



## Q&A on collection of customer information for contact tracing

### Michigan.gov/Coronavirus

Under the October 29, 2020 Gatherings and Face Masks Epidemic Order, many organizations are required to collect information about customers to aid in COVID-19 contact tracing efforts. This document provides additional information about that order provision.

Q: Why is this order necessary?

A: This order enables local and state health department to rapidly notify people who may be at risk of exposure for COVID-19. The state is requiring organizations to collect contact information on patrons of these organizations in order to speed up notification so that people can monitor their symptoms and avoid infecting others.

Q: Why do people have to give their name and phone number?

A: Contact tracing is a proven method to help slow the spread of an epidemic of respiratory-borne disease, like COVID-19. Contact tracing allows public health officials to find people who have been exposed to someone with COVID-19 and may be infected with the virus. Some people infected with COVID-19 are able to infect others, even when they are not showing symptoms of the disease.

People who have been exposed to COVID-19 need to know as quickly as possible so that they can monitor themselves for symptoms, get tested for COVID-19, and keep from exposing their friends, coworkers and families.

When people gather at a bar, restaurant, stadium or cinema, there is a greater risk of contracting COVID-19 than if they were to stay at home, and they may not know who the people are who were near them. Venues collecting patrons' names and numbers allows public health officials to more quickly contact someone who might have contracted COVID-19.

Q. What organizations must provide the information?

A: Barbering, cosmetology services, body art services (including tattooing and body piercing), tanning services, massage services, or similar personal care services; Recreational sports and exercise facilities, and entertainment facilities (except for outdoor, non-ticketed events), including arenas, cinemas, concert halls, performance venues, sporting venues, stadiums and theaters, as well as places of public amusement, such as amusement parks, arcades, and bingo halls; all businesses or operations that provide in-home services, including cleaners, repair persons, painters; all dine-in food service establishments, including bars and restaurants.

Q: What does the emergency order require these organizations to do?

A: Organizations must collect the following information from patrons: the first and last name, phone number, date and time of service.

Q: How long do organizations need to keep this information?

A: Organizations should store the collected information securely for 28 days (two COVID-19 incubation periods) after the information was collected.

Q: Who do organizations have to provide the information to?

A: Upon request, organizations must provide the collected information to MDHHS and/or Local Health Departments investigating COVID-19 cases and exposures.

Q: Should organizations ask for additional contact information, such as address or email?

A: No, organizations should collect only the name, phone number, and date and time of service for purposes of this order.

Q: What will the data be used for?

A: The state and local health departments will use the information collected by organizations for the purposes of identifying and contacting individuals who may have been exposed to COVID-19.

Q: Will this data be sold, or shared with commercial entities?

A: No. Data collected for the purposes of this order should not be sold, or used for sales or marketing purposes.

Q: Will organizations need to submit all data to MDHHS or Local Health Departments on a routine basis?

A: No, organizations should retain the data for 28 days after it is collected, and provide it to MDHHS or Local Health Department officials upon request only.

Q: Does MDHHS intend to share this information with other government entities?

A: No, this data will be protected as confidential information to the fullest extent of the law. MDHHS will not provide it to law enforcement or immigration officials unless they receive a lawful subpoena from a court. Information could potentially be shared for purposes of legislative oversight or auditor general investigations of MDHHS's COVID-19 response but those oversight entities will have the same duty to keep the information confidential.

Q: For group activities, such as multiple members of a party dining at a restaurant, or attending a sporting event where one person has purchased the tickets for the group, must the organizer collect the contact information from every member of the party or just one person per party?

A: Organizations are encouraged to collect information from all attendees (except parental information may be collected for minors). However, it is acceptable for organizations to collect information from just one person per household.

Q: How should the data be collected?

A: Wherever possible, we encourage organizations to use existing data to fulfill this requirement. For example, many businesses already collect name and phone number when booking appointments or reservations, selling tickets to an event, logging the entry

of members into a gym, or processing credit card payments for purchases. Data may be collected electronically or in hard copy (such as in a log book). If a hard copy record is kept, organizations should disinfect pens between patrons or have a staff member record all information.

Q: How should data be stored?

A: If at all possible, data should be collected in a way that patrons cannot see the information provided by other guests. Data should be stored securely online or physically secured by the facility (e.g., locked up overnight).

Q: What happens if someone refuses to provide that information to a bar or restaurant when requested?

A: MDHHS recommends that the facility deny entry to the patron.

Q: Must bars and restaurants request name, phone number, and date and time of service for all patrons?

A: Yes, a bar or restaurant's failure to request contact information would be a violation of the order.

Q: Are organizations responsible for incorrect information that customers give (e.g., a wrong phone number that inhibits effective tracing)?

A: No. An organization is required to collect contact information for contact tracing to the best of its ability, but is not responsible if that information is ultimately incorrect.

Q: Should organizations require patrons to show identification to verify their information?

A: No, this is not necessary for the purposes of this order.

Q: What should organizations do with the information on file after 28 days?

A: Following the 28-day retention period, organizations should destroy the data. If organizations are using existing data to fulfill this requirement and not collecting any new information, they may instead follow pre-existing data retention and destruction policies.

Q: Do the health departments keep a log of the requests they make to organizations for the contact information?

A: Yes. When public health officials ask organizations for contact information, the public health officials will document who made the request, when they made the request, who they requested the information from, how such information was used, and whether the information was retained.

Q: How long will the health departments keep the information they obtain from the organizations that collect the information?

A: Public health officials will retain the information they obtain from organizations only as long as the information is needed to public health response purposes. The information will be destroyed regularly.

