

**Note:** *This sample notice form applies only to agencies doing business in 1982 Act States. (See Appendix 6 for more details.)*

*[Insert name of institution]*  
**Privacy Policy Notice**

(as of [insert date])

**PURPOSE OF THIS NOTICE**

Title V of the Gramm-Leach-Bliley Act (GLBA) and the laws of the State of *[insert name of State that has adopted 1982 Act]*, generally us from sharing nonpublic personal information about you with a third party unless we provide you with this notice of our privacy policies and practices, such as the type of information that we collect about you and the categories of persons or entities to whom that information may be disclosed. In compliance with the GLBA and the laws of this State, we are providing you with this document, which notifies you of the privacy policies and practices of *[insert name of institution]*.

*[If you share with third-parties for a non-exempted purpose, insert the following:]* [The laws of this State further require that we inform you that we may not share your personal information with a non-affiliated third party for any purpose that is not specifically authorized by law unless we obtain your affirmative permission.]

**OUR PRIVACY POLICIES AND PRACTICES**

**1. Information we collect:**

***A. Categories of Information Collected and Sources From Which We Collect It***

*[Insert clause 1(a) or 1(b) from the list in Appendix 2 labeled "Paragraph 1 Clauses," depending on which one applies to you. If you insert clause 1(a), and you collect any of the following information, you also must include the following (along with the other categories listed in 1(a):]*

- Information we receive from medical records or medical professionals;
- Information we receive from personal interviews with neighbors, friends,

associates or other acquaintances;<sup>1</sup>

### **B. Persons From Whom Information is Collected**

*[If you collect personal information from persons other than the individual(s) proposed for coverage, you should insert the following:]*

We may collect nonpublic personal information from individuals other than those proposed for coverage.

*[If you do not collect personal information from persons other than the individual(s) proposed for coverage, you should insert the following:]*

We do not collect nonpublic personal information from anyone other than the individual(s) proposed for coverage.

### **C. Information From Credit Reports or Investigative Consumer Reports**

*[If you prepare or request the preparation of credit reports or investigative consumer reports by an insurance support organization, you must include the following. You must also include a separate authorization form for the customer to sign, if he or she decided to do so (See Appendix 6 for more information on what to include in the authorization form):]*

If you authorize us to do so, we may obtain information about you from credit reports or other investigative consumer reports prepared by third parties at our request. If you authorize us to request such information and we do request such information, you should be aware that:

- You have the right to request to be interviewed in connection with the preparation of such a report.
- Upon request, you are entitled to receive a copy of the report.
- The information obtained from the report prepared by the third party may be retained by the third party and disclosed to other persons.

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<sup>1</sup> **Note:** Agencies that prepare or request "investigative consumer reports" – consumer reports in which information about a person's character, reputation, personal characteristics or mode of living is obtained from personal interviews with neighbors, friends, associates or other acquaintances – also must comply with the 1982 Act rules governing investigative consumer reports.

## 2. Information we may disclose to third parties:

[If you disclose personal information outside of an exception to the opt-in requirement, insert either clause 2(a) or 2(b) from the list in Appendix 2 labeled "Paragraph 2 Clauses," depending on which describes your practices. If you disclose any information under an exception to the opt-in requirement, however, you must disregard clauses 2(c) – (g) and, instead, insert the following clause:]

In the course of our general business practices, we may disclose the information that we collect (as described above) about you or others without your permission to the following types of institutions for the reasons described [insert all that apply]:

- To a third party if the disclosure will enable that party to perform a business, professional or insurance function for us;
- To an insurance institution, agent, or credit reporting agency in order to detect or prevent criminal activity, fraud or misrepresentation in connection with an insurance transaction;
- To an insurance institution, agent, or credit reporting agency for either this agency or the entity to whom we disclose the information to perform a function in connection with an insurance transaction involving you;
- To a medical care institution or medical professional in order to verify coverage or benefits, inform you of a medical problem of which you may not be aware, or conduct an audit that would enable us to verify treatment;
- To an insurance regulatory authority, law enforcement, or other governmental authority in order to protect our interests in preventing or prosecuting fraud, or if we believe that you have conducted illegal activities;
- To a group policyholder for the purpose of reporting claims experience or conducting an audit of our operations or services;
- To an actuarial or research organization for the purpose of conducting actuarial or research studies;

In addition to those circumstances listed above, and unless you tell us not to, we may disclose certain information about you to third parties whose only use of the information will be for purposes of marketing a product or service. Under no circumstances will we disclose for marketing purposes any medical information;

information relating to a claim for benefit or, a civil or criminal proceeding involving you; or personal information relating to your character, personal habits, mode of living or general reputation.

### **3. Notification That Certain Disclosures Require Your Authorization:**

*[If you disclose information to nonaffiliated third parties other than as permitted by an express 1982 Act exception, you must include the following:*

As we have indicated in this Privacy Policy Notice, we collect certain personal information about you, and we may disclose that information to certain nonaffiliated third parties. We are permitted by law to disclose your personal information in the circumstances described in paragraph 2 without your permission. FOR ALL OTHER DISCLOSURES, WE ARE REQUIRED TO OBTAIN YOUR AUTHORIZATION. The disclosures that first require your authorization are described in more detail on a separate authorization form that we will provide to you.

*[If you do not disclose information to nonaffiliated third parties other than as permitted by an express exception, then you are not required to provide this notification or the separate authorization form.]*

### **4. Affiliates with whom we share certain information protected by the Fair Credit Reporting Act, unless you tell us not to:**

*[If you have affiliates with whom you share non-transactional, FCRA-protected information, insert the three Fair Credit Reporting Act clauses contained in "Paragraph 4 Clauses" of Appendix 2. If you do not have affiliates with whom you share such information, then you can delete paragraph 4 entirely from your privacy notice and should renumber the paragraphs below.]*

### **5. Your right to access and amend your personal information**

You have the right to request access to the personal information that we record about you. Your right includes the right to know the source of the information and the identity of the persons, institutions or types of institutions to whom we have disclosed such information within 2 years prior to your request. Your right includes the right to view such information and copy it in person, or request that a copy of it be sent to you by mail (for which we may charge you a reasonable fee to cover

our costs). Your right also includes the right to request corrections, amendments or deletions of any information in our possession. The procedures that you must follow to request access to or an amendment of your information are as follows:

To obtain access to your information: You should submit a request in writing to [insert name or title and address of person to whom request should be sent]. The request should include your name, address, social security number, telephone number, and the recorded information to which you would like access. The request should state whether you would like access in person or a copy of the information sent to you by mail. Upon receipt of your request, we will contact you within 30 business days to arrange providing you with access in person or the copies that you have requested.

To correct, amend, or delete any of your information: You should submit a request in writing to [insert name or title and address of person to whom request should be sent]. The request should include your name, address, social security number, telephone number, the specific information in dispute, and the identity of document or record that contains the disputed information. Upon receipt of your request, we will contact you within 30 business days to notify you either that we have made the correction, amendment or deletion, or that we refuse to do so and the reasons for the refusal, which you will have an opportunity to challenge.

## **6. Our practices regarding information confidentiality and security:**

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

## **7. Our policy regarding dispute resolution:**

Any controversy or claim arising out of or relating to our privacy policy, or the breach thereof, shall be settled by arbitration in accordance with the rules of the American Arbitration Association, and judgment upon the award rendered by the arbitrator(s) may be entered in any court having jurisdiction thereof.

**8. Reservation of the right to disclose information in unforeseen circumstances:**

In connection with the potential sale or transfer of its interests, *[insert name of institution]* and its affiliates *[if any]* reserves the right to sell or transfer your information (including but not limited to your address, name, age, sex, zip code, state and country of residency and other information that you provide through other communications) to a third party entity that (1) concentrates its business in a similar practice or service; (2) agrees to be *[name of institution]*'s successor in interest with regard to the maintenance and protection of the information collected; and (3) agrees to the obligations of this privacy statement.

**9. Customer acknowledgement and signature:**

By signing my name below, I am indicating that I have read the privacy policy of *[insert name of institution]* and that I understand its terms. No promises or representations have been made to me to induce me to sign this form.

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Customer Signature

Date