

Privacy Policy (effective May 10, 2021)

This Privacy Policy (“Policy”) explains how the Kansas Department of Health and Environment (“KDHE”) collects, uses, discloses and otherwise processes data in connection with the short message service (“SMS”) text messages to and from KDHE’s contact tracing messaging system powered by Salesforce. By agreeing to participate in text messaging, you agree to the collection and use of information in accordance with this policy.

Protecting your private information is our priority. The data that is collected may be considered protected health information (PHI) or personally identifiable information (PII). This data is protected by federal and state privacy laws, including Kansas laws and the federal Health Insurance Portability and Accountability Act (HIPAA), 42 U.S.C. §§ 1320d et seq., and the implementing regulations at 45 C.F.R. Parts 160 and 165.

By using the Services, you consent to the data practices described in this statement. Where necessary under applicable law, we may seek your consent by other means such as by asking you to reply to an SMS or to click on a button or a link in an SMS. Where we do so, we will also offer you a way to revoke your consent.

Why We Collect Your Data

We collect data from you so that we can perform Contact Tracing across the State of Kansas to reduce the spread of the coronavirus and to monitor the condition of individuals who have contracted the virus or have been exposed to it. We also collect information that helps us maintain and improve the reliability and performance of our software to better deliver information and to support secure data gathering.

What information will be collected?

KDHE Contact Tracers may ask questions related to performing COVID 19 contact tracing and symptom monitoring. Additional data obtained from you in connection with this text messaging service may include your mobile phone number, your carrier’s name, and the date, time and content of your messages, and other information you provide to KDHE as part of this service. KDHE may use this information to contact you and provide services you requested from KDHE. Information may be asked for as well to further the purposes noted above. Outside of the information referenced above, KDHE does not access additional information from your device or “track” you through your phone.

Who will this information be shared with?

The confidentiality of your private information is protected by Kansas law. It will only be used to help the state of Kansas respond to and prevent cases of an infectious disease. The data you share will not be shared outside KDHE, Salesforce, or Local Kansas Health Department partners, except as required by law. We will not release your information to anyone you have been in contact with, except as required by law.

Security

KDHE takes precautions to ensure the security of PHI and PII, including ensuring that our third-party service providers protect the security of PHI and PII. However, we cannot guarantee that hackers or unauthorized personnel will not gain access to your PHI and PII despite our efforts. You should note that in using the Service, your information will travel through third party infrastructures which are not under our control (such as a third-party SMS delivery platform or your carrier network).

We cannot protect, nor does this Policy apply to, any information that you transmit to other users. You should never transmit personal or identifying information to other users.

Opting-In/Opting-Out

Individuals may opt-in to participate in the program via the communication method that best suits them: phone call, SMS, or email. **You can cancel the SMS service at any time. Just text “STOP” in response to the text message you received.**

Children

Unemancipated minors (under the age of 18) can sign up for SMS messages only with consent from a parent or legal guardian. The parent or legal guardian must provide the consent to receive texts and agree to this policy.

Your Responsibilities

Review this policy periodically to see if it has been modified. Contact KDHE if your number has changed or you no longer wish to receive text messages. Failure to do so may result in messages intended for you being routed to an incorrect recipient. If you want to opt out of further participation, please let us know. What happens when you opt out is explained more fully in our Terms and Conditions, which is located at <https://www.coronavirus.kdheks.gov/DocumentCenter/View/1960/TC---Short-Code---V3>.

Changes to our Privacy Policy

KDHE reserves the right, in its sole discretion, to modify or change this Privacy Policy at any time with or without prior notice to you. The date of the last update will be posted at the top of this Policy for your convenience. This Policy, and any changes, are effective as soon as posted. Your continued use of the Service following the posting of any changes to the Policy constitutes your full acceptance of those changes. You are agreeing to be bound by the terms of this Policy as they are modified from time to time.

Questions and Support

It's important to us that you fully understand how our commitment to keeping our community safe includes protecting your privacy, and what that means for you and your data. If you have a question related to this Privacy Policy, please contact at us at kdhe.covidinvestigation@ks.gov