



Notice of Change in Pennsylvania Law Regarding Data Breach Notices by State Agency Contractors

Attention Suppliers:

On November 3, 2022, the Governor signed Pennsylvania Act 151 of 2022, which provides for a series of amendments to the Pennsylvania Breach of Personal Information Notification Act, 73 Pa.C.S.A. § 2301, *et. seq.* (as amended, "the Act"). These amendments include, but are not limited to:

1. A new and affirmative obligation for a "State agency contractor," as that term is defined by the Act, to provide notification to an affected State Agency in the event that it discovers a "breach of the security of the system," as that term is defined by the Act; and
2. An expanded definition of "personal information" covered by the act. Personal Information now includes, but is not limited to, some types of medical information, health insurance information, and user credentials that may provide access to an online account.

The amendments to the Act will become effective on May 2, 2023. This notice should not be considered legal advice; however, it is being provided as a courtesy to bring these changes in law to your attention, as they may affect your obligations to the State System. You should immediately review these changes in law with your attorney to determine whether, and how, this may impact your obligations.

To better assist you in complying with these new statutory obligations, the State System has created a central point of contact for notifications regarding supplier data security incidents. **Any notice of a data breach or data security incident, whether required by the Act, required by contract, or provided voluntarily, will now be considered accepted by the State System when received via email to ContractorCyberIncident@passhe.edu.** You should consult your contract for any other notice requirements that you may already have independent of this change in law, and you should continue to comply with those notice provisions as before.