

CERTIFICATION FOR DATA PRIVACY, SHARING PROTOCOLS, CONFIDENTIALITY AND PRIVACY RIGHTS

Appendix (6)

All applicants are advised that under the specific requirements of the Elder Justice Program, applicants will be required to **submit prior to subaward** as signed, written certification that data privacy and sharing protocols comport with the confidentiality and privacy rights and obligations of federal law or the applicants jurisdiction’s laws, court rules, or rules of professional conduct applicable to the work to be performed under this RFP.

The written certification is funder mandated and all applicants are required to have explicit measures in place at the time of subaward to safeguard all sub-grant generated Personally Identifiable Information (PII), referenced at 2 CFR 200 §79 and §82; and that each applicant understands the responsibilities associated with safeguarding PII.

Each applicant also acknowledges that in responding to this RFP, that it has or will have by time of subaward explicit measures or security protections in place that are commensurate with the risk and magnitude of the harm resulting from unauthorized access, use, disclosure, disruption, modification, or destruction of subaward generated PII.

Applicant further acknowledges that if selected and upon receipt of a subaward under this Program, that it will be required to provide express notification of imminent or actual applicable data breaches. The definition of “incident” is *‘an occurrence that (1) actually or imminently jeopardizes, without lawful authority the integrity, confidentiality, or availability of information or an information system; or (2) constitutes a violation or imminent threaten of violation of law, security policies, security procedures or acceptable use policies’*. Breach is defined as *‘the loss of control, compromise, unauthorized disclosure, unauthorized acquisition, or any similar occurrence where (1) a person other than an authorized user accesses or potentially accesses personally identifiable information or (2) an authorized user accesses or potentially accesses personally identifiable information for other than authorized purpose’*.

Express and formal notification of a breach or incident must occur within 8 hours of a breach or incident identification by the applicant. Equal Justice Works will upon subaward provide the specific reporting parameters and format for the express notification.

Applicant understands that this pre-certification is a prerequisite under this RFP and the Elder Justice Program, and must be signed for award consideration.

Name	Title
Organization	Date