

Tennessee Rules and Regulations Currentness

0780. Department of Commerce and Insurance

0780-01. Insurance Division

Chapter 0780-01-72. Privacy of Consumer Information Regulations

Tenn. Comp. R. & Regs. 0780-01-72-.13

0780-01-72-.13. LIMITS ON SHARING ACCOUNT NUMBER INFORMATION FOR MARKETING PURPOSES.

(1) General prohibition on disclosure of account numbers. A licensee shall not, directly or through an affiliate, disclose, other than to a consumer reporting agency, a policy number or similar form of access number or access code for a consumer's policy or transaction account to any nonaffiliated third party for use in telemarketing, direct mail marketing or other marketing through electronic mail to the consumer.

(2) Exceptions. Subsection (1) of this section does not apply if a licensee discloses a policy number or similar form of access number or access code:

(a) To the licensee's service provider solely in order to perform marketing for the licensee's own products or services, as long as the service provider is not authorized to directly initiate charges to the account;

(b) To a licensee who is a producer solely in order to perform marketing for the licensee's own products or services; or

(c) To a participant in an affinity or similar program where the participants in the program are identified to the customer when the customer enters into the program.

(3) Examples.

(a) Policy number. A policy number, or similar form of access number or access code, does not include a number or code in an encrypted form, as long as the licensee does not provide the recipient with a means to decode the number or code.

(b) Policy or transaction account. For the purposes of this section, a policy or transaction account is an account other than a deposit account or a credit card account. A policy or transaction account does not include an account to which third parties cannot initiate charges.

Credits

Authority: Public Acts of 2001; Chapter 107; § 1

Administrative History: Original rule filed August 30, 2001; effective November 13, 2001.

Current through Tennessee Regulations in effect as of May 7, 2016 and Emergency Regulations in effect as of April 12, 2016.

Tenn. Comp. R. & Regs. 0780-01-72-.13, TN ADC 0780-01-72-.13

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