

Participant Rights and Data Access Policy

This policy describes your rights as a current or former Minnesota State Retirement System (MSRS) plan participant to access and review information about yourself and your accounts.

As a state agency, MSRS is governed by the Minnesota Government Data Practices Act (Minnesota Statutes, Chapter 13.) Minn. Stat. 13.025, subds. 3 and 4 require MSRS to maintain this policy and make it easily available.

Data about You

Data is any information that MSRS collects, creates, receives, maintains, or disseminates in any form. When you as an individual can be identified from a piece of data, you are the subject of that data. Participant data is separated into several categories:

Public

By law, *Public Data* must be provided to a requestor upon submission of a public information request. The only public data about specific plan participants is name, gross pension amount, and benefit type. We provide this information when it is requested, and only for individuals who have begun receiving a benefit from one of our pension plans.

Private

Private Data cannot be disclosed to any person or entity who is not the subject of that data. This data could identify you and so MSRS takes all reasonable steps to protect it from improper disclosure. Private data includes but is not limited to: social security number, date of birth, and address.

Confidential

State and federal law provide additional protections for certain data. *Confidential Data* cannot be disclosed to members of the public or to the individual who is the subject of the data. MSRS maintains three types of Confidential Data:

- Beneficiary data can only be disclosed to the account holder; not to the beneficiary;
- Legal communications are protected from disclosure by attorney-client privilege; and
- Medical records may not be disclosed to the patient if they are marked accordingly by a physician. An example of this is psychotherapy notes.

Your Rights

As a current or former MSRS plan participant, you have the following rights with respect to your MSRS participant data:

- To be informed that you have an account with MSRS and the type of data that MSRS maintains relating to you. This includes personally identifiable information, employment information, and retirement benefit information;
- To view any non-Confidential Data that MSRS possesses about you;

- To receive a copy of your data in person or by mail;
- To receive a prompt response to your request for data, no later than 10 business days following its submission;
- To correct inaccurate data; and
- To any other rights provided by law

MSRS reserves the right to require that unusual or complicated requests be made in writing, and MSRS is not required to provide the information more frequently than once every six months. Additionally, MSRS may charge you the actual cost of producing copies of the requested data if we determine that your request is excessive. Costs are calculated according to the following policy:

- For more than 100 pages of paper copies – 25¢ per page for black and white, letter or legal size paper, one-sided, or 50¢ per page for a two-sided copy
- The charge for all other types of copies is the actual cost of searching for and retrieving the data and making the copies or electronically transmitting the data.
- MSRS may request payment of copy costs before taking steps to retrieve the data if the estimated cost exceeds \$100

MSRS requires proof of identity before providing requested participant data. MSRS interacts with participants in person, via telephone, and via email. Therefore the method of verifying a participant's identity is specific to the type of communication.

Data requests on behalf of a participant

A third party may request participant data on your behalf in the following situations:

- You have granted the third party a power of attorney and MSRS has it on-file;
- A court has appointed the third party as your conservator and MSRS has verified the conservator documents;
- A court has appointed the third party as your personal representative after you pass away, or, if there is no personal representative of your estate, your surviving spouse or your child, or, if you do not have a surviving spouse or child, your parents;
- The third party is requesting data related to the Health Care Savings Plan and is named on a signed "Authorization to Disclose Protected Participant Account Information" form;
- The third party is requesting data about you because you have applied for a disability benefit and you have named the third party on a signed "Authorization to Disclose Protected Participant Disability Application Information" or "Authorization to Disclose Application Information to Employer" form; or
- When speaking with an MSRS representative and after verifying your identity, you request that the MSRS representative speak with another person whom you identify as a personal representative for the duration of that phone call.

In any and all cases, the third party who is requesting participant data on your behalf must verify your identity according to MSRS's standards and procedures.

Data Practices Contacts

Minnesota State Retirement System (MSRS)

60 Empire Drive, Suite 300
Saint Paul, MN 55103-2088

Responsible Authority

Erin Leonard
Phone: 651-296-2761
Fax: 651-297-5238
Erin.Leonard@msrs.us

Data Compliance Official

Holly Dayton
Phone: 651-296-7831
Fax: 651-297-5238
Holly.Dayton@msrs.us