

Document: Change in Notice of Public Hearing, **Register Page Number:** 29 IR 1964

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**TITLE 10 OFFICE OF ATTORNEY GENERAL
FOR THE STATE**

LSA Document #05-319

The Office of Attorney General for the State gives notice that the date of the public hearing for LSA Document #05-319, printed at 29 IR 1248, has been changed. The changed Notice of Public Hearing appears below:

Notice of Public Hearing

*Under IC 4-22-2-24, notice is hereby given that on **March 31, 2006** at 9:30 a.m., at the Indiana Government Center-South, 402 West Washington Street, West Conference Room, Fifth Floor, Indianapolis, Indiana the Office of Attorney General for the State will hold a public hearing on proposed new rules concerning the release of Social Security numbers by state agencies. These proposed rules will encompass the definition of terms, mitigating factors to be considered by the Office of the Attorney General in its investigation and notice to prosecutors and state police, and notice requirements regarding Social Security number releases. 10 IAC 5-4 requires a state agency or employee to notify the Office of the Attorney General, in writing and within two business days of a Social Security number disclosure, the nature of any release of Social Security or other personal identifying information, steps taken by the agency or employee to stop said release, steps taken by the agency or employee to notify affected individuals, and steps taken by the agency or employee to prevent future releases.*

This requirement is justified because it provides regulated entities (in this case, state agencies) with guidance on what steps to take when a disclosure occurs, and it gives the Office of the Attorney General an entry point on which to begin its investigation of the matter. If regulated entities are not required to notify the Office of the Attorney General of disclosures, the Office of the Attorney General does not possess any significant means by which to become aware of disclosures. Other requirements imposed by this rule have been added to assist the Office of the Attorney General in its investigation into the disclosure, so that it may accurately analyze the nature of the breach, the person or persons involved, and what types of mitigating factors could or could not be applied before providing notice to prosecutors or the Indiana State Police. This justification is made based upon the clear intent of the underlying statute and the investigative resources available to the Office of the Attorney General. The Office of the Attorney General did not rely on any data, studies, or analyses beyond that which has been provided above.

Copies of these rules are now on file at the Indiana Government Center-South, 402 West Washington Street, Fifth Floor and Legislative Services Agency, One North Capitol, Suite 325, Indianapolis, Indiana and are open for public inspection.

Jason Thompson
Deputy Attorney General
Office of Attorney General for the State