

# PROVIDER BULLETIN

## PROVIDER INFORMATION



December 1, 2022

### **Update: Change to Cyber Insurance Requirement for Primary Care Clinic and Institutional Providers**

Blue Cross and Blue Shield of Minnesota and Blue Plus (Blue Cross) is modifying the cyber insurance information communicated in the Provider Bulletin, P63-22 and P64-22, published on October 3, 2022, as detailed below.

Provider Bulletins P63-22 and P64-22 communicated changes to the Blue Plus Primary Care Clinic and Institutional Provider Service Agreements (Agreements) to be made effective January 1, 2023. The Agreements are modified periodically to reflect the most current regulatory changes and other clarifications necessary to properly administer the Agreements. The following is an update to both bulletins.

#### **Update to 2023 Renewal Changes Summaries for Primary Care Clinic and Institutional Providers**

The following provision will **NOT** be incorporated into the Blue Plus Primary Care Clinic or Institutional Provider Service Agreements effective January 1, 2023:

Insurance and Indemnification / Cyber Insurance. Each Party shall have and continuously maintain cyber liability insurance, with limits not less than \$2,000,000 per occurrence or claim and \$5,000,000 aggregate, to cover first-party and third-party liability for data privacy and cybersecurity claims related to data breaches, unauthorized access/use of data, damage/loss/theft of data, invasion of privacy, release of private information, cyber extortion, and business interruption (Security Incidents), including any related costs for legal advice, forensic and internal investigations, crisis management, regulatory fines and penalties, credit monitoring, notifications, data recovery and business income loss and expenses. Such insurance shall remain in place during the term of this Agreement and for two (2) years after the expiration or termination of this Agreement, regardless of the reason for termination, provided, however, that coverage shall only apply to any Security Incidents that occur during the term of this Agreement.

The following provision will be incorporated into the Provider Policy and Procedure Manual:

Cyber Insurance. Blue Cross encourages Provider to have and continuously maintain cyber liability insurance to cover first-party and third-party liability for data privacy and cybersecurity claims related to data breaches, unauthorized access/use of data, damage/loss/theft of data, invasion of privacy, release of private information, cyber extortion, and business interruption, including any related costs for legal advice, forensic and internal investigations, crisis management, regulatory fines and penalties, credit monitoring, notifications, data recovery and business income loss and expenses.

#### **Questions?**

Please contact provider services at **(651) 662-5200** or **1-800-262-0820**.