Data Licensing, Audits and Corrective Action Plans
• Release of Data
• Auditing for Data Security and Permissible Use
• Corrective Action Plans
• All requests funneled through the Public Disclosure Unit
• If not a public record, assigned to programs for handling
• Evaluated against applicable laws to determine if request can be granted
• Requests for personal information require a contract that includes:
  • Permissible Use
  • Data Security
  • Audit Requirements
• Vehicle versus driver data audits requirements
  • Vehicle audits required by law (RCW 46.12.630(4))
  • Driver audits required by contract
• Data security and permissible use audits required
• May submit their own independent, third-party audit for approval
• Includes subset of subsequent data recipients (subscribers)
• Data recipients are responsible for costs of audits
  • If DOL audits, they must prepay audit costs

• Private sector
  • Audits required within first 6 months, then every 2 years

• Governmental entities
  • State agencies versus other governmental entities
  • Audits required within first year, then every 4 years (flexible)
• Determines if recipient’s use of data is what contract allows

• Includes subset of subsequent data recipients (subscribers)

• Audits include:
  • In conjunction with data security audit (e.g. limited user access, etc.)
  • Research the data recipient’s business model
  • Review of subscriber agreements to ensure DOL requirements are included
Audits include (continued):

- Inspect how data is used
- Observe the data lifecycle and process flow of the data
- Document observations and violations of compliance
- Audits of subscribers, based on risk

Stay tuned...
Corrective Action Plans

• New Contracts Compliance Manager
• Review all audit reports
• If deficiencies are found, work with contractor to develop corrective action plan that:
  • Contain actions for correcting deficiencies
  • Timelines
• Ensure corrective action plans are completed timely
• May terminate for default
• We call our contracts “data licensing agreements” so that the data recipients understand DOL still owns and controls the data

• In one-time data request DOL may audit if there is a breach or misuse, or if DOL suspects a breach or misuse

• Vessel data audit requirements effective June 2016
For More Information

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