

Global Data Privacy and Security Team

Bryan Cave's Global Data Privacy and Security Team has responded to hundreds of data security breaches and routinely helps clients, before a breach happens, analyze and improve upon their ability to respond to a breach if (or when) one occurs.

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Data Security At A Glance: Written Information Security Policies

Although federal law only requires that financial institutions and health care providers maintain a written information security policy or "WISP," approximately thirty four states have enacted legislation that requires organizations in other industries to take steps to keep certain forms of personal information safe. These statutes are broadly referred to as "safeguards" legislation. In some states safeguards legislation requires that companies adopt certain security-oriented practices such as encrypting highly sensitive personal information or irrevocably destroying sensitive documents. In other states safeguards legislation requires the adoption of a comprehensive written information security policy.

This brief guide is intended to help you understand the obligations underpinning your organization's security program.



Most Popular Types of Personal Information Protected By State Statutes



Range of State Safeguard Law Penalties: \$100 - \$500,000

Top 10 sections that are typically included in a WISP:

- ✓ Designated employee responsible for overseeing security program.
- ✓ Procedures for appropriately destroying documents with sensitive information.
- ✓ Encryption standards for mobile devices.
- ✓ Encryption standards for transmitting sensitive information.
- ✓ Employee training.
- ✓ Data breach incident response.
- ✓ Vendor management.
- ✓ Process for provisioning user access.
- ✓ Process for de-provisioning user access.