Maryland and New Jersey Update Their Data Breach Laws

September 26, 2019 â€“ Both Maryland and New Jersey have made recent changes to their data breach laws. The changes will significantly increase consumer protections in these states.

The updates to New Jerseyâ€™s law essentially update the stateâ€™s definition of â€œpersonally identifiable informationâ€• (P include an email address or a user name when combined with a password or the answers to security questions. The change makes it the 11th state to include information that can lead to online account take-overs by hackers. It went into effect on September 1st.

An equally significant update to Marylandâ€™s data breach notification law will go into effect on October 1st. From that point on, health providers will be required to notify the stateâ€™s Insurance Administration when patient data is exposed in a breach.

The change in Marylandâ€™s law impacts HMOâ€™s, insurance companies, healthcare providers and insurance administrators Notification to the state is required when a personâ€™s name is included in a breach along with unencrypted standard PII, an insurance policy number or a medical record number. Furthermore, if the party breached believes that breached data may be misused, notification is required even in cases where the data is encrypted.
by Jim Malmberg
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