

INSURANCE MATTERS

COUNTY COMMISSIONERS ASSOCIATION OF PENNSYLVANIA
THE **VOICE** OF PENNSYLVANIA COUNTIES



Breach of Personal Information Notification Act (BPINA)

Enacted in December 2005, BPINA was meant to better protect Pennsylvanians after their personal information was lost or stolen from a computer system. All 50 states have breach notification statutes, but not all are the same. In Pennsylvania, state agencies, counties, public schools, and municipalities must now report a breach to residents within seven business days, and if under the Governor's jurisdiction, also must notify the Governor's Office of Administration within seven business days. Local District Attorneys must report within seven business days, and businesses must report without unreasonable delay.

How does a breach occur?

- Malware – ransomware, RAM scrapers (Point of Sale)
- Human Error – sending sensitive information to the wrong person, misconfiguration of a database
- Social engineering – phishing, scam calls
- Physical actions – card skimmers, lost laptops

BPINA Disclosure is triggered when it is determined that computerized

“personal information” is accessed and taken by an unauthorized individual. The company does not have to notify individuals if the personal information was redacted or encrypted (as there is no way for the hacker to unlock the encrypted data).

Any violation of BPINA is a violation of the Consumer Protection Law, and can be up to \$1,000 per violation, or up to \$3,000 per violation for someone older than 60.

It is suggested that all entities conduct a risk assessment, find out where your personal information is located and come up with a plan to safeguard it. Incorporating this practice into your routine, along with running an annual tabletop exercise, can help everyone stay informed and mitigate risk. You only have seven business days to notify once a breach occurs. Make sure to vet your vendors, ask them how they protect personal information (PI) or if they have had a breach themselves. Make sure there are contractual obligations regarding what happens if there is a breach.

We will offer a closer look at the BPINA in future issues of Insurance Matters and our Fall Workshops. If you missed our informational webinar on Updates to Pennsylvania's Breach Notification Law, contact [Linda Rosito](#) for a copy of the presentation and link to the recorded webinar.



UC Trust Risk Control Incentive Reminder

Just a reminder that participation in the 2023 UC Trust Risk Control Incentive Program can earn members up to five percent credit toward each of the quarterly contributions for next year! As explained in the [program document](#), members have the opportunity to participate via online training, onsite and/or virtual training, by providing updated policies and procedures (as applicable) and by timely reporting of unemployment related matters.

Member participation is verified through the completion of the [2023 ACTIVITY REPORT](#) which must be completed and submitted by Friday, September 8, 2023. Contact [Desiree Nguyen](#) with questions about the program.

2023 RISK CONTROL INCENTIVE PROGRAM

The Risk Control Incentive Program was created to provide members with an opportunity to earn up to a five percent credit toward each of their four quarterly contributions. The credits are applied to the year succeeding the year in which the credits are earned (e.g., credits earned in 2023 will be applied to 2024 contributions). This document outlines the ways in which UC Trust Members can earn those credits!

There are three major risk control related activities that can have a positive impact on the cost of unemployment compensation claims and administration: 1) training and education, 2) policy and procedure development and 3) implementation and timely reporting of unemployment compensation related information. By providing a vehicle for members to better manage these activities, the Trust will be able to reduce its costs and pass those savings on to the membership.

CREDITS AVAILABLE

Each activity available for credit is outlined below. Activities must be completed between January 1 and December 31 of each year. Previous years' activities will not be accepted for credit, with the exception of policy and procedure submissions.

Training and Education – One to Three Percent Credit

Eligibility Requirement: Tax Payers!

1. Online Training (one percent credit)

A minimum of one employee who is responsible for unemployment claims administration OR one department supervisor must successfully complete **three courses** offered by local(s)ED. There is no cost for this training. **The three online courses MUST be from the list of approved courses provided on page three of this document.** Only training completed in 2023 will be credited toward the 2023 CCAP UC Trust Risk Control Incentive Program.

2. Onsite Training (two percent credit)

One or more representatives from the member entity must attend at least **four separate 2023 UC Trust sponsored training workshops**. These seminars may be attended in person or virtually, as they may be offered in different formats. The UC Trust sponsors several risk control training workshops throughout the year providing free or reduced registration fees on employment related topics.

Onsite training workshops can be found in the GLMPSE catalog or online via this link: [GLMPSE](#). If the onsite training workshop says that it is **FREE to UC Trust Members**, it is an approved onsite training for the incentive program.

CCAP Technology Services Partnership Highlight

CCAP Technology Services continues their partnership with Sylint through 2024, affording Cybersecurity Services to all Pennsylvania counties.

Sylint is a forensic information security and incident response firm. Their team of seasoned cybersecurity experts share guidance related to their experiences in combatting national, state and organized crime threats. The goal is to provide actionable intelligence and recommendations to counties in order to reinforce and safeguard their technology infrastructure and assets. The CCAP Sylint program, offered through CCAP Technology Services, offers tiered services that include threat intel, internal and external scans, collaborative reviews, recommendations, and much more. To learn more about the cybersecurity services and pricing structure of the program, contact [Kim Ade](#).

Is your county a PCoRP Member?

PCoRP members could potentially qualify to receive grant funding of up to \$30,000 to use for the CCAP Sylint Program. It's a simple process to apply! For additional information on the 2023-24 grant funding and application process, contact [Keith Wentz](#).

Risk Control Methods

Successful risk management programs are based on careful identification and analysis of operational risks. Exposures to loss that have been identified must be controlled. Instituting risk control measures, following up on their effectiveness and communication of these activities throughout your organization is critical.

Implementing risk control measures results in several benefits including reduction of costs, compliance with regulatory agencies, care and concern of staff/visitors and your reputation.

Risk control techniques you can select from include:

1. Avoidance – precludes or discontinues an activity
2. Prevention – this leads to reduced frequency of losses
3. Reduction – reduce the severity of losses
4. Segregation/Separation – reduces overall severity of losses
5. Transfer – reduces both frequency and severity of losses by transferring

some or all the risk to another party

Keep in mind that a combination of risk control methods may be needed to address an exposure or activity. Successful risk control programs often incorporate all the above.

Please feel free to contact your risk control specialist for advice or assistance.



Pool Safety

With hot weather fast approaching, many will head to their neighborhood or backyard pools to swim. Swimming is a fun family activity but can come with dangers if water is not respected. Per the [American Red Cross](#) 69% of young children who drown were not expected to be in or near water.

For home pool and hot tub safety, the American Red Cross recommends the following safety tips:

- Secure your pool with appropriate barriers:
 - Completely surround your pool with four-sided isolation fencing with a self-closing and self-latching gate that is out of the reach of a child.
 - For above-ground pools, secure, lock or remove steps, ladders and anything that can be used for access (such as outdoor furniture and toys) whenever the pool is not being actively supervised by an adult.
- Install secondary barriers such as door alarms and windows with direct access to the pool or spa area.
- Install pool or spa alarms.
- Install lockable covers.
- Designate a water watcher and supervise without distractions such as reading or using a cell phone.
- Install anti-entrapment drain covers and safety release systems to protect against drain entrapment.
- Do not dive or enter the water headfirst unless in a pool with a safe diving area.
- Establish and enforce rules and safe behaviors.
- Swim sober.
- Empty the kiddie pool when you're finished using it.
- If a child is missing, check the water first.

The [PA Department of Health](#) recommends the following safety tips:

- Watch young children even if a lifeguard is present when children are playing in or around water.
- Use the buddy system. Do not swim alone.
- Learn to swim.
- Learn CPR.
- Locate the lifesaving equipment.
- Have a phone by the pool.
- Never enter water that is cloudy.
- Know the local weather conditions and forecast before swimming. Do not swim if it is thundering or lightning.

To prevent illness:

- Do not drink the pool water.
- Do not sit on water jets.
- Keep children out of the water if they are ill.
- Toilet children every hour to avoid peeing in the pool.
- Change a child's diaper every 30 to 60 minutes.

For more water awareness information about swimming in pools, [lakes, rivers and streams](#), other good references include [Parents](#) and [HealthyChildren.org](#).

[Read More](#)

Quote of the Month

"The good we secure for ourselves is precarious and uncertain until it is secured for all of us and incorporated into our common life."

-Jane Addams

CCAP INSURANCE PROGRAMS

ASK US FIRST...WE COVER IT ALL!

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