

## **Enact Effective Federal Cybersecurity Legislation**

Advancements in technology have also brought advanced threats to individuals' personal information. In response, many states have passed legislation requiring the private sector to adopt varying degrees of cybersecurity and/or breach notification standards. Additionally, several states have approved a cybersecurity law that applies exclusively to the insurance industry. The patchwork of state cybersecurity laws across the United States poses a significant burden to medical professional liability (MPL) insurers that sell insurance products in multiple states. As Congress continues to explore ways to address the growing cybersecurity problem on the national level, the MPL Association urges Congress to incorporate the following principles into federal cybersecurity legislation. These principles aim to ensure appropriate levels of security for consumers' personal information while providing a realistic and appropriate path for insurers to implement compliance measures.

- Adopt security and breach notification standards that acknowledge the resources of a covered entity and the type of data it collects.
- Avoid conflicts with other federal data security requirements, such as those for personal health information pursuant to the Health Insurance Portability and Accountability Act (HIPAA), or exempt entities from new requirements if they currently comply with such laws.
- Allow entities to utilize either in-house or third-party vendors to develop and manage the covered entities' information security program;
- Adopt a *harm trigger* that requires consumer breach notifications only when a data breach could result in identity theft, fraudulent transactions on financial accounts, and other types of substantial harm.
- Preempt state cybersecurity laws to avoid conflicts between federal and state requirements.

## **Adopt Effective and Achievable Cybersecurity Policies**

For more information, please contact our Government Relations Department at (301) 947-9000 or [governmentsrelations@mplassociation.org](mailto:governmentsrelations@mplassociation.org).