Privacy Statement for the Delta Dental of South Dakota Website - Consumers

Delta Dental of South Dakota (“Delta Dental”) is committed to protecting the privacy of all individuals who utilize the https://southdakota.deltadental.com website (the “Website”). Please read the following statement to understand how we collect, use and safeguard the information you, as an individual consumer (as opposed to a provider, employer or others) may provide to us via the Website. This statement may be revised from time to time, so please revisit this page often to remain fully informed of our policies.

By using the Website, you acknowledge that you have read and understand the practices contained herein. By using the Website, you acknowledge that we collect and use your information as set forth in this Privacy Statement.

 APPLICABILITY OF THIS PRIVACY STATEMENT

This Privacy Statement is subject to the terms of the Website [Terms of Use](https://www.deltadental.com/us/en/about-us/terms-of-use.html). This Privacy Statement applies only to information submitted and/or collected online through the Website and does not apply to information that we may collect offline or other than through the Website (including through any Delta Dental of South Dakota social media websites or channels). In addition, this Privacy Statement is applicable regardless of the device used to access the Website (e.g., personal computer, mobile device, consumer electronics device, or any other technology or software known today or developed in the future).

However, certain terms of this Privacy Statement apply only to individuals who seek or have sought or obtained coverage underwritten or administered by Delta Dental of South Dakota (such individuals are herein referred to as “Members”).

This Privacy Statement does not apply to information about you collected by any third parties, including any Delta Dental Member Companies and Delta Dental Plans Association or by any other third-party services, applications, or websites or advertisements associated with, linked to or otherwise accessible from the Website. The information collected or received by such third parties is subject to their own privacy policies, statements, and practices and under no circumstances is Delta Dental responsible or liable for any third party’s compliance therewith.  Please refer to the privacy statements or policies for such third-party services for information about how they collect, use, and process personal information. This Privacy Statement also does not apply to information collected on sites linking to a different privacy notice.

WHAT INFORMATION DOES DELTA DENTAL COLLECT FROM YOU?

We collect a variety of personal information from and about you through the Website, including both directly from you and automatically as a result of your use of and access to the Website.

You have choices about the information we collect. When you are asked to provide information, you may decline; but if you choose not to provide information that is necessary to provide a service or feature, you may not be able to use that service or feature. For example, registering for an account is optional and requires you to provide additional information, including insurance information, your email address, your mobile phone number, and your name; similarly, if you request information about your coverage or claims through the Website, you will need to provide certain information as part of the request. In addition, as noted below in the section captioned “Cookies and Web Tracking,” it is possible to change your browser setup to block the automatic collection of certain information.

Information Collected Automatically *–*We use commonly used automated information gathering tools on the Website. When you browse the Web Site, we collect information about your computer and the network you use to access the Website, as well as information about your use of the Website. This includes software and hardware attributes of the device, unique device ID information, regional and language settings, performance data about the Services, network provider, and IP address (a number assigned to your computer when you use the Internet). In addition, information may also be collected passively in the form of log files that record website activity. For example, log file entries are generated every time a user visits a particular page or clicks an image on our website, and collects information on how many "hits" a particular web page is getting (a.k.a. "click-through data"), the dates and times that you use the Services, the pages you visit, the amount of time spent on specific pages, and other similar usage information, and general data (including the name of the web page from which you entered our Web Site). See also the section below captioned “Cookies and Web Tracking.”

Registration for services –If you choose to become a registered user of the Website, we may request that you provide us with your first name, last name, Member ID, social security number, date of birth, ZIP code, and email address.

Find A Dentist – As a convenience, the Website permits you to search for participating dentists and oral health professionals (“Providers”) in your geographic area. When you choose to search for Providers, you may be asked to provide basic information regarding your dental insurance and either access to your device’s location information, your physical address, or your ZIP code in order to provide you with information regarding nearby Providers.

Contact Us – The Website also permits you to contact Delta Dental via email. Please note that the email functionality provided by the Website is not a completely secure and confidential means of communication. It is possible that your email communication may be accessed or viewed by another internet user while in transit to us. If you wish to keep your communication private, do not use the email functionality. In such case, please Delta Dental by phone. Should you contact Delta Dental via email, your email address and any other information you provide in such email will be collected and retained in accordance with this Privacy Statement. Such emails may not be secure and you may not want to include any personal information in such emails.

Cookies; Web and Web Usage Tracking - In order to personalize and enhance your experience on the Website, we may also automatically collect information through “cookies.” Cookies are small strings of text that are sent by the Website to your browser and then stored by your browser on your computer’s hard drive or other device. We also use cookies to help diagnose problems with our servers, to administer the Services, to gather information about how the Website is used. See the information described below in the section captioned “How Is Your Information Used? – Sharing Information – Analytics.” Where a code in the cookie file enables the Website to label you as a particular user, including identifying you by name or other personal information, such cookie files are encrypted in order to protect your information. Most web browsers automatically accept cookies, but it is possible to change your browser setup so that it does not accept cookies. However, rejecting cookies may prevent you from taking advantage of certain portions, functionality or features of the Website.

Do Not Track *-* We do not engage in the collection of personal information about your online activities over time and across third party websites or online services. Accordingly, we do not currently process or comply with any web browser’s “do not track” (DNT) signal or other mechanisms that provide consumers with the ability to exercise choice regarding the collection of personal information about your online activities over time and across third party websites.

Finally, we may collect data that is not considered “personal information.” To the extent such data is stored or associated with personal information, it will be treated as personal information; otherwise, such data may be used or distributed at our discretion.

HOW IS YOUR INFORMATION USED?

Our Use of Information. We collect, retain, and use personal information as required or permitted by law; for legitimate business purposes; to perform functions or activities on behalf of, or provide services to, the Delta Dental Companies and affiliates; with your consent, as required by applicable law; and/or as necessary to complete any transaction or provide you with information or services you have requested or authorized. These uses include, without limitation: to provide you with information regarding Delta Dental, the Delta Dental Companies and affiliates and/or our/their products and services; to provide you information regarding dental health Providers in your geographic area; to provide the functionality of or obtainable through the Website; to respond to an inquiry from you or address a request submitted by you (including contacting you directly to request additional information to process your inquiry or request); to obtain your feedback on your dental appointment experience; to allow you to manage your benefits, including obtaining information regarding your benefits and/or claims submitted; to provide certain contact information directly to your Contacts folder; for Delta Dental’s proper management and administration or to fulfill our legal responsibilities; to perform data aggregation services in order to provide analysis relevant to our health care operations; to create de-identified data; to operate and improve our services (including benefits offerings and services); to operate or improve the Website; to monitor visitor traffic patterns and usage of the Website in order to assess overall Website activity, track interest in particular portions of the Website, and troubleshoot technical concerns; to gather and analyze data for our internal studies so we can constantly improve the Website; to comply with applicable laws, regulations and rules, and requests of relevant law enforcement and/or other governmental agencies; to enforce our Terms of Use; and/or to protect the rights, property, or safety of Delta Dental, our users, and others.

Note that our use, sharing, and processing of individually identifiable health information is described below in the “Individually Identifiable Health Information” section.

Text and Unencrypted Email Messages.  With your consent, we may send text and/or unencrypted email messages containing notifications, reminders, tips and links to surveys and information related to your dental insurance for treatment, payment and healthcare operations purposes from Delta Dental and its authorized service providers (including Delta Dental Plans Association), at the phone number and/or email address you have provided.  Messages sent by text and/or unencrypted email may include individually identifiable health information.  Because these messages are not encrypted, there is some risk that the messages could be read by someone other than you. You are not required to provide this consent. Your eligibility for benefits, treatment, enrollment or payment of claims are not conditioned on whether you provide this consent.  To stop receiving text messages, text “STOP” and for help, text “HELP”. Message and data rates may apply.

Sharing Information.  We may share collected personal information with third parties, including service providers, business associates, affiliates, and the Delta Dental Companies as described above. Moreover, we share personal information; as required or permitted by law; for legitimate business purposes; with your consent, where required by law; as necessary to complete any transaction or provide you with information or services you have requested or authorized; to obtain your feedback on your dental appointment experience; for our proper management and administration or to fulfill our legal responsibilities; to perform data aggregation services in order to provide analysis relevant to the health care operations; and/or to create de-identified data; in each case as provided in this Privacy Statement. Examples include:

* mPulse Mobile CAHPS Survey - You may be offered an opportunity (either by email or SMS message) to participate in a short survey about your experiences with a recent dental appointment. The survey, known as the Consumer Assessment of Healthcare Providers and Systems (“CAHPS”) survey, asks each participant a set of standard questions about their experiences with a dental appointment. The CAHPS Survey is delivered and administered on behalf of the Delta Dental Company that underwrites or administers your dental coverage and benefits by mPulse Mobile. Your information will be used for the health care operations purposes of the Delta Dental Company that underwrites or administers your dental coverage and benefits, including to evaluate and improve plan and provider performance and to create de-identified data. Aggregated, de-identified CAHPS Survey answers will be shared with dentists. Use of the mPulse Mobile CAHPS Survey is governed by the mPulse Mobile’s [Terms of Use](https://mpulsemobile.com/terms-of-use/).
* Google Maps - We make use of Google Maps services for geolocation, map, autocomplete and driving direction functions.  When you access this functionality from the Services, you do so through Google Maps services where certain information is collected directly by Google. Use of the Google Maps functionality is governed by Google’s own Privacy Policy located at <https://www.google.com/policies/privacy/>.
* Analytics – We use and share information with third party analytics service providers, such as Google Analytics, in order to provide us and/or third parties who work for or are affiliated with us (including the Delta Dental Companies) with information about the use of the Website and third-party websites or applications, and to better understand how the Website is used. Such information will not include your name, address, Member ID, or similar information.
* Embedded YouTube Videos: Our website may use embedded videos from our official YouTube channel. As a result, when you visit a page with embedded videos, YouTube may collect data about your interaction with the videos according to its Privacy Policy. This may include information such as your IP address, browser type, and device identifiers. We do not control the data collection practices of YouTube, and we encourage you to review [YouTube's Privacy Policy](https://policies.google.com/privacy?hl=en-US) for more information on how they handle your data.

Also, we may share in aggregate, statistical form, non-personal information regarding the visitors to the Web Site, traffic patterns, and usage with our partners, the Delta Dental Companies, affiliates or advertisers. We may also share, on an identifiable basis, that you have used, and information regarding your usage of, certain features of the Website with the appropriate Delta Dental Company. In addition, we will disclose information we maintain, including personal information: (i) when permitted or required to do so by law, or may disclose such information in response to a request from a law enforcement agency or authority or any regulatory authority; (ii) to protect the integrity of the Website or the interests, rights, property, or safety of Delta Dental and its affiliates, our users, the Delta Dental Companies and others; or (iii) to enforce our Terms of Use.

RETENTION OF COLLECTED INFORMATION

We retain personal information collected through the Website for a reasonable period of time consistent with the purpose for the collection (e.g., to provide the services you request), or for other essential purposes including compliance with applicable laws, dispute resolution, and business operations. These retention periods can vary significantly depending on the type of information collected and the context.

COMMUNICATIONS OPT OUT

You may opt out of receiving materials or other communications from us by following the opt-out link or other unsubscribe instructions provided in any email or text message received, or by contacting us as provided at the end of this Privacy Statement. You may also be able to customize the communications you receive from us through preferences in your user account if you have registered for such an account, such as by activating or deactivating push notifications through your mobile device’s settings. If you do business with us, you may not opt out of automated notifications based on business transactions (e.g., e-commerce).

CHILDREN

In compliance with the Children’s Online Privacy Protection Act, 15 U.S.C. §§ 6501-06 and 16 C.F.R. §§ 312.1-312.12, we do not permit children under 13 years of age to become registered users of the Services, and we do not knowingly collect information from children. By using the Services, you represent that you are 13 years of age or older.

PROTECTING YOUR PERSONAL INFORMATION

Because security is important to both Delta Dental and you, we employ reasonable safeguards designed to promote the security of our systems and protect your personal information from unauthorized destruction, use, modification, or disclosure. Personal information is protected using various physical, administrative and/or technical safeguards in transit and at rest.

However, it is important to note that no method of safeguarding information is 100% secure. While we try to ensure the protection of your personal information, we cannot guarantee that our safeguards will be effective or sufficient. In addition, you should be aware that Internet data transmission is not always secure and we cannot warrant that information you transmit utilizing the Website is secure. The email functionality provided by the Website is not a completely secure and confidential means of communication. It is possible that your email communication may be accessed or viewed by another internet user while in transit to us. If you wish to keep your communication private, do not use such email functionality. In such case, please contact Delta Dental of South Dakota by phone.

BUSINESS TRANSFER

Delta Dental may, in the future, sell or otherwise transfer some or all of its assets to a third party. Your personal information we obtain from you via the Website may be disclosed to any potential or actual third party purchasers of such assets and/or may be among those assets transferred.

INDIVIDUALLY IDENTIFIABLE HEALTH INFORMATION

Many of the services offered, e.g., account registration, Find a Dentist, and Member-facing domains on our websites regard your individually identifiable health information.  Delta Dental considers your individually identifiable health information to be private and confidential. Delta Dental collects, uses, and discloses your individually identifiable health information consistent with the terms of applicable HIPAA business associate agreements. Applicable HIPAA business associate agreements generally permit Delta Dental to use and disclose your individually identifiable health information (1) for Delta Dental’s proper management and administration or to fulfill its legal responsibilities; (2) to perform data aggregation services in order to provide analysis relevant to the health care operations; or (3) to create de-identified data. Delta Dental collects, uses, and discloses your individually identifiable health information consistent with the [HIPAA Notice of Privacy Practices](https://southdakota.deltadental.com/privacy-and-policies/notice-of-privacy-practices/) pertaining to your dental plan.

YOUR RIGHTS AND CHOICES

Depending on where you live, you may have the below rights with respect to your personal data.

* Right to Know.  You may have the right to confirm that we process your personal information and to request information we have collected about you.
* Right to Data Portability.  You may have the right to receive copies of your personal information that we have collected in a commonly used and machine-readable format.
* Right to Delete.  You may have the right to request that we delete your personal information.
* Right to Correct.  You may have the right to request that we correct inaccurate personal information that we maintain about you.
* Right to Opt-Out. You may have the right to opt out of the sale of your personal information, targeted advertising, and profiling in furtherance of decisions that produce legal or similarly significant effects on you. Please note, however, that we do not use your personal information for these purposes.
* Sensitive Personal Information/Consumer Health Data.  As discussed above, Delta Dental collects, uses, and discloses your individually identifiable health information consistent with the terms of HIPAA.  If required by applicable law, we would obtain consent prior to collecting and processing such information, and you would be able to withdraw your consent by contacting us at the information below.

You or your authorized agent may exercise the Right to Know, Right to Delete, and Right to Correct by calling us at (877) 841-1478.

We will not discriminate against you, in any manner prohibited by applicable law, for exercising these rights.

In order to process your requests, we may need to obtain information to locate you in our records or authenticate and verify your identity, depending on the nature of the request.  In most cases, we will collect some or all of the following data elements: Date of Birth and Member ID.  In some cases, we may request different or additional information, including a signed declaration that you are who you say you are, and will inform you if we need such information.

Authorized agents may exercise rights on behalf of consumers.  We may require the agent to demonstrate authority to act on behalf of you by providing signed permission from you.  We may also require you to verify your own identity directly with us or to directly confirm with us that you provided the authorized agent permission to submit the request.

If you would like to appeal any action taken in response to your requests, please contact us at the information below.

CALIFORNIA SHINE THE LIGHT LAW

California Civil Code Section 1798.83, known as the “Shine The Light” law, permits our users who are California residents to request and obtain from us a list of what personal information (if any) we disclosed to third parties for direct marketing purposes in the preceding calendar year and the names and addresses of those third parties. Requests may be made only once a year and are free of charge. Under Section 1798.83, we currently do not share any personal information with third parties for their direct marketing purposes.

EFFECTIVENESS AND CHANGES TO OUR PRIVACY STATEMENT

This Privacy Statement is effective as of March 1, 2024. We reserve the right, at any time, to modify, alter, or update this statement, and any such modifications, alterations, or updates will be effective upon posting.  We encourage you to periodically review this Privacy Statement.  In the event we modify this Privacy Statement, we will post a notice to our website that it has been updated, and your continued use of the Services will signify your acceptance of the modified Privacy Statement.

QUESTIONS?

Questions regarding this Privacy Statement should be directed to:

Delta Dental Of South Dakota

Attention: Director of Compliance and Risk

PO Box 1157

Pierre, SD 57501