
Letter Number 2026-05**Date: March 26, 2026**

Fee-for-service [5]

Experience-rated HMO [5]

Community-rated HMO [5]

Subject: Mandatory Compliance with FEHB and PSHB Contract Requirements for Reporting Information Security Incidents and Data Breaches

This Carrier Letter reiterates and enforces existing Federal Employees Health Benefits (FEHB) and Postal Service Health Benefits (PSHB) Program Carrier¹ contract requirements for reporting information security incidents (incidents) and data breaches to the U.S. Office of Personnel Management (OPM). These requirements were established in [Carrier Letter 2017-14](#) and incorporated into successive FEHB contracts as well as PSHB contracts, including the 2026 standard contract.

The Federal Employees Health Benefits Acquisition Regulation (FEHBAR) at 48 CFR 1609.7001 requires Carriers to operate in accordance with prudent business practices, including timely compliance with OPM instructions and directives. Contract section 1.7 requires Carriers to maintain records and to furnish reports to OPM that are reasonably necessary for OPM to carry out its program administration responsibilities under Chapter 89 of title 5, United States Code.

OPM continues to observe non-compliance with mandatory incident and breach reporting timeframes. Delayed reporting, whether by days, months, or longer, impairs OPM's ability to respond, increases risk to FEHB and PSHB member information, and constitutes non-compliance with Carrier contract

¹ For brevity, FEHB and PSHB Carriers will be referred to as "Carriers" throughout this document.

requirements. Such non-compliance may result in corrective action under applicable contract provisions, including Sections 1.12 and 1.15, following appropriate notice and opportunity to respond.

Mandatory Initial Reporting Timeframes

Carriers and subcontractors must comply with the reporting timeframes established in their Carrier contracts. These requirements apply to incidents involving OPM-owned systems (including the Letter of Credit (LOC) Account system) and to Carrier or subcontractor systems that contain or process FEHB or PSHB Program data.

Carriers must report to OPM:

- **Within 30 minutes** of becoming aware of a breach or potential breach involving the OPM LOC Account system, pursuant to Section 1.35; and
- **No later than 24 hours** after the Carrier's incident response team determines that the confidentiality, integrity, or availability of FEHB or PSHB member protected health information (PHI) has been compromised, or when the Carrier notifies law enforcement of such incident or breach, pursuant to Section 1.37; and
- **No later than the calendar day following notice to the Carrier** of a subcontractor incident or breach, pursuant to Section 1.37.

A subcontractor's knowledge of a reportable incident or breach is imputed to the Carrier upon notification to the Carrier or discovery by the subcontractor. The Carrier remains fully responsible for timely reporting to OPM within these timeframes, and any failure to do so will be treated as non-compliance by the Carrier.

Question 1: How must incidents and breaches be reported?

LOC breaches or potential security breaches must be reported to the OPM Situation Room at:

- Email: sitroom@opm.gov
- Phone: (202) 418-0111

The Contracting Officer must be copied on all such notifications.

All other incidents, breaches, or potential incidents or breaches, including those involving subcontractors, must be reported to:

- Email: Cybersolutions@opm.gov
- Phone: (844) 377-6109

Additionally, Carriers must notify their assigned Health Insurance Specialist either at the time of the initial report or immediately thereafter.

Required Content of Initial Reports:

Carriers must complete the attached *OPM Sensitive Info Loss Reporting Form (OPM Form 5084 v.3)* and email it to Cybersolutions@opm.gov. All initial reports must include, to the extent known:

- Time of discovery;
- A brief description of the nature of the incident or breach;
- An estimate of the number of affected FEHB and/or PSHB members (if feasible);
- Current containment status (e.g. Investigating, Contained, Eradicated, Recovered, Closed); and
- Immediate and planned remedial actions.

Any data shared with OPM relating to an incident or breach must be transmitted securely.

Question 2: What follow-up actions are required after initial reporting?

Carriers must provide additional information as soon as it becomes available. For breaches involving Personally Identifiable Information (PII), notice to enrollees must be coordinated with OPM before any communication with enrollees and the Carrier must follow OPM guidance.

In the case of a subcontractor breach or incident, the Carrier or its subcontractor may notify enrollees, and the OPM Contracting Officer may direct the Carrier to issue a separate notice, pursuant to Section 1.37.

Recurring Incidents and Failure to Remediate

OPM will analyze patterns of incidents, reporting delays, corrective actions, and remediation across the FEHB Program, including the PSHB Program. If OPM determines that a Carrier has experienced recurring or substantially similar incidents and that prior remediation or corrective actions failed to address root causes or prevent recurrence, OPM may conclude that the Carrier has failed to exercise prudent business practices.

Repeated incidents of the same or similar nature, whether involving the Carrier or its subcontractors, may be treated as evidence of negligence and may constitute grounds for enforcement action, up to and including contract termination under Sections 1.12 and 1.15.

Question 3: What are the implementation requirements?

Within 30 days of issuance of this letter, Carriers must ensure their incident response policies and procedures explicitly incorporate these reporting requirements. Evidence of updates must be provided to the Contracting Officer upon request. Failure to implement these requirements may be treated as a significant event under Section 1.10 and may result in enforcement action.

OPM recognizes Carriers' role in administering the FEHB Program, including the PSHB Program, and providing benefits to Federal and Postal Service employees, annuitants, and their families. However, continued delays or lapses in compliance with incident and breach reporting requirements will

not be tolerated. Questions regarding this Carrier Letter should be directed to your Contracting Officer.

Sincerely,

D. Shane Stevens
Associate Director
Healthcare and Insurance