

**Seneca County Emergency Medical Services
Standard Administrative Guideline**

Policy # - 09-042

Date: 10 August 2009

Review: August 2011

Subject: Identity Theft Prevention Program

Purpose:

To establish for Seneca County EMS and identity theft prevention program designed to detect, prevent, and mitigate identity theft in connection with a Covered account, whether new or existing, and to provide for continuing administration of the Program in compliance with part 681 of Title 16 of the Code of Federal Regulations implementing Sections 114 and 315 of the Fair and Accurate Credit Transactions Act (FACTA) of 2003.

Definitions:

“Identity Theft” means fraud attempted or committed, using the identifying information of another person, without authority. The Federal Trade Commission (FTC) defines the term **“identifying information”** to mean **“any name or number that may be used, alone or in conjunction with any other information to identify a specific person, including any of the following:**

1. Name, Social Security Number (SSN), date of birth, official State or Government issued drivers license or identification number, alien registration number, government passport number, employer or tax identification number.
2. Unique Biometric data, such as fingerprint, voice print, retina or iris image, or other unique physical representation.
3. Unique electronic identification, address or routing code; or
4. Telecommunication identifying information or access device”.

A “Covered Account” means:

1. An account that a creditor offers or maintains, primarily for personal, family, or household purposes, that involves or is designed to permit multiple payments or transactions. Covered accounts include credit card accounts, mortgage loans, automobile loans, margin accounts, cell phone accounts, utility accounts, checking accounts, and saving accounts; and
2. Any other account that a creditor offers or maintains for which there is a reasonably foreseeable risk to customers or to the safety and soundness of the creditor from identity theft, including financial, operational, compliance, reputation or litigations risks.

A “Red Flag” means a pattern, practice, or specific activity that indicates the possible existence of identity theft

A “Service Recipient” is a person or entity who receives services from Seneca County EMS for whom Seneca County EMS creates or uses an account of any kind, such as provision of medical/emergency services et cetera.

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The Program

Seneca County EMS hereby establishes this identity theft prevention program to detect, prevent, and mitigate identity theft. The Program includes reasonable policies and procedures to:

1. Identify relevant patterns, practices, and specific forms of activity that are “Red Flags”, signaling possible identity theft, and incorporate those red flags into the program (under the section “Identification of Relevant Red Flags”)
2. Detect Red Flags that have been incorporated into the program (under the section “Detection of Red Flags”)
3. Respond appropriately to any Red Flags that are detected to prevent and mitigate identity theft; and
4. Ensure the Program is updated periodically to reflect changes in risks to customers and to the safety and soundness of the creditor from identity theft.

This program incorporates, as appropriate, existing policies and procedures that control reasonably foreseeable risks.

Administration of Program

The Seneca County EMS Director is responsible for the development, implementation, oversight, and continued administration of this Program. This Program shall be used to train staff, as necessary, to effectively implement the program. This Program shall also be used to exercise appropriate and effective oversight of service provider arrangements.

Identification of Relevant Red Flags

This program includes relevant red flag identification via the following categories as appropriate:

1. Alerts, notifications, or other warnings received from consumer reporting agencies or service providers, such as fraud detection services;
2. The presentation of suspicious documents
3. The presentation of suspicious personal identification information
4. The unusual use of, or other suspicious activity related to, a covered account; and
5. Notice from Customer, victims of identity theft, law enforcement authorities, or other persons regarding possible identity theft in connection with covered accounts.

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This Program considers the following risk factors to identify relevant Red Flags for covered accounts as appropriate:

- 1. The types of Covered Accounts offered or maintained;**
- 2. The methods provided to open covered accounts;**
- 3. The methods provided to access covered accounts; and**
- 4. Previous experience with identity theft**

The Program incorporates relevant Red Flags from sources such as:

- 1. Incidents of identity theft previously experienced**
- 2. Methods of identity theft that reflect changes in risk**
- 3. Credit reporting agencies or other reliable regulatory agencies; and**
- 4. Applicable supervisory guidance.**

Detection of Red Flags

In the course of providing services for citizens, Seneca County EMS may encounter suspicious or inconsistent documents, information, or activity that may signal identity theft. This Program addresses the detection of Red Flags in connection with the opening of covered accounts and existing Covered Accounts, such as by:

- 1. Obtaining identifying information about, and verifying the identity of, a person opening a Covered Account;**
- 2. Authenticating Service Recipients, monitoring transactions, and verifying the validity of change of address requests in the case of existing Covered Accounts;**
- 3. In the case of provision of medical/emergency services, if records showing services provided are inconsistent with a physical exam or medical history;**
- 4. A notice or inquiry from an insurance fraud investigator, landlord, lienholder, or property holder who has proof of ownership of any subject property; a law enforcement agency, including but not limited to Medicaid or Medicare fraud agents; or other legitimate rights to inquire about a Covered Account;**
- 5. A complaint or question from a Service Recipient about information added to credit report relative to services provided by Seneca County EMS; and**
- 6. A dispute of a bill by a service recipient who claims to be the victim of any type of identity theft.**

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Response

This program provides for appropriate responses to detect Red Flags to prevent and mitigate identity theft. The response shall be commensurate with the degree of risk posed. Appropriate responses may include;

- 1. Monitor a covered account for evidence of identity theft;**
- 2. Require identification of the Service Recipient, such as a drivers license or other State ID, current health insurance card, or other identifying information prior to provision of services, within reason;**
- 3. Contact the Service Recipient to verify services were actually received by that individual;**
- 4. Change any passwords, security codes or other security devices that permit access to a Covered Account;**
- 5. Reopen a Covered Account with a new account number;**
- 6. Not open a new Covered Account;**
- 7. Close an existing Covered Account;**
- 8. Notify Law Enforcement; or**
- 9. Determine if no response is warranted under the particular circumstances.**

Updating the Program

This program shall be updated periodically to reflect changes in risks from identity theft to customers, or the safety and soundness of Seneca County EMS, based on factors such as;

- 1. The experiences of Seneca County EMS with identity theft;**
- 2. Changes in methods of identity theft**
- 3. Changes in methods to detect, prevent, and mitigate identity theft**
- 4. Changes in the types of accounts that Seneca County EMS offers or maintains;**
- 5. Changes in business arrangements in Seneca County EMS, including alliances, joint ventures, and contractual arrangements.**

Oversight of Program

Oversight of the Program shall include:

- 1. Assignment of specific responsibility for implementation and maintenance of the Program. It is the policy of Seneca County EMS that the EMS director is assigned such responsibility.**
- 2. Review of reports by staff regarding compliance; and**
- 3. Approval of material changes to this program as necessary, to address changing risks of identity theft.**

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Reports

Reports shall be prepared as follows:

1. Staff responsible for development, implementation, and administration of the Program shall report to the Board of Commissioner – Seneca County, at least annually on compliance with the program.
2. The report shall address material matters related to the program and evaluate issues such as:
 - a. The effectiveness of the policies and procedures in addressing the risk of identity theft in connection with the opening of Covered Accounts;
 - b. Contractual or other agreements;
 - c. Significant incidents involving identity theft and Seneca County's response; and
 - d. Recommendations for material changes to the Program.

Oversight of Contractual or Other Agreements

Seneca County EMS shall take steps to ensure that the activity of a contractor is conducted in accordance with reasonable policies and procedures designed to detect, prevent, and mitigate the risk of identity theft, whenever Seneca County EMS engages a contractor to perform an activity in connection with one or more covered accounts. An example would be a bill collection agency, a financial transaction device processor, or other party that may have access to Covered Accounts in any way.

Duties Regarding Address Discrepancies

Seneca County EMS may reasonably confirm that an address is accurate by any of the following means:

1. Verification of the address with this consumer
2. Review of County and Township records
3. Verification of address through third party sources; or
4. Other reasonable means.

If an accurate address is confirmed, Seneca County EMS shall furnish the Service Recipients address to the nationwide consumer reporting agency from which it received the notice of address discrepancy if:

1. Seneca County EMS establishes a continuing relationship with the service recipient; and
2. Seneca County EMS, regularly and in ordinary course of business, furnishes information to the consumer reporting agency.