

Mintz Matrix Updated – Data Breach Laws in All 50 States

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With the recent enactment of data breach notification laws in South Dakota and Alabama, all 50 US states now have laws regulating data breach notification. We've updated the [Mintz Matrix](#) (maintained by the Mintz Privacy Team for nearly 10 years) to provide you with the latest information.

Managing the differing requirements remains a challenge, and points to the need for updated incident response plans. As an example, the chart below outlines the different timelines for notification. The Mintz Matrix contains information on all of these, and more.

Breach Notification Timeline

| Time After Discovery of Breach | Action Required |
|----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10 Calendar Days | <ul style="list-style-type: none"> • Puerto Rico Department of Consumer Affairs |
| 14 Business Days | <ul style="list-style-type: none"> • Vermont AG preliminary notification |
| 15 Business Days | <ul style="list-style-type: none"> • California residents, California AG, and health care providers (e.g., hospital, clinic, health facility, home health agency) |
| 30 Calendar Days | <ul style="list-style-type: none"> • Florida residents, AG (500+ residents) • Indiana AG will open an investigation if |
| 45 Calendar Days | <ul style="list-style-type: none"> • Ohio residents • Tennessee residents (60 Days for PHI/HI) • Vermont residents, AG • Washington residents, AG (500+ residents) • Wisconsin residents (60 Days for PHI/HI) • New Mexico residents, AG (500+ residents) • Maryland residents (60 Days for PHI/HI) |
| 60 Calendar Days | <ul style="list-style-type: none"> • Individuals and HHS OCR for PHI disclosure • Delaware (effective 4/14/18), AG (500+ residents) |
| 90 Calendar Days | <ul style="list-style-type: none"> • Connecticut residents (60 days for PHI/HI) |
| Most expedient time and without unreasonable delay | <ul style="list-style-type: none"> • AK, AZ, AR, CA (other than as noted above), HI, IL, IA, KY, LA, ME, MI, MN, MO, MS, MT, NV, NJ, NY, NC, ND, OK, OR, PA, RI, SD, VA, WA, WI, WY |

| | |
|------------------------------------------|-----------------------------------------------|
| As soon as possible | • NE, NH, TX |
| Days After Confirmation of Breach | Action Required |
| 45 Calendar Days | • Rhode Island residents, AG (500+ residents) |

Authors



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Cynthia J. Larose is Chair of the firm's Privacy & Cybersecurity Practice, a Certified Information Privacy Professional-US (CIPP-US), and a Certified Information Privacy Professional-Europe (CIPP-E). She works with clients in various industries to develop comprehensive information security programs on the front end, and provides timely counsel when it becomes necessary to respond to a data breach.