

SUBJECT
NTIS LIMITED ACCESS
DEATH MASTER FILE
COMPLIANCE

POLICY NUMBER
13.01



POLICY MAINTENANCE ADMINISTRATOR: Motorist Services, Bureau of Records

PURPOSE/SCOPE: To educate members about their responsibilities to protect the information the department receives from the National Technical Information Service (NTIS) Limited Access Death Master File (LADMF).

I. AUTHORITY

Chapter 119, Florida Statutes, Public Records.

Section 281.301, Florida Statutes, Security and firesafety systems; records and meetings exempt from public access or disclosure.

Section 282.318, Florida Statutes, Security of data and information technology.

Chapter 815, Florida Statutes, Computer-Related Crimes.

Chapter 60L-36, Florida Administrative Code, Conduct of Employees.

Chapter 74-2, Florida Administrative Code, Information Technology Security.

Governor's Executive Order 19-11 on Ethics, Open Government, and Preventing Sexual Harassment, effective January 8, 2019

15 CFR 1110 Certification Program for Access to the Death Master File

NTIS-DMF Publication 100 (NTIS Security Guidelines), Information Security Guidelines for Use and Protection of Limited Access Death Master File Information

II. RELATED POLICIES

MP 3.06, Disciplinary Process

MP 3.08, Ethics and Personal Responsibility

MP 3.12, Department Fraud

MP 8.01, Information Technology Security

MP 8.03, Acceptable Use of Information Technology Resources

MP 8.07, Security Breach of Personal Information

MP 9.02, Personal Information Exempted from Public Disclosure

Executive Director SIGNED ORIGINAL ON FILE	Effective Date 06/28/2019
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MP 9.03, Providing Records to the Public

MP 9.04, Records Management

Information Security Policy Manual – Members are required to review, acknowledge and adhere to the practices and procedures for information security prescribed within the manual.

III. DEFINITIONS

- A. Accredited Conformity Assessment Body – A third party or impartial, objective entity accredited to assess compliance and attest to the NTIS that a Certified Person has systems, facilities and procedures in place to safeguard LADMF information. For the purposes of this policy, the department’s Office of the Inspector General (OIG) serves as the accredited conformity assessment body.
- B. Certified Persons – Individuals, corporations, companies, associations, firms, partnerships, societies, joint stock companies, and other private organizations, and state and local government departments and agencies, who have been certified under the certification program established by the NTIS and are eligible to access the LADMF file. For the purposes of this policy, Certified Person(s) will be designated from within the department’s Bureau of Records (BOR) and/or Information Systems Administration (ISA).
- C. Limited Access Death Master File (LADMF) – Downloaded file the department receives from the NTIS to aid in the prevention of fraud with regard to the department’s products and services. A deceased individual’s Date of Death (DOD) is protected for the three-calendar-year period beginning on the date of their death. Only Certified Persons in the course of the performance of their department-assigned duties may access, utilize, store and/or disseminate the LADMF file.
- D. Limited Access Death Master File Information – Name, social security account number, date of birth, and date of death of deceased individuals maintained by the Commissioner of Social Security. For the purposes of this policy, the term “LADMF information” is used to differentiate between the information provided by the LADMF file and the actual downloaded LADMF file itself. Authorized members may have access to the LADMF information through department applications, but only Certified Person(s) will have access to the LADMF file.
- E. National Technical Information Service (NTIS) – Entity under the United States Department of Commerce that serves as the U.S. government’s repository for scientific research and information.

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IV. POLICY

The department shall maintain its status as an NTIS LADMF Certified Person at all times.

Members shall only be authorized to access, utilize, store and/or disseminate LADMF information in accordance with their specific, department-assigned duties. Members must adhere to all department procedures and the requirements within the NTIS Security Guidelines for the use and protection of all LADMF information.

Members shall not share LADMF information with other individuals or entities, including, but not limited to, other members, vendors, businesses, partners, or other governmental agencies, unless such individuals or entities are also authorized to access the information to conduct their specific duties. Verification that other individuals or entities are authorized to access the LADMF information must be coordinated through the department's Certified Person(s).

Unauthorized access of LADMF information is prohibited. NTIS Security Guidelines state that unauthorized access occurs when an entity or individual receives or has access to LADMF information without authority. Unauthorized access is willful when it is a voluntary and intentional violation of a known legal duty. Anyone who willfully fails to comply with the NTIS requirements or department procedures regarding the use of LADMF information is subject to disciplinary action, up to and including dismissal.

Department disciplinary actions resulting from non-compliance do not relieve the offending member from any federal penalties outlined within the law.

V. ROLES AND RESPONSIBILITIES

A. Office of the Inspector General (OIG) – As the department's Accredited Conformity Assessment Body, the OIG shall conduct audits that meet the following requirements to ensure compliance with the controls to safeguard LADMF information:

1. Validate that systems, facilities and procedures are in place to protect the LADMF information in accordance with the NTIS Security Guidelines;
2. Submit to the NTIS a summary of the audit results and an attestation that the results demonstrate that the Certified Person has systems, facilities and procedures in place to safeguard LADMF information consistent with the guidelines provided in NTIS Security Guidelines, Section 2.5 for Periodic, Scheduled and Unscheduled Audits;
3. Ensure the audit was performed within the preceding three years; and

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4. Confirm the auditor has been accredited to perform or attest to the audit results.
- B. Bureau of Records (BOR) – BOR shall manage the department’s access to and use of LADMF information, and shall:
1. Designate a member or members to serve as the BOR’s Certified Person(s) and ensure certification is renewed annually;
 2. Identify which department programs, systems and applications will be used to consume and process the LADMF information (DAVID, FDLIS, Motorist Maintenance, etc.);
 3. Coordinate with the Learning Development Office (LDO) to develop and update annual online trainings for all members, contractors, and external partners, in addition to specific training for Certified Person(s) and authorized ISA members;
 4. Determine for what purposes authorized members may access, utilize, store and/or disseminate LADMF information;
 5. Consult with the Information Security Manager (ISM) and ISA personnel to ensure the department’s information security practices are sufficient to safeguard LADMF information;
 6. Coordinate with the department’s OIG to ensure timely triennial audits are performed and reported to the NTIS to maintain departmental access to the LADMF information needed to prevent fraudulent or unauthorized acquisition and/or use of department products and services;
 7. Follow current department protocols when a member with access to LADMF information leaves the department, or no longer requires access to a system which contains LADMF information to perform their specific department-assigned duties, to ensure their user credentials are disabled immediately upon notification; and
 8. Ensure records retention and disposal requirements are met as specified in the Procedures for Safeguarding NTIS Limited Access Death Master File Information.
- C. Office of Enterprise Security Management (ESM) – ESM shall consult with the BOR and the Certified Person(s) to review policies and procedures that are created and maintained for the protection of LADMF information to ensure conformance with existing department information security policies and procedures, and shall:

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1. Confirm for OIG and BOR that the department's systems, facilities and procedures are sufficient to protect the LADMF information in accordance with the NTIS Security Guidelines;
 2. Review the annual audits and processes conducted by the BOR and the Certified Person(s) that ensure each member still has a valid business need to access the LADMF file, as defined above in Section III, Definitions, C.; and
 3. Assist the Learning and Development Office by reviewing applicable annual online trainings for all members, contractors, and external partners, in addition to specific training for Certified Person(s) and authorized ISA members.
- D. Information Systems Administration (ISA) – ISA shall support the BOR, ESM and the Certified Person(s) in their efforts to protect LADMF information by implementing requested action items, and shall:
1. Designate a member or members to serve as ISA's Certified Person(s) and ensure certification is renewed annually; and
 2. Create, activate or disable user credentials as requested by the BOR and the Certified Person(s) for authorized, valid business purposes.
- E. Learning and Development Office (LDO) – LDO shall work with the BOR, the Certified Person(s), and ESM to:
1. Provide annual online trainings for all members, contractors, and external partners that address how to use and protect LADMF information accessed via department systems; and
 2. Provide annual online training for the Certified Person(s) and authorized ISA members on the appropriate procedures when accessing, handling, and disseminating the LADMF file to ensure NTIS compliance and safeguarding of data.
- F. Certified Person(s) – In addition to managing the department's access to and use of LADMF information, Certified Person(s) shall be the primary point-of-contact and liaison for all LADMF issues and shall:
1. Monitor members accessing the LADMF file, as defined above in Section III, Definitions, C. to ensure compliance with all NTIS and department procedures for use and protection of LADMF information;
 2. Ensure that all external entities that are requesting LADMF information, as defined above in Section III, Definitions, D., are authorized (via an

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executed departmental Memorandum of Understanding) to access the information for the performance of their specific duties;

3. Renew Certified Person(s) authorization annually and timely to ensure the department uninterrupted access to the LADMF file as defined above in Section III, Definitions, C.;
4. Immediately report any actual or suspected violations of the use and protection procedures for LADMF information to the BOR whether such violations were intentional or unintentional;
5. Report within three hours of discovery, to NTIS if there are any suspected or actual security incidents or breaches of LADMF information; and
6. Ensure records retention and disposal requirements are met as specified in the Procedures for Safeguarding NTIS Limited Access Death Master File Information.

G. Members Authorized to Access LADMF Information – Members authorized to access LADMF information shall:

1. Access, utilize, store and disseminate LADMF information only for the express purpose of performing specific department-assigned duties;
2. Agree to and comply with all departmental processes and procedures to safeguard LADMF information;
3. Complete annual online training as assigned to ensure knowledge is current on the use and protection of LADMF information accessed via department systems;
4. Never share LADMF information with other individuals or entities, including, but not limited to, other members, vendors, businesses, partners, or other governmental agencies, unless such individuals or entities are also authorized to access the information to conduct their specific duties. Verification that other individuals or entities are authorized to access the LADMF information must be coordinated through the department's Certified Person(s) **prior to disclosure** of any information; and
5. Report to the Certified Person(s), the BOR and the ISM, immediately upon discovery, any suspected or actual improper use or disclosure of LADMF information by other individuals or entities.

H. All Members – Report to the Certified Person(s), the BOR and the ISM, immediately upon discovery, any suspected or actual improper use or disclosure of LADMF information by individuals or other entities.

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VI. PROCEDURES

For more detailed information on the department's processes for safeguarding LADMF information, please review the Procedures for Safeguarding NTIS Limited Access Death Master File Information.

For information on the department's processes for safeguarding all data assets, which includes LADMF information, please review the Information Security Policy Manual.