Privacy and Consumer Rights

CHOICEPOINT CONSUMER CENTER

Legal Overview and Business Initiatives
ChoicePoint collects, analyzes and provides specific data to meet the needs of consumers, government agencies and businesses.

- Market leading provider of relationship credentialing solutions to:
  - All major U.S. insurance companies
  - Fortune 1000 companies
  - Federal, state and local law enforcement and government agencies
  - Non-profit/charitable sector
- 5,300 associates in U.S. and U.K.
- Headquartered in metro Atlanta
→ **What we do**

→ Process transactions requested by consumers in connection with home and auto insurance applications, pre-employment background checks, apartment rental applications and obtaining vital records

→ Provide software and technology to law enforcement agencies to conduct and manage investigations

→ Assisted in recovery of 822 missing children through NCMEC partnership

→ **What we don’t do**

→ Buy, store or sell medical data

→ Buy voter data

→ Buy consumer purchasing information

→ Sell our consumer-related databases to the government or anyone else
→ Responsible for consumer outreach, assistance and internal advocacy as part of the Public and Consumer Affairs Office.
Who is the Consumer?

→ Someone about whom we provide information.

→ He/she may be an applicant for employment, already an employee, a volunteer, owner or renter of property and/or have a property or auto insurance policy.
What are the Consumer’s Rights?

→ Fair Information Practices include Notice, Choice, Access, Correction and Security.

→ Provide consumers notice of information practices, including what information is collected, how it’s collected (e.g., directly or through non-obvious means such as cookies), how it’s used and whether they disclose the information collected to other entities.

→ Offer consumers choices as to how their personal identifying information is used beyond the use for which the information was provided. For example, can you use the data collected to market back to the consumer or further disclose it to another entity.

→ Give consumer access to information while it is stored within company databases including a reasonable opportunity to review information and to correct inaccuracies.

→ Allow corrections to information to paint as accurate a picture as possible about the person to whom it pertains.

→ Implement an appropriate information security program.
→ Fair Credit Reporting Act
  → Regulates activities of:
    → Consumer reporting agencies
    → Users of reports
    → Information furnishers
  → Provides numerous rights to consumers who are the subject of consumer reports
    → Notice and Choice: If the purpose is employment or prescreening, requires notice and consent/right to opt out
    → Access: Notices regarding negative (adverse) action must include instruction on how to request a copy of the report. In addition, upon request, CRAs must provide all information in the consumer’s file
    → Correction: Must accept and reinvestigate disputes
    → Security: Credentialing customers, disposal of records
  → Almost 30 states have enacted their own fair credit reporting statutes
The Gramm-Leach-Bliley Act
- Regulates the sharing of personal information about individuals who obtain financial products or services from financial institutions
  - Notice: Written privacy policies and privacy notices
  - Notice and Choice: Before disclosing to a nonaffiliated third party, must provide notice and the right to opt-out of third party disclosure
  - Security: Safeguards Rule requires all financial institutions to design, implement and maintain safeguards to protect customer information. The Safeguards Rule applies not only to financial institutions that collect information from their own customers, but also to financial institutions "such as credit reporting agencies" that receive customer information from other financial institutions.

Family Education Rights and Privacy Act (1974)
- Congress passed the Family Educational Rights and Privacy Act (also known as the Buckley Amendment) to protect the accuracy and confidentiality of student records; it applies to all schools receiving federal funding
  - Choice: Prevents educational institutions from disclosing student records or personally identifiable information to third parties without consent
  - Access: Students and their parents have the right to access school records
  - Correction: Students and parents challenge the content of records they believe to be inaccurate or misleading
The Children's Online Privacy Protection Act
- Gives parents control over what information is collected from their children online and how such information may be used
  - Notice: Post a privacy policy on the homepage of the Web site and link to the privacy policy on every page where personal information is collected
  - Choice: Requires parental consent before collecting personal information from children and gives parents a choice as to whether their child’s personal information will be disclosed to third parties
  - Access: Parents have the right to access their child’s personal information
  - Correction: Can review, correct or delete the child’s personal information

Do-Not-Call Registry Act of 2003
- Choice: implemented a do-not-call registry

Health Insurance Portability & Accountability Act
- Protects the privacy of electronic health information
  - Access: Make Protected Health Information available to consumer
  - Correction: Allow correction and incorporate corrections as required by the rule
What do Consumers Want?

- Consumers want assurance that information about them is accurate, complete and from a reputable source.

- Consumers want a meaningful opportunity to see, dispute and correct inaccurate information.

- Consumers want to be sure information does not unfairly exclude them from a benefit (job, good insurance rate, residence).
Addressing Consumers Wants

- Build a relationship between ChoicePoint and consumers.
- Educate consumers about ChoicePoint - why we have personal information, where it comes from, to whom the information is being given, how the information is being used and what benefit the consumer will receive as a result.
- Encourage consumers to request copies of their information and provide us with feedback regarding whether the information is accurate, current and complete.
- Establish communication between ChoicePoint and consumer advocates and explore partnership opportunities to offer assistance programs to consumers.
→ Create more visible Consumer solutions via www.choicepoint.com and www.privacyatchoicepoint.com

→ Help consumers understand ChoicePoint’s Good Privacy and Information Security Practices.

→ Offer each individual access to his or her consumer information via our Full File Disclosure option.

→ 45-day pilot - Simultaneously provide the applicant with a report of criminal records.

→ Create educational kit for consumer groups and consumers.

→ Explore partnership opportunities with consumer advocates (First relationship has been established with a law school community center in California).
How Do Consumers File a Dispute, Request a Copy of a Report, Ask Questions?

→ Contact the Consumer Center at 1-888-497-0011.

→ For Full File Disclosure, contact 888-395-0012. The consumer will receive a copy of the consumer information in ChoicePoint’s files used to produce consumer reports.
→ Consumer Hotline : 1-888-497-0011
→ Applicant/Volunteer Hotline:  1-800-845-6004
→ Full File Disclosure: 1-888-395-0012
→ E-mail: consumer.center@choicepoint.com
→ Mailing address :

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