

Attachment #16

NAPBS Model Language regarding CRA Privacy

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(A) This act shall not apply to any of the following:

(1) Information lawfully available from government records.

(2) Information collected, used, processed, or disclosed by or for a consumer reporting agency as defined by subdivision (f) of Section 1681a of Title 15 of the United States Code.

(3) Information subject to the privacy, security, or breach-notification regulations issued under the federal Health Insurance Portability and Accountability Act of 1996 (Pub. L. No. 104-191) or the federal Health Information Technology for Economic and Clinical Health Act (Pub. L. No. 111-5, Title XIII), including 45 C.F.R. parts 160 and 164 and any successor regulations.

(4) Information subject to the federal Gramm-Leach-Bliley Act, (12 U.S.C. Sec. 24(a) et seq. and 15 U.S.C. Chapter 94) or its implementing regulations.

(5) Information subject to the federal Driver's Privacy Protection Act of 1994, (18 U.S.C. Sec. 2721 et seq.) or its implementing regulations.

(6) Information collected, processed, used, or disclosed by an organization subject to any of the laws identified in one or more of subparagraphs (3) through (6) above, but only to the extent that the organization treated that information as if it was subject to that law.