



STEPHENS & STEPHENS PRIVACY POLICY

The privacy of our clients has always been of utmost importance to *STEPHENS & STEPHENS*. The privacy policy outlined below applies to the Social Security data we collect from you. This is our notice to you about why we collect your personal information, how we use it, who we share it with and how we protect the information we collect and maintain.

How and why we collect your personal information:

- We ask that you provide us with your Social Security number at the time we initially undertake your representation.
- We need your Social Security number to obtain your medical records and wage information. We do not use the information for any other internal secondary purpose.
- If you do give us your personal information, we treat it very carefully.
- We collect personal information about you (e.g., name, email address, Social Security number or other unique identifier) only if you specifically and knowingly give it to us.

How this personal information is protected:

- We will take reasonable precautions to maintain the security, confidentiality and integrity of the information we collect.
- Information in your file is confidential and is only accessible to members of our staff.

How and when we will use your personal information:

- We do not sell the information we collect.
- The personal information you give us will be used only in connection with the prosecution of your claim and for other purposes as described in this document or at the point the information is collected.

Who we will share your personal information with:

- We may disclose your Social Security number to health care providers, employers, and the Internal Revenue Service in order to obtain evidence relevant to your claim.
- We may also disclose your Social Security number to an adverse party if requested to do so in the course of the discovery process and only where such information is relevant to the claim.

How we dispose of this personal information:

- At the conclusion of your case, your file will be stored in a secured storage facility for a period of at least five (5) years. At that time if it is appropriate we will destroy your file, including information about your Social Security number.
- HB 1130 - AN ACT
- relating to the adoption of a privacy policy by a person who requires the disclosure of an individual's social security number; providing a civil penalty.

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• BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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• SECTION 1. Subchapter D, Chapter 35, Business & Commerce Code, is amended by adding Section 35.581 to read as follows:

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• Sec. 35.581. PRIVACY POLICY NECESSARY TO REQUIRE DISCLOSURE
• OF SOCIAL SECURITY NUMBER.

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• (a) A person may not require an individual to disclose the individual's social security number to obtain goods or services from or enter into a business transaction with the person, unless the person:

- (1) adopts a privacy policy;
- (2) makes the privacy policy available to the individual; and
- (3) maintains under the privacy policy the confidentiality and security of a social security number disclosed to the person.

• (b) A privacy policy adopted under this section must include how personal information is collected, how and when the personal information is used, how the personal information is protected, who has access to the personal information, and how the personal information is disposed.

- (c) This section does not apply to:
 - (1) a person who is required to maintain and disseminate a privacy policy under the Gramm-Leach-Bliley Act (15 U.S.C. Sections 6801 to 6809), the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g), or the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.);
 - (2) a covered entity under rules adopted by the commissioner of insurance relating to insurance consumer health information privacy or insurance consumer financial information privacy;
 - (3) a governmental body, as defined by Section 552.003, Government Code, other than a municipally owned utility; or
 - (4) a person with respect to a loan transaction, if the person is not engaged in the business of making loans.
- (d) A person who violates Subsection (a) is liable to the state for a civil penalty in an amount not to exceed \$500 for each calendar month during which a violation occurs. The civil penalty may not be imposed for more than one violation that occurs in a month. The attorney general or the prosecuting attorney in the county in which the violation occurs may bring suit to recover the civil penalty imposed under this section.
- (e) The attorney general may bring an action in the name of the state to restrain or enjoin a person from violating Subsection (a).
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- SECTION 2. This Act takes effect September 1, 2005.