Cybersecurity Annual Certification Form FAQs

1. **What is a Cybersecurity Annual Certification?**
   OCI licensees are required to develop and implement an information security program, per s. 601.952, Wis. Stat., and to provide the Office an annual certification that the licensee is in compliance with the requirements of this statute.

2. **Which licensees are required to submit a cybersecurity certification, per s.601.952 (8), Wis. Stat?**

   a. Insurance companies domiciled in Wisconsin

   b. Intermediary firms (agencies) and other business entities (e.g.: EBPAs, Navigator entities), that are domiciled in Wisconsin and that have received a license at the agency/business entity level from OCI Agent Licensing

3. **Are individual agents required to submit a cybersecurity certification?**
   No, licensees that have fewer than 50 employees are exempt from developing and implementing a comprehensive information security program. This exemption applies to all individual agents.

4. **Section 601.951 (2), Wis. Stat., lists several exceptions to most of the requirements in the data security law. If one of these exceptions applies, does the licensee need to submit a certification? For example, if the licensee is subject to and compliant with HIPAA, is a certification required?**
   Yes, all licensees listed in number 2 above are required to submit the annual certification. The licensee can list any exception that may apply in a text box on the form.

5. **Does the certification requirement apply to entities such as banks or farm implement companies?**
   Yes, some banks and other business entities offer insurance products to their customers. If the entity is domiciled in Wisconsin and has received a license from OCI Agent Licensing, it is required to submit a certification.

6. **Section 601.952 (9), Wis. Stat., states that a licensee is exempt from the requirement to implement a written information security program if the licensee meets any one of the listed criteria. If an exemption applies, is the licensee required to submit a certification? For example, if the licensee has fewer than 50 employees, is a certification required?**
   Yes, a certification must still be submitted. The Office may not have sufficient information to determine which companies and business entities may meet an exemption, so the annual

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certification form claiming the exemption must be submitted. The licensee should indicate which of the exemptions apply by checking the appropriate box(es).

7. **Is there any certification filing requirement for licensees that are not domiciled in Wisconsin?**

No, the certification submission requirement only applies to licensees domiciled in Wisconsin.

8. **How does a licensee submit a certification?**

   a. Insurers – The certification form will be included in the insurer's annual statement packet and should be submitted through the Financial Filing Portal at https://oci.wi.gov/Pages/Companies/MakeFinancialFilings.aspx. Annual statement packets by insurer filing type are located at the top of https://oci.wi.gov/Pages/Companies/AnnualQuarterlyFilingInformation.aspx.

   b. Intermediary Firms and other business entities licensed by OCI Agent Licensing – The certification form is available at https://public.oci.wi.gov/finform/public/cybersecurity by entering the entity's NPN.

9. **What information must be provided on the Certification form? Is a sample copy available?**

The form requests general information to identify the licensee, provides a section to allow the licensee to indicate it is exempt from the requirement to implement an information security program and requires the licensee to attest that it complies with all applicable requirements to implement an information security program.

A sample copy of the Annual Certification form is available here: https://oci.wi.gov/Documents/Companies/CybersecurityAnnualCertificationFormSAMPLE.pdf

10. **When is the certification submission due?**

Annual certifications must be provided to OCI no later than **March 1** each year.

11. **What is the filing year?**

The annual certification attests that the licensee was in compliance with the requirements of the law during the prior calendar year. When completing the form, choose the prior calendar year for the filing year. For example, certifications due by March 1, 2024 should have a filing year of 2023.

12. **I tried entering my NPN and nothing came up?**

You need to enter the NPN for your agency, not your individual NPN. Please note that the agency's NPN is not the same as its license number.

You can find the agency's NPN by using the Lookup Tool at oci.wi.gov/lookup. Click on "Look Up an Insurance Agency" and follow the instructions. Remember that the Entity Type is Business Entity.

You can also find the agency's NPN on the National Insurance Producer Registry's (NIPR's) web site at https://nipr.com/.

13. How do I know if my agency is licensed?

There is no requirement that agencies be licensed in Wisconsin, although it is an option. If you are not sure if your agency has received a license, you can check using the Lookup Tool, as explained in the previous question.

14. I closed my agency 2 years ago; why am I required to submit a certification?

Your agency's license may still be active. If you wish to surrender the agency's license voluntarily, send an email to OCI Agent Licensing at ociagentlicensing@wisconsin.gov.

15. I am an exclusive agent for one insurance company and my agency is subject to the insurer's cybersecurity program. Do I still need to submit a certification?

Yes. If your agency is licensed by OCI Agent Licensing, you need to submit a certification. You may indicate in the text box that the agency is subject to the insurance company's cybersecurity program.

16. I just completed the cybersecurity training required by the insurer I represent. Should I submit a copy of the training certificate?

No, you do not need to attach any documents. The certification refers to compliance with Wisconsin's insurance data security law; it does not refer to any cybersecurity training courses that you may have taken.

17. Where can I find more information on the cybersecurity law?

Information is available on OCI's website at https://oci.wi.gov/Pages/Cybersecurity.aspx

18. If I have additional questions, who should I contact?

Please email any additional questions to OCICyberReport@wisconsin.gov.