

Rules of Behavior

For the New York State of Health Marketplace System

The information technology system for the New York State of Health (the "NYSOH System") contains confidential United States and New York State Government information regarding individuals. All users of the NYSOH System must confirm their understanding and agreement to comply with the following terms and conditions (the "Rules of Behavior") before access to the NYSOH System will be granted.

I UNDERSTAND AND AGREE TO ABIDE BY THE FOLLOWING CONDITIONS AND RULES FOR USE OF THE NYSOH SYSTEM:

- The NYSOH System contains the confidential information of individuals, including Protected Health Information ("PHI"), Federal Tax Information ("FTI"), and Medicaid Confidential Data. Medicaid Confidential Data includes, but is not limited to the names and addresses of medical assistance ("Medicaid") applicants and recipients; medical data; income eligibility and amount of Medicaid payment; and the NYS Department of Health's evaluation of such information for the purposes of determining eligibility for Medicaid. Each element of Medicaid Confidential Data is confidential.
- The NYSOH System is for official government use only. As an authorized user of the NYSOH System, I will at all times keep the data and information from the System in confidence and not disclose or reveal such data or information to others.
- I may only access confidential information on the NYSOH System if access to the information is necessary.
- I will fully and promptly report to Customer Service of the exchange any suspected loss of confidential information, including any attempted or successful unauthorized access, use, disclosure, modification or destruction of information and/or interference with system operations, including suspected virus activity. I will fully and promptly report any security problems or password compromises. I will NOT under any circumstances share my USER ID or password or any other authentication mechanism, and will not store such information in any place that is easily accessible to others. Sharing of USER IDs, passwords or other individual credentials is grounds for terminating system access.
- If my access to the NYSOH System is revoked for any reason I will NOT attempt to access the NYSOH System or information from the system. Any attempt to access the NYSOH System after System authorization is revoked will be treated as an unauthorized attempt to access a government information system.
- Unauthorized use of the NYSOH System is prohibited and subject to criminal and civil sanctions, including but not limited to those outlined in Title 26 of the United States Code, Sections 7213 7213A and 7431; Title 18 of the New York Code of Rules and Regulations; the NYS Social Services Law; and NYS Public Health Law. Penalties for misuse of Federal Tax Information or Medicaid recipient data may include, but are not limited to, fines of up to \$5000 and/or imprisonment for up to 5 years.



- Offenses involving computers are also covered under New York State Penal Law, Article 156, which makes certain types of computer crimes punishable as Class C felonies.
- Because written guidance cannot cover every contingency, I agree to use my best judgment and highest ethical standards with respect to my access to the NYSOH System.