H.B. 3834 Information Security/Cybersecurity Training Requirement for Contractors

Frequently Asked Questions

Updated September 3, 2020

1. Why must a contractor complete a cybersecurity training program?

- As defined in Section 2054.5192 of the Texas Government Code, HHS shall require any contractor with access to an HHS computer system or database to complete a cybersecurity training program certified by the Texas Department of Information Resources (DIR).

2. Who is required to complete a cybersecurity training program?

- A contractor with access to an HHS computer system or database shall complete a DIR-certified cybersecurity training program. “Contractor” is defined to include any officer, employee or subcontractor.

- Only a contractor’s officers, employees or subcontractors with access to an HHS computer system or database are required to complete a DIR-certified cybersecurity training program. Those who do not have access are not required to complete cybersecurity training.

- If a contractor hires an officer, employee or subcontractor, that officer, employee or subcontractor must complete a DIR-certified cybersecurity training program before being given access to an HHS computer system or database.

- A subcontractor includes any private, publicly held or governmental entity with whom the contractor enters into an agreement to perform all or part of the work the contractor is expected to complete, including host-home providers, dentists, etc.
By what date must an existing contractor first complete a cybersecurity training program?

- A contractor’s officers, employees or subcontractors with access to an HHS computer system or database should complete a DIR-certified cybersecurity training program by April 30, 2020.

- A contractor should acknowledge compliance with this requirement by completing the HHS Form 3834 Written Acknowledgement of Completion of Cybersecurity Training Program and providing the form to their designated contract manager no later than April 30. Only one form is required for each contractor. No other proof of training completion is required.

- If a contractor is unable to provide the form to their designated contract manager by April 30, no punitive action will be taken against the contractor. The deadline is intended to trigger reminders, facilitate tracking and help the agency achieve full compliance by June 1, 2020.

How often must a contractor complete a cybersecurity training program?

- **New Contracts:** A contractor with access to an HHS computer system or database shall complete a DIR-certified cybersecurity training program and acknowledge compliance using HHS Form 3834 before the contract’s execution.

- **Contract Renewals:** A contractor with access to an HHS computer system or database shall again complete a DIR-certified cybersecurity training program and acknowledge compliance using HHS Form 3834 before the execution of a contract renewal.

Which HHS contractors are required to comply with the cybersecurity training program requirement?

- This requirement pertains to all contract types, including memoranda of understanding, interagency agreements and interlocal agreements.

- This requirement pertains to all contractors, including private, publicly held and governmental entities.

To which HHS computer systems and databases does this requirement pertain?

- This requirement pertains to all HHS computer systems and databases,
including a secure file transfer protocol, the HHS learning portal, the State of Texas Automated Information Reporting System, etc.

7 Does this apply to contractors with only limited access to an HHS computer system or database?

- Yes. This requirement pertains to any level of access to an HHS computer system or database.
- This requirement does not pertain to a contractor who assists a client in completing an application under the client’s login credentials and in the presence of that client (for example, assisting a SNAP applicant).

8 Does HHS offer contractors a DIR-certified cybersecurity training program?

- Yes. HHS Information Security/Cybersecurity Training (PDF) is a DIR-certified cybersecurity training program provided as a PDF to assist contractors with meeting this requirement. However, a contractor may complete any DIR-certified cybersecurity training program.
- The HHS Information Security/Cybersecurity Training is a duplicate of the training slide deck approved by the DIR for HHS staff. As such, reference is made to a quiz required to be completed at the end of the presentation with a score at least 85% to receive credit for the course. Contractors which elect to direct staff to complete the HHS Information Security/Cybersecurity Training should inform staff to disregard reference to the quiz which is only applicable and accessible to HHS staff. After all applicable staff complete the HHS Information Security/Cybersecurity Training, a Form 3834 is submitted to the contractor’s contract manager.

9 Does this requirement pertain to temporary workers hired through WorkQuest, a set-aside program?

- Yes. However, no action is required of the hiring manager because the WorkQuest contractor will be providing all temporary workers assigned to HHSC and DSHS with a DIR-certified cybersecurity training program before onboarding. The WorkQuest contractor has provided HHS with acknowledgement of compliance.
- Please disregard the reference to the quiz at the end of the training. That training was originally the HHSC-internal training and HHSC employees have to pass the quiz. What you are responsible for is making sure staff take DIR-approved training and then completing the attestation form, it appears they used the staff training
material as a reference; however, I don’t think IT intended to retain the quiz references in the material because there is no link to a quiz in the document