

NOTICE OF PRIVACY POLICY
THE WEST VIRGINIA BOARD OF RISK AND INSURANCE MANAGEMENT

The West Virginia Board of Risk and Insurance Management (BRIM) values the privacy of all persons and entities affected by the agency's scope of work with regard to State insurance issues as well as those of local government subdivisions and other entities which deal with BRIM.

INFORMATION COLLECTED AND RECEIVED BY BRIM

Various types of information are collected by BRIM during the course and in the scope of its duties. These include, but are not limited to, assessing the risk of its customers as well as determining the premiums to be charged for the coverages it provides. Information contained on application and other required forms may include various types of financial disclosures and other personal information. This information is kept in the offices of BRIM located at 1124 Smith Street Suite 4300, Charleston, WV 25301 and on a secure computer system maintained by the West Virginia Office of Technology. This information is not shared except as may be required by West Virginia state law in dealing with other state entities.

In addition to information which may be obtained with regard to risk assessment and policy issuance, BRIM also receives information necessary for the proper adjustment of claims arising from the policies maintained by BRIM. This may include personally identifiable information, including but not limited to confidential financial data and medical information. This information is also kept in a secure location at BRIM and is not shared with any other persons or entities except in a manner that is in compliance with the West Virginia Rules of Civil Procedure and the Federal Rules of Civil Procedure, as required by law, as they may apply to individual litigation.

In the course of conducting its business, BRIM may also share information with its auditors, actuaries, insurance companies, insurance agencies and agents, and other vendors who may be engaged to assist BRIM in completing its mission.

All of the above-discussed information is kept in a secured location and is not discarded except for when it is destroyed pursuant to the approved BRIM document retention policy. No unauthorized personnel are permitted to view and inspect the privileged and confidential materials contained within the files maintained by BRIM.

If you would like a written version of this privacy notice, please contact Robert A. Fisher, BRIM Privacy Officer, at BRIM, 1124 Smith Street Suite 4300, Charleston, WV 25301, Telephone: 304-766-2646, and a written copy of this privacy notice will be provided to you at no charge.

CONSENT POLICY

In the unlikely event that BRIM would seek to utilize personally identifiable information in a manner inconsistent with its Notice policy, BRIM will seek express written consent from the individual before the personally identifiable information is utilized, unless the disclosure or additional use is required by law.

INDIVIDUAL RIGHTS

You have the right to view and inspect your personally identifiable information held by BRIM, upon reasonable notice to BRIM's Privacy Officer, Robert A. Fisher, at 1124 Smith Street Suite 4300, Charleston, WV 25301.

If you believe any of the personally identifiable information held by BRIM is incomplete or inaccurate, you have the right to challenge the information by notifying BRIM's Privacy Officer. You also have the right to copy the information upon reasonable notice.

ACCOUNTABILITY POLICY

Every employee of BRIM is responsible for maintaining the privacy of personally identifiable information that they create, store and maintain as part of their duties. The BRIM Privacy Officer shall work with the Agency Executive Director, the Departmental and State Privacy Officers and others in developing processes and procedures for proper training of BRIM employees with regard to privacy.

The BRIM Privacy Officer will also work to ensure that agency employees, including contracted employees as may be necessary, as well as vendors and others performing functions on behalf of the agency, receive appropriate training and education regarding privacy laws, regulations, policies, standards and procedures governing the agency's handling of personally identifiable information.

- New members of the workforce will receive training as part of the orientation to their jobs within a reasonable time upon employment or engagement.
- All members of the workforce will receive additional training as policies, standards or procedures are changed, to the extent that the changes affect their jobs.

- All members of the workforce will receive additional training on a periodic basis.
- Attendance at training sessions will be documented to demonstrate that each member of the workforce has received training in accordance with this standard.

The BRIM Privacy Officer, working with others, will ensure that all members of its workforce, including vendors and contracted personnel, sign an appropriate confidentiality agreement upon hire or entering into a contractual relationship and annually thereafter, or as otherwise required by law or policy, whichever is more restrictive.

BRIM will apply appropriate sanctions against members of its workforce, contracted personnel, vendors and all other individuals performing functions on behalf of the agency who fail to comply with privacy policies and procedures.

The BRIM Privacy Officer will report incidents of privacy related breaches to the Departmental Privacy officer and/or others as may be required.

The BRIM Privacy Officer will work with others as necessary to develop an appropriate response to privacy related breaches or incidents that threaten the confidentiality, integrity, and availability of information gathered and maintained by BRIM.

MINIMUM NECESSARY AND LIMITED USE

BRIM collects information only for specific, explicit and legitimate purposes. Specifically, BRIM collects information necessary to assess the risk of its customers; determine the premiums to be charged for coverage; and properly adjust claims arising from policies maintained by BRIM. In furtherance of this goal, BRIM will (1) limit the amount of personal information collected to that reasonably necessary to accomplish the legitimate purpose for which it is collected; (2) limit the time the information is retained to that reasonably necessary to accomplish such purpose; and (3) limit access to that information to those persons who are reasonably required to know such information in order to accomplish the specific, explicit and legitimate purpose.

BRIM may wish to collect information for purposes other than those previously listed. Such information may be collected in order to facilitate communication, collect demographic information, or otherwise aid BRIM in assisting its customers. No individual is required to share this additional information with BRIM, but is encouraged to do so on a voluntary basis.

SECURITY SAFEGUARDS

The privacy, confidentiality, integrity and security of personally identifiable information are important to BRIM. BRIM complies with all security requirements developed by the Office of Technology and the Health Care Authority Privacy Office, as well as all requirements imposed by applicable law. In furtherance of this compliance, BRIM networks meet or exceed the network security standards set forth by the Office of Technology. BRIM utilizes appropriate management and operational controls to protect private information from anticipated threats or hazards, and unauthorized access, use or disclosure. BRIM has established a uniform incident response process in order to handle any possible security incidents.

REDACTION

In accordance with its commitment to the confidentiality, integrity and security of personally identifiable information, BRIM complies with Procedure Number WVEB-P106.1 in its removal of personally identifiable information from documents before sharing the same with a third party. In doing so, BRIM utilizes the appropriate steps outlined in the policy for proper redaction of Personally Identifiable Information.