefits plan related to an employee or employee's dependants; and when disclosure is required under certain federal law provisions, such as the U.S. Patriot Act.

Penalties for an improper disclosure are specific and accrue personally to the state agency employee who disclosed the number. For instance, under the new law, a state agency employee who "knowingly, intentionally, or recklessly" discloses a Social Security Number in violation of the non-disclosure rule commits a Class D felony. A negligent disclosure of a Social Security Number is a Class A infraction.

Indiana Code § 4-1-11, Notice of Security Breach

After June 30, 2006, any state agency (including state institutions of higher education) that owns or licenses computerized data that includes personal information shall disclose a breach of the security of the system following discovery or notification of the breach to any state resident whose unencrypted personal information was or is reasonably believed to have been acquired by an unauthorized person.

Personal information under the law is defined as a person's first and last name or first initial and last name and at least one of the following:

- (1) Social Security Number;
- (2) Driver's license or identification card number;
- (3) Account number, credit card number, debit card number, security code, access code, or password of an individual's financial account.

Except in certain circumstances, the notice provided to individuals must be made in writing and without unreasonable delay.

If a Violation Does Occur

If an impermissible Social Security Number disclosure or security breach as defined above does occur, take the following steps immediately:

- (1) Contact ITaP Security and Privacy by sending email to abuse@purdue.edu or by completing the incident report form located on the SecurePurdue webpage, <http://www.purdue.edu/securePurdue/report.cfm>,
- (2) Contact the Vice President, University Relations, and prepare to marshal the human and financial resources necessary to expeditiously send out written notifications to, at a minimum, all affected Indiana residents.