

# VIRGINIA

## Breach & Consumer Notification Laws

### *Did you know?*



- There are **additional elements** of Personally Identifiable Information when related to **medical information**
- There are **specific considerations** when determining if a **breach is reportable**
- Notice to the **state attorney general** is required with specific comprehensive information
- For **medical breaches**, **notice** must also be given to the **Commissioner of Health**
- Notice to the **consumer reporting agencies** may be required
- If a vendor is breached, they must report it to the data owner. The **data owner will be responsible** to complete the reporting and consumer notification, but the vendor is still required to cooperate
- Notifications may only be given **by specific methods**
- For **violations**, the state attorney general may impose a civil penalty of \$150,000 per breach. Injured individuals may file suit for direct economic damages
- If your breach affects **residents in other states**, you will need to notify those residents **using those states' rules**
- Virginia has **additional laws** related to the protection of personal data **to prevent a breach**
- **Federal laws, industry regulations**, and/or **out-of-country laws** may also apply