



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

Frequently Asked Questions

Updated May 5, 2021

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.
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3. 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 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 before the execution of a contract renewal.

4. 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.

5. 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.

6. 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).

7. How do contractors provide HHS evidence of completion of a DIR-certified cybersecurity training program?

- Contractors acknowledge completion of a DIR-certified cybersecurity training program by completing Form 3834 and submitting it to their HHSC or DSHS contract manager.
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- Contractors required to report compliance to the DIR are not required to submit Form 3834 to HHS (e.g., state agency or local governments).
 - As defined in Chapter 2054 of Texas Government Code, a **state agency** includes a department, commission, board, office, council, authority, or other agency in the executive or judicial branch of state government that is created by the constitution or a statute of this state, including a university system or institution of higher education as defined by Section 61.003, Education Code.
 - As defined in Chapter 2054 of Texas Government Code, **local government** includes a county, municipality, special district, or other political subdivision of the state.

8. 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.
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