

ALCONA COUNTY LIBRARY OPERATING POLICY AND PROCEDURES

Privacy of Social Security Numbers

Administrative Policy adopted by the County Commissioners effective January 1, 2006 and accepted by the Library Board 2/22/2006.

I. POLICY

1. Policy: it is the policy of Alcona County to comply with the Social Security Privacy Act, Act 454 of the Public Acts of 2004, MCL 445.81 Ct. seq., to assure that the privacy of Social Security numbers gathered by Alcona County employees in the course and scope of their duties are protected from unlawful disclosure.

II. PRINCIPLES

1. Statutory References:

The Board of Commissioners may establish such rules and regulations regarding the business concerns of the County as the Board considers necessary and proper. See: MCL 46.11(m); Act 151 of the Public Acts of 1851, as amended. The Social Security Number Privacy Act requires that the Board of Commissioners adopt a privacy policy to protect the privacy of Social Security numbers possessed or obtained by Alcona County. See: MCL 445.81, et seq., Act 454 of the Public Acts of 2004.

2. Operational Guidelines:

(1) Except as provided in subsection (2), no Alcona County agency or employee shall intentionally do any of the following with the Social Security number of an employee or other individual:

(a) Publicly display all or more than 4 sequential digits of the social security number.

(b) Subject to subsection (3), use all or more than 4 sequential digits of the Social Security number of an individual.

(c) Visibly print all or more than 4 sequential digits of the Social Security number on any identification badge or card, membership card, or permit or license.

(d) Require an individual to use or transmit all or more than 4 sequential digits of his or her Social Security number over the Internet or a computer system or network unless the connection is secure or the transmission is encrypted.

(e) Require an individual to use or transmit all or more than 4 sequential digits of his or her Social Security numbers to gain access to an internet website or a computer system or network unless the connection is secure, the transmission is encrypted, or a password or other unique personal identification number or other authentication device is also required to gain access to the internet website or computer system or network.

(f) Include all or more than 4 sequential digits of the Social Security number in or on any document or information mailed or

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otherwise sent to an individual if it is visible on or, without manipulation, from outside of the envelope or packaging.

(g) Subject to subsection (3), include all or more than 4 sequential digits of the Social Security number in any document or information mailed to a person, unless any of the following apply:

- i. State or federal law, rule, regulations, or court order or rule authorizes, permits or requires that a Social Security number appear in the document.
- ii. The document is sent as part of an application or enrollment process initiated by the individual.
- iii. The document is sent to establish, confirm the status of service, amend, or terminate an account, contract, policy, or employee or health insurance benefit or to confirm the accuracy of a Social Security number of an individual who has an account, contract, policy, or employee or health insurance benefit.
- iv. The document or information is mailed by Alcona County under any of the following circumstances:
 - a. The document or information is a public record and is mailed in compliance with the Michigan Freedom of Information Act, 1976 PA 442, MCL 15.231 to 15.246.
 - b. The document or information is a copy of a public record filed or recorded with a public recorded filed or recorded with a county clerk or register of deeds office and is mailed by that office to a person entitled to receive that record.
 - c. The document or information is a copy of a vital records recorded as provided by law and is mailed to a person entitled to receive that record.
- v. The document or information is mailed by or at the request of an individual whose Social Security number appears in the document or information or his or her parent or legal guardian.
- vi. The document or information is mailed in a manner or for a purpose consistent with subtitle A of Title V of the Gramm-Leach-Bliley Act, 15 USC 6801 TO 6809; with the Health Insurance Portability and Accountability Act of 1996, Public Law 104-191; or with section 537 or 539 of the insurance code of 1956, 1956 PA 218, MCL 500.537 and 500.539.

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- (2) Subsection (1) does not apply to any of the following:
- (a) A use of all or more than 4 sequential digits of a Social Security number that is authorized or required by state or federal statute, rule, or regulation, by court order or rule, or pursuant to legal discovery of process.
 - (b) A use of all or more than 4 sequential digits of a Social Security number by a title IV-D agency, law enforcement agency, court, or prosecutor as part of a criminal investigation or prosecution, or providing all or more than 4 sequential digits of a Social Security number to a title IV-D agency, law enforcement agency, court, or prosecutor as part of a criminal investigation or prosecution.
- (3) It is not a violation of subsection (1)(b) or (g) of this Policy to use all or more than 4 sequential digits of a Social Security number if the use is any of the following:
- (a) An administrative use of all or more than 4 sequential digits of the Social Security number in the ordinary course of business, by an Alcona County employee or a vendor or contractor of Alcona County, to do any of the following:
 - i. Verify an individual's identity, identify an individual, or do another similar administrative purpose related to an account, transaction, product, services, or employment.
 - ii. Investigate an individual's claim, credit, criminal, or driving history.
 - iii. Detect, prevent, or deter identify theft or another crime.
 - iv. Lawfully pursue or enforce a person's legal rights, including, but not limited to, an audit, collection, investigation, or transfer of a tax, employee benefit, debt, claim, receivable, or account or an interest in a receivable or account.
 - v. Lawfully investigate, collect, or enforce a child or spousal support obligation or tax liability.
 - vi. Provide or administer employee or health insurance or membership benefits, claims or retirement programs or to administer the ownership of shares of stock or other investments.
 - (b) A use of all or more than 4 sequential digits of a Social Security number as a primary account number that meets both the following:
 - i. The use began before the effective date of this act.
 - ii. The use is ongoing, continuous, and in the ordinary course of business. If the use is stopped for any reason, this subdivision no longer applies.

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(4) All or more than 4 sequential digits of a Social Security number contained in a public record are exempt from disclosure under the Michigan Freedom of Information Act, 1976 PA 442 MCL 15.231 to 15.246, pursuant to Section 13(1)(d) of the Michigan Freedom of Information Act, MCL 15.243(1)(d).

(5) Only those Alcona County employees who must have access to Social Security numbers to perform their job functions shall have access to Social Security numbers, and access to Social Security numbers by any other employee of Alcona County is prohibited.

(6) Documents which contain Social Security numbers will be retained in accordance with the requirements of state and federal laws. At such time as documents containing Social Security numbers may be disposed of, such disposal shall be accomplished in a manner that protects the confidentiality of the Social Security numbers, such as shredding.

(7) Alcona County shall take reasonable measures to enforce this Privacy Policy and to correct and prevent the reoccurrence of any known violations. Any employee, who knowingly obtains, uses or discloses Social Security numbers for unlawful purposes or contrary to the requirements of this privacy policy shall be subject to discipline up to and including discharge. Additionally, certain violations of the Act carry criminal and/or civil sanctions. Alcona County will cooperate with appropriate law enforcement or administrative agencies in the apprehension and prosecution of any person who knowingly obtains, uses or discloses Social Security numbers through Alcona County for unlawful purposes.

Library Board Reviewed 4-23-2014
Reviewed 10-26-2016