

Contractual Obligations Workflow

Stay Compliant and Simplify Management of Contractual Notification Obligations

Entities in the finance, insurance, healthcare, and other highly regulated industries must comply with an increasingly complex maze of federal and state breach notification rules. Adding contractual notification obligations to the mix makes an already difficult task practically impossible to manage.

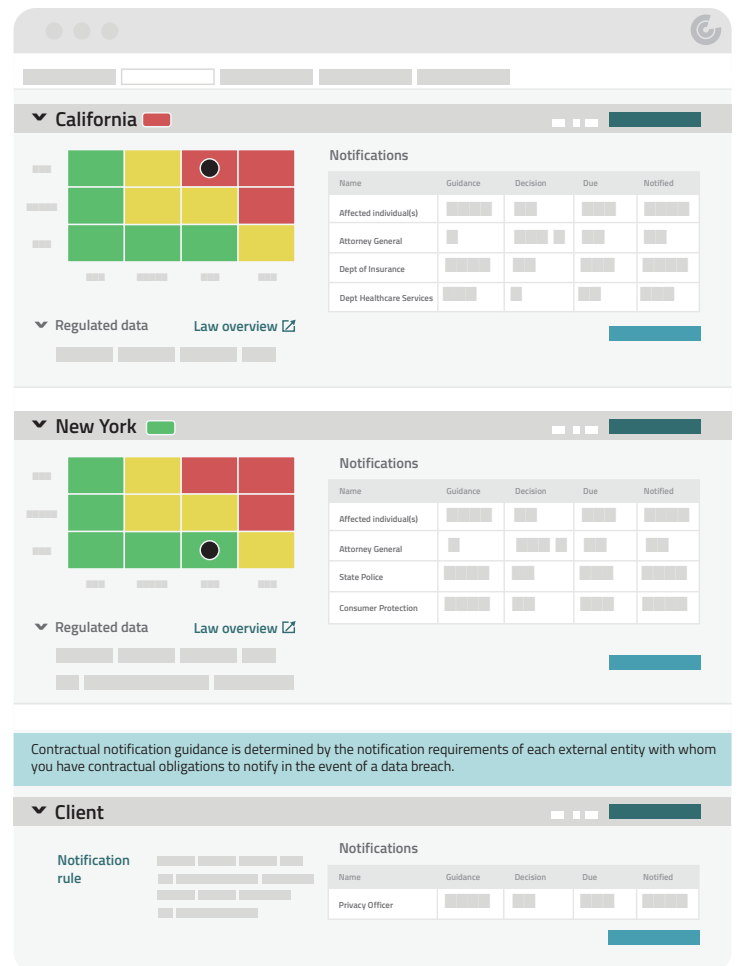
The Challenge

Organizations owning or processing regulated data can have hundreds if not thousands of clients, business associates, service providers, and other external entities with whom they do business. These business relationships mandate protection of regulated data and require notification to the data owners if there is an unauthorized disclosure of the data due to malicious or inadvertent incidents.

Until now, managing contractual notifications has been a manual, time-consuming process that requires sifting through contracts, and creates risk of noncompliance. Contractual notification obligations are often measured in hours or days rather than weeks or months, providing a major challenge to compliance. Noncompliance can result in serious consequences, including termination of relationships if obligations are not satisfied.

Introducing Contractual Obligations Workflow

With this patented feature, you can manage contractual notification obligations for both your upstream and downstream business relationships with clients, service providers, and business associates.



The screenshot displays the RADAR assessment interface, organized into three main sections: California, New York, and Client. Each section features a grid of colored cells (green, yellow, red) representing different regulatory or contractual requirements, with a black dot indicating a specific point of interest. To the right of each grid is a 'Notifications' table with columns for Name, Guidance, Decision, Due, and Notified. The California section lists entities like 'Affected individual(s)', 'Attorney General', 'Dept of Insurance', and 'Dept Healthcare Services'. The New York section lists 'Affected individual(s)', 'Attorney General', 'State Police', and 'Consumer Protection'. The Client section lists 'Privacy Officer'. A blue bar at the bottom of the screenshot contains the text: 'Contractual notification guidance is determined by the notification requirements of each external entity with whom you have contractual obligations to notify in the event of a data breach.'

Example RADAR assessment page, above: Regulatory jurisdictions are displayed alongside the contractual jurisdictions, allowing you to easily scan and prioritize your data breach response.

For managing upstream notification obligations to your clients, RADAR seamlessly extends its regulatory workflow to identify and provide guidance on all relevant incidents involving client data and contractual notification requirements.

For tracking downstream notification obligations from service providers or business associates that process your data, RADAR establishes a process for managing and gaining insights about which of your downstream entities pose high risk to your organization and how well they comply with their notification obligations.

You can take advantage of a fully integrated RADAR workflow to manage all regulatory and contractual incident response obligations, prove compliance, and mitigate risks stemming from incidents involving your own data or data that you process for your clients.

The Contractual Obligations Workflow:

- Efficiently manages your contractual notification obligations with clients or upstream entities (who you must notify)
- Effectively monitors compliance by your service providers or downstream entities (who must notify you)
- Uses the RADAR Breach Guidance Engine™ to assess the risk associated with an incident, and determine whether one or multiple clients must be notified
- Captures important contractual notification details for each external entity, including multiple notification timelines and contacts
- Provides easy tracking of notification due dates and proof of compliance with contractual obligations
- Allows for a nuanced configuration in which downstream entities act an agent of your organization, to more accurately specify the correct incident discovery date
- Tracks if your downstream entities remain compliant with contracts, so you may better identify which entities present a risk to your business

Managing PCI Incidents with the Contractual Obligations Workflow

The Payment Card Industry Data Security Standard (PCI DSS) is a set of security standards that apply to companies working with and associated with payment cards, including merchants, financial institutions, point-of-sale vendors, and hardware or software developers who create and operate the global infrastructure for processing payments.

If your organization's PCI data is compromised in an incident, that incident must undergo a multi-factor risk assessment in order to determine if the incident qualifies as a data breach and requires notification to state and federal regulators.

In addition, your organization may be contractually obligated to notify multiple credit card issuers, merchants, and associations of this data breach. The Contractual Obligations Workflow can help meet these notification requirements for incidents involving PCI data.



Talk to an expert

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About RADAR, Inc.

In today's world of increasingly complex and changing privacy regulations, cyber attacks, and data breaches, leading organizations trust RADAR®, a patented SaaS-based incident response management platform that simplifies and streamlines compliance with federal and state data breach laws. The RADAR Breach Guidance Engine™ leads users through an intuitive workflow that profiles and scores data privacy and security incidents and generates incident-specific notification guidelines to help ensure compliance with federal and state laws. Fortune 100 companies and other organizations from heavily regulated industries in finance, healthcare, insurance, and beyond rely on RADAR for an efficient and consistent process for incident response. Learn more at radarfirst.com.