

**§2215. Security breach**

**1. Notice to holder.** Except to the extent prohibited by law other than this Act, the administrator or administrator's agent shall notify a holder as soon as practicable of:

A. A suspected loss, misuse or unauthorized access, disclosure, modification or destruction of confidential information obtained from the holder in the possession of the administrator or an administrator's agent; and [PL 2019, c. 498, §22 (NEW).]

B. Any interference with operations in any system hosting or housing confidential information that:

(1) Compromises the security, confidentiality or integrity of the information; or

(2) Creates a substantial risk of identity fraud or theft. [PL 2019, c. 498, §22 (NEW).]

[PL 2019, c. 498, §22 (NEW).]

**2. Disclosure of breach limited.** Except as necessary to inform an insurer, attorney, investigator or others as required by law, the administrator and an administrator's agent may not disclose, without the express consent in a record of the holder, an event described in subsection 1 to a person whose confidential information was supplied by the holder.

[PL 2019, c. 498, §22 (NEW).]

**3. Action of administrator and administrator's agent.** If an event described in subsection 1 occurs, the administrator and the administrator's agent shall:

A. Take action necessary for the holder to understand and minimize the effect of the event and determine its scope; and [PL 2019, c. 498, §22 (NEW).]

B. Cooperate with the holder with respect to:

(1) Any notification required by law concerning a data or other security breach; and

(2) A regulatory inquiry, litigation or similar action. [PL 2019, c. 498, §22 (NEW).]

[PL 2019, c. 498, §22 (NEW).]

**SECTION HISTORY**

PL 2019, c. 498, §22 (NEW).

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