Privacy Policy

The American Board of Plastic Surgery, Inc. ("ABPS") has established a Privacy Policy governing the use of certain information it collects in determining your suitability for initial and continuing ABPS Diplomate status. Your participation in the ABPS certification and continuous certification process signifies your agreement with, and consent to the terms of the ABPS Privacy Policy ("Privacy Policy"). ABPS reserves the right to change, modify, add or remove portions of this Privacy Policy at any time. Any modifications will be posted to this page. Your continued participation in the ABPS certification and continuous certification process and/or your use of the ABPS website after the ABPS has revised this Privacy Policy will indicate your acceptance of those revised terms. You have the right to access personal data stored by the ABPS at any point in time by contacting the Board at info@abplasticsurgery.org. Should you want to limit the use and disclosure of personal data, you can contact the Board Office at info@abplasticsurgery.org.

During examination processes, certification, recertification, and Continuous Certification (collectively, "Certification Processes"), the ABPS must collect and utilize personal and professional information pertaining to its applicants and diplomates, and patients that they care for. The goal of establishing this privacy policy is to assure all persons disclosing information to the ABPS during the Certification Processes of the sensitivity and care utilized in protecting this information.

Use and Disclosure of Personal Information

To determine the qualifications of applicants during the Certification Processes, the ABPS requires that applicants and diplomates provide personal contact and identifying information, as well as personal, educational, and professional background information. The Oral Examination requires that the applicant provide sensitive information about patients that they treat. This information is used by ABPS to identify and determine an applicant's or diplomate's appropriate status with the ABPS.

As part of the registration and administration of its examinations, the ABPS requires an applicant's or diplomate's personal information, including name, mailing address, and social security number. Social security numbers are used only as an individual identifier. The ABPS restricts access to such personal information to ABPS employees and contractors who require this information to conduct the registration, administration, and scoring of examinations, and for the verification of certification by the ABPS.

The ABPS does not disclose any personal information regarding its applicants or diplomates to non-ABPS employees and contractors, except when required by law (such as complying with a subpoena or court order) or as described below for the American Board of Medical Specialties

("ABMS"), Federation of State Medical Boards (“FSMB”), American Medical Association (“AMA”) and plastic surgery societies. The ABPS does not share personal information about its applicants or diplomates with companies or other third parties outside of the ABPS for marketing purposes.

The ABPS considers only the certification, recertification and Continuous Certification status of applicants and diplomates to be public information. The ABPS shares data about applicants and diplomates with the following organizations:

- American Board of Medical Specialties. Upon certification and recertification, the ABPS provides biographical and demographic data on diplomates to the ABMS. The data disclosed to ABMS includes identifiers such as: name, medical degree, National Practitioner Identification (“NPI”) number, medical degree year, ABPS Board ID, address, phone/fax numbers, e-mail address, date of birth, gender, certification status, and practice status. ABMS provides certification information to the public in the form of an online directory and also provides data for commercial purposes in the form of several professional products. The ABMS will directly contact diplomates regarding the publication of diplomate information in its directory. ABPS diplomates will communicate directly to ABMS the personal information that they wish to have appear in their directory. ABMS may also utilize data ABPS provides to perform research involving examination practices and standards.

- Federation of State Medical Boards (FSMB) for primary source license verification and state medical board action information. Data elements disclosed to FSMB include name, degree, degree year, ABPS Board ID, last 4 digits of Social Security Number (“SSN”), date of birth, and NPI number. Full SSN is NOT sent to the FSMB.

- Residency programs at institutions where candidates or diplomates trained. The ABPS provides residency program directors with the results of their residents' performance on ABPS examinations. The ABPS provides summary information for residency programs regarding the collective performance of residents on ABPS examinations to the Residency Review Committee for Plastic Surgery.

- The American Medical Association (AMA). Data is disclosed to AMA for Category I CME credit issuance once a diplomate achieves board certification (initial, recert, or subspecialty). Data disclosed to AMA includes name, degree, ABPS Board ID, date of birth, email address, and dates of certification. No part of the diplomate’s SSN is sent to the AMA.

- The public through the ABPS “Is Your Surgeon Certified?” function publicly available at www.abplasticsurgery.org. This information is limited to name, public address and phone number as inputted by the diplomate, certification status, certification history, and continuous certification participation status.

- Major plastic surgery societies (American Society of Plastic Surgeons, Inc. (ASPS), The Aesthetic Society, the American Association of Plastic Surgeons (AAPS), the

American Society of Maxillofacial Surgeons (ASMS), the American College of Surgeons (ACS), the American Association for Hand Surgery (AAHS), the American Society for Surgery of the Hand (ASSH), the American Society for Reconstructive Microsurgery (ASRM) and regional Plastic Surgery Societies). Public certification information is shared with these plastic surgery societies including name, degree, dates of certification, public address, email address and certificate number. *No part of the diplomate's SSN is sent to the societies.*

The ABPS will use performance on examinations and other information to accomplish its mission and for research purposes. The ABPS may publish studies generated as a result of such research. Published studies will not, without consent, identify specific individuals, hospitals, or practice affiliations.

The ABPS reserves the right to disclose information in its possession regarding any individual, whom it determines, in its sole and absolute discretion, is involved in a violation of the ABPS rules or procedures or engaged in misrepresentation or unprofessional behavior or any illegal activity. Such determinations may include statistical analyses of examination responses.

Protection of Personal and Financial Information

The ABPS maintains reasonable physical, electronic, and procedural safeguards to protect and secure all personal information in its possession. The ABPS' security measures protect the confidentiality of online communication, examination results, and data related to the Certification Processes.

ABPS collects personal information such as names, street or post office box addresses, email addresses, etc., and in some cases financial information (such as credit card information). The ABPS restricts access to financial information collected by the ABPS to ABPS employees and contractors who need to know this information to conduct the business and affairs of the ABPS.

HIPAA Privacy Rule

The U.S. Department of Health and Human Services finalized regulations regarding privacy protections for certain health information pursuant to the Health Insurance Portability and Accountability Act of 1996 (HIPAA). As part of the Certification Processes, the ABPS may require an applicant to submit patient information that could be governed by HIPAA and its regulations.

The ABPS requires that all patient information that is forwarded as part of the Certification Processes be "de-identified" in accordance with the HIPAA privacy regulations so that all identifying information and markers that could be used to reasonably identify a patient are removed before it is forwarded to the ABPS. The ABPS will not accept any patient information that has not been de-identified in accordance with the HIPAA privacy regulations. It is the applicant's or diplomate's responsibility to de-identify the patient's health information before it is submitted to the ABPS. If the ABPS receives any information that is not de-identified as part of the Certification Processes, the ABPS will return such information to the applicant so that it can be appropriately de-identified. This may delay the ABPS consideration of that applicant or

diplomate during the Certification Processes. The ABPS cannot, and will not, be responsible for the applicant's violation of HIPAA and its regulations. If you have questions regarding de-identification or would like more information regarding de-identification requirements, please contact your attorney or the ABPS.

The ABPS is committed to maintaining the privacy of patient information submitted by its applicants and diplomates during the Certification Processes. The ABPS is not a "covered entity" under HIPAA and is not subject to the HIPAA regulations.