



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB1274

Introduced 2/15/2007, by Rep. Sara Feigenholtz

#### SYNOPSIS AS INTRODUCED:

815 ILCS 530/35 new

Amends the Personal Information Protection Act. Prohibits a person or entity, not including a State or local agency, from: (i) publicly posting or publicly displaying in any manner an individual's social security number; (ii) printing an individual's social security number on any card required for the individual to access products or services provided by the person or entity; (iii) requiring an individual to transmit his or her social security number over the Internet unless the connection is secure or the social security number is encrypted; (iv) requiring an individual to use his or her social security number to access an Internet Web site, unless a password or unique personal identification number or other authentication device is also required to access the Web site; or (v) printing an individual's social security number on any materials that are mailed to the individual, unless State or federal law requires the social security number to be on the document to be mailed. Makes an exception for applications and forms sent by mail to include social security numbers. Provides that a person or entity, not including a State or local agency, that has used, prior to the effective date of this amendatory Act, an individual's social security number in a manner inconsistent with the listed provisions, may continue using that individual's social security number in that manner if all of the listed conditions are met. Provides that the use of a social security number is not prohibited for the collection, use, or release of a social security number as required by State or federal law or the use of a social security number for internal verification or administrative purposes. Effective January 1, 2008.

LRB095 10982 LCT 31288 b

1 AN ACT concerning business.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Personal Information Protection Act is  
5 amended by adding Section 35 as follows:

6 (815 ILCS 530/35 new)

7 Sec. 35. Social security numbers.

8 (a) Except as provided in subsection (b) of this Section, a  
9 person or entity, not including a State or local agency, shall  
10 not do any of the following:

11 (1) Publicly post or publicly display in any manner an  
12 individual's social security number.

13 (2) Print an individual's social security number on any  
14 card required for the individual to access products or  
15 services provided by the person or entity.

16 (3) Require an individual to transmit his or her social  
17 security number over the Internet unless the connection is  
18 secure or the social security number is encrypted.

19 (4) Require an individual to use his or her social  
20 security number to access an Internet website, unless a  
21 password or unique personal identification number or other  
22 authentication device is also required to access the  
23 website.

1           (5) Print an individual's social security number on any  
2           materials that are mailed to the individual, unless State  
3           or federal law requires the social security number to be on  
4           the document to be mailed. Notwithstanding this provision,  
5           applications and forms sent by mail may include social  
6           security numbers.

7           (b) Except as provided in subsection (e) of this Section, a  
8           person or entity, not including a State or local agency, that  
9           has used, prior to the effective date of this amendatory Act,  
10           an individual's social security number in a manner inconsistent  
11           with subsection (a), may continue using that individual's  
12           social security number in that manner if all of the following  
13           conditions are met:

14           (1) The use of the social security number is  
15           continuous. If the use is stopped for any reason,  
16           subsection (a) shall apply.

17           (2) The individual is provided an annual disclosure,  
18           commencing in the year 2008, that informs the individual  
19           that he or she has the right to stop the use of his or her  
20           social security number in a manner prohibited by subsection  
21           (a).

22           A written request by an individual to stop the use of his  
23           or her social security number in a manner prohibited by  
24           subsection (a) shall be implemented within 30 days of the  
25           receipt of the request. There shall be no fee or charge for  
26           implementing the request.

1       A person or entity, not including a State or local agency,  
2       shall not deny services to an individual because the individual  
3       makes a written request pursuant to this subsection (b).

4       (c) This Section does not prevent the collection, use, or  
5       release of a social security number as required by State or  
6       federal law or the use of a social security number for internal  
7       verification or administrative purposes.

8       (d) This Section does not apply to records that are  
9       required by statute, case law, or the Illinois Supreme Court to  
10       be made available to the public.

11       (e) The Director of Public Health or the Secretary of  
12       Financial and Professional Regulation, upon a determination of  
13       good cause, may grant extensions not to exceed 6 months for  
14       compliance by health care service plans and insurers with the  
15       requirements of this Section when requested by the health care  
16       service plan provider or insurer. Any extension granted shall  
17       apply to the health care service plan provider or insurer's  
18       affected providers, pharmacy benefits manager, and  
19       contractors.

20       (f) If a federal law takes effect requiring the United  
21       States Department of Health and Human Services to establish a  
22       national unique patient health identifier program, a health  
23       care provider, a health care service plan provider, a licensed  
24       health care professional, or a contractor representing an  
25       insurer or health care provider, that complies with the federal  
26       law shall be deemed in compliance with this Section.

1           (g) As used in this Section:

2           "Contractor" means any person or entity that is a medical  
3 group, independent practice association, pharmaceutical  
4 benefits manager, or a medical service organization and is not  
5 a health care service plan provider or a health care provider.

6           "Health care provider" means any physician, hospital  
7 facility, or other person licensed or otherwise authorized to  
8 deliver care services.

9           "Publicly post" or "publicly display" means to  
10 intentionally communicate or otherwise make available to the  
11 general public.

12           Section 99. Effective date. This Act takes effect January  
13 1, 2008.