

NY State Social Security Number Protection Act Summary

Prohibits

- Intentionally communicating, or making available, an individual's SSN to the general public
- Printing a person's SSN on any card or tag required for the individual to access products, services or benefits
- Requiring person to transmit SSN over the internet unless connection is secure or SSN is encrypted
- Requiring person to use SSN to access internet web site, unless password or unique PIN or other authentication devised is also required to access the web site
- Printing an individual's SSN on any materials that are mailed to the individual unless state or federal law requires a SSN to be on the document to be mailed.
BUT: SSNs may be included on applications and forms sent by mail including documents sent as part of application or enrollment process; to establish, amend or terminate an account, contract or policy; or to confirm the accuracy of a SSN. In this case, SSN must not be printed, in whole or in part, on a postcard or other mailer not requiring an envelope, or visible on the envelope or without the envelope being opened.

Does Not Prohibit

- Collection, use or release of SSNs as required by state or federal law
- Use of SSN for internal verification, fraud investigation or administrative purposes

Security Mandate

- Take reasonable measures to ensure that no officer or employee has access to SSNs for any purpose other than for a legitimate or necessary purpose related to the conduct of such business
- Provide safeguards necessary or appropriate to preclude unauthorized access to SSNs and to protect the confidentiality of SSNs

For Good Measure

Any waiver of the provisions of this law is contrary to public policy and is void and unenforceable!

Sanctions

Injunctions and fines up to \$250,000. **BUT**: No violation if disclosure is not intentional and can prove that violation was bona fide error made notwithstanding the security and other measures adopted to avoid such errors