

**Department of Revenue
Disclosure Incident Response Procedures**

Situation	Action Step By:			
	Employee	Manager / Supervisor / Administrator	Incident Coordinator	Executive Management
<p>Accidental disclosure of data where Personal Information or Regulated Data is included <i>and the specific information can be identified.</i></p>	<ol style="list-style-type: none"> 1. Immediately notify Internal Audit and Public Affairs. 2. Immediately notify Manager/Supervisor of incident. 3. Provide a written account of circumstances surrounding incident to Manager/Supervisor. 	<ol style="list-style-type: none"> 1. Notify DOR Incident Coordinator no later than next business day. 2. Obtain a written account of incident from employee and add any additional information as needed. Provide document to Incident Coordinator. 	<ol style="list-style-type: none"> 1. Notify Data Owner. 2. Notify Internal Audit. 3. Notify Executive Management. 4. Notify Taxpayer Advocate. 5. Notify Public Affairs. 6. Notify IRS Disclosure Officer. 7. Determine if 1000 or more taxpayers are involved. If so, contact Consumer Affairs. See below Section 1-11-490 (D). 8. Determine if the level is "breach". 	<ol style="list-style-type: none"> 1. Executive decision to notify Governor and Cabinet. 2. Executive decision on method of individual or public communications and remedies. See below Section 1-11-490 (A) and (E) 3. Legal interpretation of any applicable laws.

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Situation	Action Step By:			
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Accidental disclosure of data where Personal Information or Regulated Data is included <i>and the specific information cannot be easily identified.</i>	<ol style="list-style-type: none"> 1. Immediately notify Internal Audit and the Public Affairs. 2. Immediately notify Manager/Supervisor of incident. 3. Provide a written account of circumstances surrounding incident to Manager/Supervisor. 	<ol style="list-style-type: none"> 1. Notify DOR Incident Coordinator no later than next business day. 2. Obtain a written account of incident from employee and add any additional information as needed. Provide document to Incident Coordinator. 	<ol style="list-style-type: none"> 1. Notify Data Owner. 2. Notify Internal Audit. 3. Notify Executive Management. 4. Notify Taxpayer Advocate. 5. Notify Public Affairs. 6. Notify IRS Disclosure Officer. 7. Determine if 1000 or more taxpayers are involved. If so, contact Consumer Affairs. See below Section 1-11-490 (D). 8. Determine if the level is "breach". 	<ol style="list-style-type: none"> 1. Executive decision to notify Governor and Cabinet. 2. Executive decision on method of public communications and remedies. See below Section 1-11-490 (a) and (E) 3. Legal interpretation of any applicable laws.

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Situation	Action Step By:			
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<p>Willful disclosure of data where Personal Information or Regulated Data is included <i>and the specific information can be identified.</i></p>	<ol style="list-style-type: none"> 1. Immediately notify Internal Audit and Public Affairs. 2. Immediately notify Manager/Supervisor of incident. 3. Provide a written account of circumstances surrounding incident to Manager/Supervisor. 	<ol style="list-style-type: none"> 1. Notify DOR Incident Coordinator no later than the next business day. 2. Obtain a written account of incident from employee and add any additional information as needed. Provide document to Incident Coordinator. 	<ol style="list-style-type: none"> 1. Notify Data Owner. 2. Notify Internal Audit. 3. Notify Executive Management. 4. Notify Taxpayer Advocate. 5. Notify Public Affairs. 6. Notify IRS Disclosure Officer. 7. Determine if 1000 or more taxpayers are involved. If so, contact Consumer Affairs. See below Section 1-11-490 (D). 8. Determine if the level of breach. 	<ol style="list-style-type: none"> 1. Executive decision to notify Governor and Cabinet. 2. Executive decision on method of individual or public communications and remedies. See below Section 1-11-490 (A) and (E). 3. Legal interpretation of any applicable laws.

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<p>Willful disclosure of data where Personal Information or Regulated Data is included <i>and the specific information cannot be easily identified.</i></p>	<ol style="list-style-type: none"> 1. Immediately notify Internal Audit and Public Affairs. 2. Immediately notify Manager/Supervisor of incident. 3. Provide a written account of circumstances surrounding incident to Manager/Supervisor. 	<ol style="list-style-type: none"> 1. Notify DOR Incident Coordinator no later than next business day. 2. Obtain a written account of incident from employee and add any additional information as needed. Provide document to Incident Coordinator. 	<ol style="list-style-type: none"> 1. Notify Data Owner. 2. Notify Internal Audit. 3. Notify Executive Management. 4. Notify Taxpayer Advocate. 5. Notify Public Affairs. 6. Notify IRS Disclosure Officer. 7. Determine if 1000 or more taxpayers are involved. If so, contact Consumer Affairs. See below Section 1-11-490 (1) 8. Determine if the level is "breach" 	<ol style="list-style-type: none"> 1. Executive decision to notify Governor and Cabinet. 2. Executive decision on method of public communications and remedies. See below Section 1-11-490 (A) and (E). 3. Legal interpretation of any applicable laws.

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<p>Theft of data through theft or a breach of security systems. (I.E. system hacked). <i>Specific information may or may not be easily identified.</i></p>	<ol style="list-style-type: none"> 1. Immediately notify IRM Help Desk at (803) 898-5590 or after hours contact number at (803) 898-5108. 2. Immediately notify Internal Audit Administrator and the Public Affairs Director. 3. Immediately notify Manager/Supervisor of incident. 4. Notify Law Enforcement if hardware has been stolen. 5. Provide a written account of circumstances surrounding incident to Manager/Supervisor. 	<ol style="list-style-type: none"> 1. Notify DOR Incident Coordinator no later than next business day. 2. Obtain a written account of incident from employee and add any additional information as needed. Provide document to Incident Coordinator. 	<ol style="list-style-type: none"> 1. Notify Data Owner. 2. Notify Internal Audit. 3. Notify Executive Management. 4. Notify Taxpayer Advocate. 5. Notify Public Affairs. 6. Notify IRS Disclosure Officer. 7. Determine if 1000 or more taxpayers are involved. If so, contact Consumer Affairs. See below Section 1-11-490 (D) 8. Determine if the level is "breach". 	<ol style="list-style-type: none"> 1. Executive decision to notify Governor and Cabinet. 2. Executive decision on method of public communications and remedies. See below Section 1-11-490 (A) and (E) 3. Legal interpretation of any applicable laws.

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Contact Telephone Numbers

Immediate Manager/Supervisor

TBD	
Incident Coordinator	Kim Haley (803) 898-5051
Internal Audit Director	Samantha Cheek (803) 898-5281
Public Affairs Director	Betty Jenkins (803) 898-5751
IRS Disclosure Officer	Jean Funches (803) 898-5444
Taxpayer Advocate	Godwin Fumey-Nassah (803) 210-9338
IT Security Administrator	(803) 898-5869
IRM Help Desk	(803) 898-5590
IRM After Hours Support	(803) 898-5108
DOR Deputy Director	Harry Cooper (803) 898-5140
GC-Policy Sr Admin	John McCormack (803) 898-5138
GC Litigation Sr Admin	Milton Kimpson (803) 898-5131
Field Operations Sr Admin	Mont Alexander (803) 898-5950
Office Operations Sr Admin	Sherrie McTeer (803) 896-1912
Support Services Sr Admin	Laura Watts (803) 898-5038
IRM Sr Admin	Dale Brown (803) 898-5513

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The following SC code section is presented below, in part, to emphasize the timing and methods of notifications to taxpayers in the event of a disclosure of personal identifying information. *Emphasis added*

Breach of security of state agency data; time effective

SECTION 4.A. Article 1, Chapter 1, Title 11 of the 1976 Code is amended by adding:

“Section 1-11-490.

(A) An agency of this State owning or licensing computerized data or other data that includes personal identifying information shall disclose a breach of the security of the system following discovery or notification of the breach in the security of the data to a resident of this State whose unencrypted and unredacted personal identifying information was, or is reasonably believed to have been, acquired by an unauthorized person when the illegal use of the information has occurred or is reasonably likely to occur or use of the information creates a material risk of harm to the resident. The disclosure must be made in the most expedient time possible and without unreasonable delay, consistent with the legitimate needs of law enforcement, as provided in subsection (C), or with measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

(B) An agency maintaining computerized data or other data that includes personal identifying information that the agency does not own shall notify the owner or licensee of the information of a breach of the security of the data immediately following discovery, if the personal identifying information was, or is reasonably believed to have been, acquired by an unauthorized person.

(C) The notification required by this section may be delayed if a law enforcement agency determines that the notification impedes a criminal investigation. The notification required by this section must be made after the law enforcement agency determines that it no longer compromises the investigation.

(E) The notice required by this section may be provided by:

- (1) written notice;
- (2) electronic notice, if the person’s primary method of communication with the individual is by electronic means or is consistent with the provisions regarding electronic records and signatures set forth in Section 7001 of Title 15 USC and Chapter 6, Title 26 of the 1976 Code;
- (3) telephonic notice; or
- (4) substitute notice, if the agency demonstrates that the cost of providing notice exceeds two hundred fifty thousand dollars or that the affected class of subject persons to be notified exceeds five hundred thousand or the agency has insufficient contact information. Substitute notice consists of:
 - (a) e-mail notice when the agency has an e-mail address for the subject persons;
 - (b) conspicuous posting of the notice on the agency’s web site page, if the agency maintains one; or
 - (c) notification to major statewide media

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(D) If the agency provides notice to more than one thousand persons at one time pursuant to this section, the business shall notify, without unreasonable delay, the Consumer Protection Division of the Department of Consumer Affairs and all consumer reporting agencies that compile and maintain files on a nationwide basis, as defined in 15 USC Section 1681a(p), of the timing, distribution, and content of the notice.
 B. This section is effective on July 1, 2009.