

APPENDIX J: Sample Breach Notice: Genetic Data

[Agency Letterhead]

[Date]

[Addressee]

[Mailing Address]

[City] [State] [Zip Code]

[Salutation]

Subject: NOTICE OF DATA BREACH

What Happened?	<p>[Describe what happened in general terms, see example below]</p> <p>We are writing to you because of a recent security incident that occurred on [date of incident] at [name of organization]. An employee inadvertently e-mailed a document containing your genetic data information to the wrong person. “Genetic data” means any data, regardless of its format, that results from the analysis of a biological sample of an individual, or from another source enabling equivalent information to be obtained, and concerns genetic material. Genetic material includes, but is not limited to, deoxyribonucleic acids (DNA), ribonucleic acids (RNA), genes, chromosomes, alleles, genomes, alterations or modifications to DNA or RNA, single nucleotide polymorphisms (SNPs), uninterpreted data that results from analysis of the biological sample or other source, and any information extrapolated, derived, or inferred therefrom.</p>
What Information Was Involved?	<p>[Describe what specific notice-triggering data element(s) were involved, see example below].</p> <p>Please note, the information was limited to genetic data only. This incident did not involve the compromise or access to any other information, such as Social Security number, Driver's License number, or financial account numbers which could expose you to identity theft.</p>
What We Are Doing:	<p>[Note apology and describe what steps your agency is taking, has taken, or will take, to investigate the breach, mitigate any losses, and protect against any further breaches, see example below]</p> <p>We regret that this incident occurred and want to assure you that the incident is being investigated to determine and correct the cause, and to minimize the risk of recurrence.</p>
What You Can Do:	<p>Your privacy is of utmost concern to us. For more information about your privacy rights, you may visit the Web site of the California Department of Justice, Privacy Enforcement and Protection at www.oag.ca.gov/privacy</p>
Other Important Information:	<p>Enclosure “Breach Help –Consumer Tips from the California Attorney General”.</p>
For More Information:	<p>For more information about online protections, you may visit the Web site of the California Department of Justice, Privacy Enforcement and Protection at www.oag.ca.gov/privacy</p>
Agency Contact:	<p>Should you need any further information about this incident, please contact [name of the designated agency official or agency unit handling inquiries] at [toll-free phone number].</p>

[Signature of State Entity Head or Delegate]

[Title]