

DEPARTMENT OF INSURANCE**Legal Division**

300 Capitol Mall, 17th Floor
Sacramento, CA 95814

**NOTICE**

DATE: May 16, 2014 (Revised March 17, 2021)
TO: All Admitted Insurers, Insurance Producers, and Other Interested Parties
SUBJECT: Notification of Improper Personal Information Disclosures and Security Breaches

The purpose of this Notice is to inform admitted insurers, insurance producers, insurance support organizations, and other interested parties, of California's notice requirements relating to improper disclosure of personal information, and/or security breaches.

The Insurance Information and Privacy Protection Act ("IIPPA" Insurance Code § 791 *et seq.*) establishes standards for the collection, use, and disclosure of information gathered by insurers, insurance producers, and insurance support organizations. The Act restricts the manner in which covered persons or entities may disclose the personal or privileged information of consumers. (Insurance Code § 791.13) The Act vests in the Insurance Commissioner the power to examine and investigate the affairs of persons or entities engaged in the business of insurance, to verify compliance with the IIPPA. (Insurance Code § 791.14)

State law imposes duties on persons or business that own or license computerized data containing personal information about California residents. Persons and businesses must disclose to any affected persons any breach of security, wherein the unencrypted personal information of any California resident is reasonably believed to have been acquired by an unauthorized person. (Civil Code § 1798.82) Effective January 1, 2012, any person or business that is required to issue a security breach notification to more than 500 California residents shall also submit a sample copy of that notification, excluding any personally identifiable information, to the Attorney General of the State of California. (Civil Code § 1798.82(f))

The Insurance Commissioner requests that all insurers, insurance producers, and insurance support organizations provide the Insurance Commissioner with any notices or information submitted to the Attorney General's Office in accordance with Civil Code § 1798.82(f), as well as sample copies, excluding personal information, of any security breach notices provided to consumers. Copies of notices or information should be sent to the following email:

DataBreach@insurance.ca.gov

Any questions or comments concerning this Notice should be sent to Privacy Office of the California Department of Insurance at the following email:

CDIPrivacyOffice@insurance.ca.gov