

**LEELANAU COUNTY  
BOARD POLICY**

GENERAL SUBJECT:	Administration/General (County Administrator)	Policy No.	<b>21</b>
SPECIFIC SUBJECT:	Social Security Number Privacy Policy	Adopted:	02/21/2006
		Revised:	09/17/2013

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APPLIES TO: All Leelanau County elected officials, employees, volunteers, student interns, and others who handle Social Security numbers and other personal information such as independent contractors and/or third party administrators.

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PURPOSE: Leelanau County is required by the Michigan Social Security Number Privacy Act, Public Act 454 of 2004, MCL 445.81 et seq., (the "Act") to create a privacy policy concerning the Social Security numbers that it possesses or obtains.

The Social Security Number Privacy Policy will protect the confidentiality of all Social Security numbers obtained by Leelanau County. It will also provide methods to ensure the confidentiality of Social Security numbers, prohibit their unlawful disclosure, limit access to, provide for disposal of documents that include them, and establish penalties for violations of the privacy policy. The Privacy Policy sets forth the County's policies and procedures regarding how Social Security numbers are obtained, stored, transferred, used, disclosed and disposed of.

1. Policy Statement: Leelanau County will protect the confidentiality of Social Security numbers obtained in the ordinary course of County business from employees, vendors, contractors, customers or others. No person shall knowingly obtain, store, transfer, use, disclose or dispose of a Social Security number that the County obtains or possesses except in accordance with the Act and this Privacy Policy.

2. Definitions:  
Redacted – to cover prior to copying or viewing, "black" or "white" out on copies.

Public Display – to exhibit, hold up, post, make visible or set out for open view, including, but not limited to, open view on a computer device, computer network, website, or other electronic medium or device to members of the public or in a public manner.

3. Reference and Legal Authority:

- Social Security Number Privacy Act, 2004 PA 454, as amended; MCL 445.81 et seq.
- Freedom of Information Act (FOIA), 1976 PA 442, as amended; MCL 15.231 et seq.
- Open Meetings Act (OMA), 1976 PA 267, as amended; MCL 15.261 et seq.
- Michigan Vehicle Code (MVC), 1949 PA 300, as amended; MCL 257.208c
- Disclosure of Personal Information on Documents Act, 2000 PA 1, as amended; MCL 37.251 et seq.
- State Personal Identification Card Act, 1972 PA 222, as amended; MCL 28.291 et seq.
- Bullard-Plawecki Employee/Right to Know Act, 1978 PA 397, as amended; MCL 423.501 et seq.
- Social Security Act, 42 USC 405(c)(2)(C)(viii), as amended
- Social Security Administration Rules, 20 CFR Part 401
- The Privacy Act of 1974, 5 USC 552a, as amended
- Health Insurance Portability and Accountability Act (HIPAA), 45 CFR 160 and 164, as amended

4. Obtaining Social Security Numbers: Social Security numbers should be collected only where required by federal and state law or as otherwise permitted by federal and state law for legitimate reasons consistent with this Privacy Policy.

Legitimate reasons for collecting a Social Security number include, but are not limited to:

- Applicants may be required to provide a Social Security number for purposes of a pre-employment background check.
- Copies of Social Security cards may be obtained for purpose of verifying employee eligibility for employment.
- Social Security numbers may be obtained from employees for tax reporting purposes, for new hire reporting, or for purposes of enrollment in any County employee benefit plans. Social Security numbers may be obtained from creditors or vendors for tax reporting purposes.

5. Public Display: All or more than four sequential digits of a Social Security number shall not be placed on identification cards, badges, timecards, employee rosters, bulletin boards, permits, licenses, or any other materials or documents designed for public display. Documents, materials or computer screens that display all or more than four sequential digits of a Social Security number shall be kept out of public view at all times.

6. Account Numbers: All or more than four sequential digits of a Social Security number shall not be used as a primary account number for an individual.

7. Computer Transmission: All or more than four sequential digits of a Social Security number shall not be used or transmitted on the Internet or on a computer system or network, unless the connection is secure or the transmission is encrypted.
8. Mailed Documents: County documents containing all or more than four sequential digits of a Social Security number shall only be sent in cases where state or federal law, rule, regulation, or court order or rule authorizes, permits or requires that a Social Security number appear in the document. Documents containing all or more than four sequential digits of a Social Security number that are sent through the mail shall not reveal the number through the envelope window or otherwise be visible from outside the envelope or package.
9. Freedom of Information Act: Where all or more than four sequential digits of a Social Security number are contained within a document subject to release under the Freedom of Information Act, the Social Security number shall be redacted or otherwise rendered unreadable before the document or copy of a document is disclosed.
10. Storage: All documents containing Social Security numbers shall be stored in a physically secure manner. Social Security numbers shall not be stored on computers or other electronic devices that are not secured against unauthorized access.
11. Access to Social Security Numbers: Only personnel who have legitimate business reasons to know will have access to records containing Social Security numbers. The department heads having access to records containing Social Security numbers shall determine which other personnel within their departments have a legitimate reason in the County's ordinary course of business to have access to such Social Security numbers. Personnel using records containing Social Security numbers must take appropriate steps to secure such records when not in immediate use.
12. Disposal: Documents containing Social Security numbers will be retained in accordance with the requirements of state or 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 or burning. Records waiting disposal will be kept in a secured area, such as a locked file cabinet. Records containing Social Security numbers or confidential information should not be retained beyond their destruction date (unless a Freedom of Information Act (FOIA) request has been received for a particular record or the County's legal counsel directs otherwise.)
13. Unauthorized Use or Disclosure of Social Security Numbers: The 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. The 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 the County for unlawful purposes.

14. Training: Training of all officials, employees, volunteers, student interns, independent contractors, and other persons who might come in contact with Social Security numbers so that they understand that they must comply with the:

- Michigan Social Security Number Privacy Act.
- The County's Social Security Number Privacy Policy.
- Procedures and training regarding the use (or nonuse) of Social Security numbers.

If a third party company is used for anything that involves Social Security numbers (payroll, medical benefits, etc.):

- Ensure they are aware of the County's Social Security Number Privacy Policy.
- Prohibit them from disclosing Social Security numbers except as required by state or federal law.
- Monitor the third party's use of and safeguards for Social Security numbers.

Employees will be trained to never leave a computer terminal unattended when Social Security numbers are visible on screen.

Employees will be trained regarding Social Security numbers and their exemption from Freedom of Information Act (FOIA) disclosure. Michigan law prohibits disclosure of a Social Security number, and Social Security numbers are specifically exempt from FOIA disclosure. When records that are subject to disclosure under the FOIA contain Social Security numbers, all Social Security numbers must be "redacted" (covered prior to copying or viewing, "black" or "white" out on copies.)

All officials, employees, volunteers, student interns, independent contractors and other persons who might receive a Freedom of Information Act (FOIA) request will be trained to know how they should get the request to the proper person (FOIA coordinator and his/her designee) who can determine FOIA compliance AND ensure that Social Security numbers are not disclosed.

If Social Security numbers are improperly disclosed:

- Promptly consult the County's legal counsel for specific guidance;

- Promptly notify the individuals potentially affected;
- Promptly notify the County's liability insurance carrier; and
- Take steps to determine how the Social Security numbers were disclosed and prevent future disclosures.

Leelanau County endorses a "clean desk" policy that requires all County personnel to return all documents and materials that contain Social Security numbers to confidential locations when they are not at their workstations.

Employees are encouraged not to take materials containing Social Security numbers away from their office, never leave materials where anyone else can see them, and take steps to adequately protect Social Security numbers by storing them in confidential locations that cannot be accessed by unauthorized individuals.

Information Technology (IT) staff will render Social Security numbers in electronic files and databases irretrievable, by erasing and then physically destroying such information before discarding the files, databases or the computer equipment. I.T. staff will limit the number of people capable of doing this.