

Administrative Policy - Privacy of Social Security Numbers

I. POLICY

1. **Policy:** It is the policy of Antrim County to comply with the Social Security Privacy Act, Act 454 of the Public Acts of 2004, MCL 445.81 et seq., to assure that the privacy of Social Security numbers gathered by Antrim 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 Antrim County See: MCL 445.81, et seq., Act 454 of the Public Acts of 2004.
2. **County Legislative or Historical References:** None.
3. **Operational Guidelines:**
 - a. Except as provided in subsection (b), no Antrim County agency or employee shall intentionally do any of the following with the Social Security number of an employee or other individual:
 - i. Publicly display all or more than 4 sequential digits of the social security number.
 - ii. Subject to subsection (c.), use all or more than 4 sequential digits of the Social Security number of an individual.
 - iii. 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.
 - iv. 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.
 - v. Require an individual to use or transmit all or more than 4 sequential digits of his or her Social Security number 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.
 - vi. Include all or more than 4 sequential digits of the Social Security number in or

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

- vii. Subject to subsection (c.), 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:
 1. State or federal law, rule, regulation, or court order or rule authorizes, permits, or requires that a Social Security number appear in the document.
 2. The document is sent as part of an application or enrollment process initiated by the individual.
 3. 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.
 4. The document or information is mailed by Antrim 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 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.
 5. 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 is his or her parent or legal guardian.
 6. 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.
- b. Subsection (a.) does not apply to any of the following:
 - i. 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 or process.

- ii. 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.
- c. It is not a violation of subsection (a.)(i.) or (vii.) 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:
- i. An administrative use of all or more than 4 sequential digits of the Social Security number in the ordinary course of business, by an Antrim County employee or a vendor or contractor of Antrim County, to do any of the following:
 1. Verify an individual's identity, identify an individual, or do another similar administrative purpose related to an account, transaction, product, service, or employment or proposed account, transaction, product, service, or employment.
 2. Investigate an individual's claim, credit, criminal, or driving history.
 3. Detect, prevent, or deter identity theft or another crime.
 4. 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.
 5. Lawfully investigate, collect, or enforce a child or spousal support obligation or tax liability.
 6. 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.
 - ii. 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:
 1. The use began before the effective date of this act.
 2. 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.

- d. 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).
 - e. Only those Antrim 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 Antrim County is prohibited.
 - f. Documents which contain Social Security numbers that are no longer needed by Antrim County shall be destroyed by shredding.
 - g. An Antrim County employee who violates this Policy shall be subject to discipline up to and including termination.
4. **Fees:** Not applicable.
5. **Operational Guidelines – Additional:** None appropriate.
6. **Exceptions:** None appropriate.
7. **Implementation Authority:** Upon adoption of this Policy, the Board of Commissioners authorizes the County Coordinator/Planner and the County Clerk to establish any procedures that may be necessary for implementation.
8. **Periodic Review:** The County Coordinator/Planner will review this Policy at least once every two years, and will make recommendations for changes to the Planning and Policy Committee.