

**ABPMR PRIVACY POLICY**  
**Last modified October 1, 2021**

**PLEASE READ THIS ABPMR PRIVACY POLICY (“PRIVACY POLICY”) CAREFULLY. THIS PRIVACY POLICY PERTAINS TO YOUR ACCESSING AND USING THE ABPMR.ORG WEBSITE AND PERTAINS TO COLLECTION, USE AND SHARING OF INFORMATION OF RESIDENTS IN TRAINING AND PHYSICIANS WITH LIFETIME CERTIFICATIONS ISSUED PRIOR TO 1993 (THE “WEBSITE”).**

The Website is operated by the American Board of Physical Medicine and Rehabilitation, 3015 Allegro Park Lane SW, Rochester MN 55902 (“We” or “ABPMR”). This Privacy Policy describes the information collected through your use of the Website, how We use it, how We share it, how We protect it, and the choices you (“You”) can make about Your information.

ATTENTION: PLEASE READ OUR PRIVACY POLICY CAREFULLY BEFORE USING THE WEBSITE. USING THE WEBSITE INDICATES THAT YOU ACCEPT AND AGREE TO BE BOUND BY THIS PRIVACY POLICY IN FULL. IF YOU DO NOT ACCEPT THIS PRIVACY POLICY, DO NOT USE THE WEBSITE. You acknowledge (a) that You have read and understood this Privacy Policy; and (b) for users outside the European Union, this Privacy Policy shall have the same force and effect as a signed agreement.

Unless explicitly stated otherwise, any new features that augment or enhance the current Website shall be subject to this Privacy Policy.

Please review the Privacy Policy each time You use the Website. BY USING THE WEBSITE, YOU AGREE TO BE BOUND BY THE MOST RECENT VERSION OF THE PRIVACY POLICY. If We materially change this Privacy Policy, We will let You know by sending an email to the email address We have on record for You.

**I. Information We Collect**

We collect information from You when You create a profile, use the Website, contact or interact with us, fill out a form, and voluntarily provide us with Your comments and other content in connection with using the Website.

When you create a profile, We may collect your name, telephone number(s), email address, mailing address, fax number, medical license information, user ID and password.

When you complete the practice profile questionnaire, We may collect the number of years you have been in practice, your work status, practice setting information, practice type.

When you complete the personal profile questionnaire (PPQ), We may collect your race/ethnicity, gender, gender identity, disability status.

When You contact us, We may collect: Your name, email address, and any other information that You provide to us voluntarily.

When You submit a confidential tip, We collect any information that You provide to us voluntarily.

When You apply for an examination, We may collect Your photograph, copies of and information from diplomas, licenses, and other certificates, information about Your training and practice experience, and payment information.

When You fill out a form such as a verification of fellowship form, We may collect Your name, address, and information about Your training and practice experience.

When You make a payment through the Website, We may collect: Your name, address, credit card number, card expiration date, and other information sufficient for our payment processors to process the transaction and provide fraud screening, information security, and compliance, other account information, and any other information that You provide while registering or making a payment.

When You access and use the Website, We automatically collect information regarding You and Your device, including Your user name, roles/permissions for the Website, Your device's Internet Protocol address, the domain name of Your Internet service provider, Your location, the Website features You use and the time of Your use, Your mobile device information (e.g. device model and operating system version), and aggregated information that cannot be used to specifically identify You. Additional information collected is described in the Analytics and Cookies sections below.

We may collect information about You from third party sources such as verifying physicians, program directors, residency programs, medical schools, medical licensing boards, other medical associations and societies, exam service providers, and continuing medical education providers.

We may combine all of the information We collect from or about You and use it in the manner described in this Privacy Policy.

## **II. How We Use Your Information**

We use the information that We collect for several purposes, including:

- The purposes for which You provided it;
- To provide information and services to You;
- To connect with Your social media accounts and share information with you, should you choose to connect with ABPMR's social media accounts;
- To process and respond to Your inquiries and comments;
- To send You information about Your relationship or transactions with us;
- To facilitate payment transactions (Your information will be used to submit Your payment information to our payment processor);
- To administer, operate, and improve the Website or develop new services;
- To personalize and enhance Your experience using the Website;
- To send periodic emails. If You choose, the email address You provide may be used to send You occasional news, updates, etc. Note: If at any time You would like to unsubscribe from receiving future emails, We include detailed unsubscribe instructions at the bottom of each email;
- To generate and review reports and data about our user base and Website usage patterns;
- To analyze the accuracy, effectiveness, usability or popularity of the Website;

- To compile aggregate data for internal and external business purposes;
- To prevent fraud and abuse of the Website and to otherwise protect users and visitors and our organization;
- To assist law enforcement and respond to subpoenas; and
- To perform other business activities as needed, or as described elsewhere in this Privacy Policy.
- To provide services related to the Website (such as administration services, technical services relating to the maintenance, servicing, and upgrading of the products, software, hosting services, customer service, data migration services and analytical services, among others) information we collect may be processed by our partners.
- To assess the primary and continuing certification processes, including detecting bias based on race, ethnicity, gender, or other demographic markers, and to track efforts to mitigate any biases.  
To facilitate the recruitment and nomination of volunteers and board directors that reflect the diversity of the field of PM&R.

### **III. Legal Bases for Using Personal Information**

#### Performance of a contract

The use of your personal information may be necessary to perform the agreement you have with us to provide products and services, for example, to complete your certification application, to register and maintain your account, to help with certification issues, and to respond to your requests.

#### Legitimate interests

We may use your personal information for our legitimate interests. For example, We rely on our legitimate interest to analyze and improve our Services and the content on our website, to send you notifications about our Services, or to use your personal information for administrative, fraud detection, or legal purposes.

#### Consent

Prior to accessing this site and providing your personal data, You may have provided Your informed consent to the collection and use of certain personal data. You are free to withdraw your consent at any time, subject to the "Your Choices Regarding Your Information" section below and the preceding Legal Bases for Using Personal Information in this Section.

#### Compliance with legal obligations

We may use your personal information to comply with legal obligations to which we are subject, including to comply with legal process.

#### Performance of a task carried out in the public interest

We may use your personal information may be necessary to perform a task in the public interest. For example, we may track and make publicly available licensure status for medical professionals in the public interest.

#### IV. How Your Information is Disclosed

Information may be disclosed to third parties in accordance with our Privacy Policy. Please note that a user may choose not to share certain information as described in Your Choices Regarding Your Information below.

**A. Third Party Service Providers and Business Partners.** We may use third party service providers and business partners to perform functions in connection with the Website and our other services, such as delivering announcements by email, developing, registering for and delivering tests, payment processing, certificate printing, providing self-assessments, providing practice improvement projects, providing other activities to assist diplomates in maintaining their certification, website searching, analyzing and improving the Website usefulness, reliability, user experience, and operation, storing data, providing users with services, and providing other services as described in this Privacy Policy. We may share Your personal information for their marketing and promotional purposes and so they can provide services to You (where legally required, subject to your express consent).

- **Adobe Typekit.** We use Adobe Typekit to serve fonts on our website and to enhance the performance of our website. Adobe Typekit may collect information relating to Your JavaScript version, the amount of time it takes for You to download and apply fonts, and whether You are using an ad blocker and the effects of Your ad blocker on website rendering. For more information on Adobe Typekit, please visit Adobe Typekit's privacy policy: <https://www.adobe.com/privacy/policies/typekit.html>.
- **Facebook.** By clicking on the Facebook button on the Service, You will be automatically transported to the official Facebook Page for ABPMR, <https://www.facebook.com/AmericanBoardPMR>. By Your posting to ABPMR's Facebook page, ABPMR may be able to collect personal information about you related to your Facebook account. For more details on the information that Facebook collects or makes available, please visit Facebook's privacy policy: <https://www.facebook.com/privacy/explanation>.
- **Google Search.** Your IP address and search terms may be shared with Google as part of the search functionality of the Website. For more details on the information Google collects, please visit Google's privacy policy: <https://policies.google.com/privacy>.
- **Mailchimp.** We use MailChimp to disseminate newsletters and other communications. MailChimp may collect information from users subscribing to ABPMR newsletters, including name, physical address, email address, IP address, phone number, details including gender, occupation, and other demographic information. For more information, please visit MailChimp's privacy policy: <https://mailchimp.com/legal/privacy/>.
- **Pearson Vue.** We use Pearson Vue to conduct our certification examinations. We may provide Pearson Vue with your personal information, including your name, address, email address, and the last four digits of your social security number. Pearson Vue may collect other information from you, including your driver's license information, credit card information, date of birth, social security number, employment data, education data, and biometric data including your photograph and palm vein topography to verify your identity. For more information on Pearson Vue's collection practices and privacy policies, please visit: <https://home.pearsonvue.com/privacy>.

- Internet Testing Systems (ITS) We use ITS to conduct our longitudinal assessment (LA) examinations. We may provide ITS with your name and email address
- **Twitter.** By clicking on the Twitter button on the Service, You will automatically be transported to the official Twitter feed of ABPMR, @ABPMR, <https://twitter.com/ABPMR>. By Your posting to ABPMR's Twitter feed, ABPMR may be able to collect personal information about you related to your Twitter account. For more details on the information that Twitter collects or makes available, please visit Twitter's privacy policy: <https://twitter.com/en/privacy>.

**B. Payment Processing.** Any payment information You provide through the Website may be shared with and may be stored by our credit card processor, US Bank Evalon Inc., and is subject to its privacy policy, including in the case of data breach. You may review Evalons privacy policy at <https://www.elavon.com/privacy-policy.html>.

**C. Medical Community and Public.** Because We are a medical certification provider, We may disclose Your personal information and certification status in connection with our certification and verification services. For example, We may disclose Your personal information to a verifying physician as part of verifying a fellowship, We may disclose Your personal information to the program where You completed Your training, and We may share Your personal information with other medical educational providers, medical testing providers, specialty societies, boards, and associations such as the American Board of Medical Specialties (ABMS), the American Academy of Physical Medicine and Rehabilitation (AAPM&R), The Association of Academic Physiatrists (AAP), and the American Association of Neuromuscular & Electrodiagnostic Medicine (AANEM). We may share Your personal information for their marketing and promotional purposes (where legally required, subject to your express consent), for listing in *The Official ABMS Directory of Board Certified Medical Specialists* and similar publications, and so they can provide services. In addition, the public may search for Your certification status on the Website.

**D. Examination Results and Credentialing Information.** We release individual examination scores to residency training programs. We publish summary examination results (pass rates) on the Website and provide de-identified, aggregate examination results to the Accreditation Council for Graduate Medical Education (ACGME). We may provide de-identified examination results for research use. We may disclose examination, credentialing information, maintenance of certification participation, and certification status to investigators or other entities (e.g., state medical boards or other credentialing bodies) or to the public. We will disclose all relevant information in our possession for which We do not have claim of legal privilege in response to a lawful subpoena, court order, or an authorized request by a government or regulatory entity. For more information regarding the certification process, please review the Certification Requirements and Training documentation here: [https://www.abpmr.org/Resource/Download?filename=abpmr\\_cert\\_boi.pdf](https://www.abpmr.org/Resource/Download?filename=abpmr_cert_boi.pdf).

**E. Business Changes.** If We become involved in a merger, acquisition, sale of assets, joint venture, securities offering, bankruptcy, reorganization, liquidation, dissolution, or other transaction or if the ownership of all or substantially all of our organization otherwise changes, We may transfer Your information to a third party or parties in connection therewith.

**F. Affiliates.** We may also share Your information with our affiliates for purposes consistent with this Privacy Policy. Our affiliates will be required to maintain that information in accordance with this Privacy Policy.

**G. Investigations and Law.** We may disclose information about You to third parties if We believe that such disclosure is necessary to:

- Comply with the law or guidance and cooperate with government or law enforcement officials or private parties;
- Investigate, prevent or take action regarding suspected illegal activities, suspected fraud, the rights, reputation, safety, and property of us, users or others, or violations of our policies or other agreements with us;
- Respond to claims and legal process (for example, subpoenas); and/or
- Protect against legal liability.

**Aggregated Information.** We may share aggregated information relating to users of the Website with affiliated or unaffiliated third parties. This aggregated information does not contain personal information about any user. **Please note that** personal profile data obtained from the PPQ, such as race/ethnicity, gender, gender identity, disability status, is only ever reported in aggregate and is not shared externally on a per physician basis.

**H.**

**I. Analytics.** We use analytics tools to better understand who is using the Website and how people are using it. These tools may use cookies and other technologies to collect information about Your use of the Website and Your preferences and activities. These tools collect information sent by Your device or the Website and other information that assists us in improving the Website. This information may be used to, among other things, analyze and track data, determine the popularity of certain content, and better understand Your online activity.

**J. Cookies and Other Tracking Technologies**

We, along with third parties, use cookies, local storage objects, Web beacons and other technologies. These technologies are used for tracking, analytics and personalization and optimization of the Website.

Cookies are small files that are transferred to and stored on Your computer through Your Web browser (if You allow it) that enable the website's or service provider's system to recognize Your browser and capture and remember certain information. You can instruct Your browser to stop accepting cookies. But if You do not accept cookies, You may not be able to use all portions of all functionality of the Website.

- Persistent cookies remain on the visitor's computer after the browser has been closed.
- Session cookies exist only during a visitor's online session and disappear from the visitor's computer when they close the browser software.

Flash cookies (also known as local shared objects) are data files that can be created on Your computer by the websites You visit and are a way for websites to store information for later use. Flash cookies are stored in different parts of Your computer from ordinary browser cookies. You can disable the storage of flash cookies. For additional information about managing and disabling flash cookies, please visit <http://helpx.adobe.com/flash-player/kb/disable-local-shared-objects-flash.html>.

Web beacons are small strings of code that provide a method for delivering a graphic image on a Web page or in an email message for the purpose of transferring data. You can disable the ability of Web beacons to capture information by blocking cookies.

We use cookies and other tracking technologies on the website to help us understand and save Your preferences and permissions so We can personalize Your future visits and compile aggregate data about website traffic and website interaction so that We can offer better website experiences and tools in the future.

Some of our business partners, such as our search provider, also use cookies and other tracking technologies on our website, some of which may track users across websites and over time.

## **V. Security**

We implement a variety of security measures to protect the safety of Your personal information when You enter, submit, or access Your personal information.

While We take reasonable measures to protect the information You submit via the Website against loss, theft and unauthorized use, disclosure, or modification, We cannot guarantee its absolute security. No Internet, email, or mobile application transmission is ever fully secure or error free. Email or other messages sent through the Website may not be secure. You should use caution whenever submitting information through the Website and take special care in deciding with which information You provide us.

Any information collected through the Website is stored and processed in the United States. If You use our Website outside of the United States, You consent to have Your data transferred to the United States.

## **VI. Data Retention Policy, Managing Your Information**

We will retain Your information for as long as You use the Website and for a reasonable time thereafter. We may maintain anonymized or aggregated data, including usage data, for analytics purposes. We may retain and use Your information as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements, and/or the period required by laws in applicable jurisdictions. Please note that some or all of the information We have collected may be required for the Website to function properly.

## **VII. Links to Other Websites or Applications**

This Privacy Policy applies only to the Website. The Website may contain links to other websites or apps or may forward users to other websites or apps that We may not own or operate and to which this Privacy Policy does not apply. The links from the Website do not imply that We endorse or have reviewed these websites or apps. The policies and procedures We describe here do not apply to these websites or apps. We neither can control nor are responsible for the privacy practices or content of these websites or apps. We suggest contacting these websites or app providers directly for information on their privacy policies. Nonetheless, We seek to protect the integrity of our Website, and welcome any feedback about these linked websites and mobile applications.

## VIII. Your Choices Regarding Your Information

You have choices regarding the use of information by the Website.

- **Changing Your Information** – To change Your information, please contact us at [office@abpmr.org](mailto:office@abpmr.org).
- **Closing Your Account** –If the email account associated with Your email address is not active, We may remove it from our system without notice.
- **Withdrawing Consent** - EU Data Subjects may choose to withdraw Your consent to Our processing of Your information and Your use of the Services at any time by requesting that Your personal information be deleted, except for information required to be retained as provided for in our Privacy Policy. This deletion is permanent and Your information cannot be reinstated. To proceed with this request, please email [office@abpmr.org](mailto:office@abpmr.org).

## IX. EU Privacy Rights

Users based in the European Union have the following legal rights in respect of their information:

- The right to require ABPMR to confirm whether or not their information is being processed, the purpose of any such processing, the recipients of any information that has been disclosed, the period for which their information is to be stored and whether any automated decision-making processes are used in relation to their information;
- The right to require ABPMR to rectify inaccurate information without undue delay;
- The right to request the erasure of their information. Subject to certain conditions, ABPMR may be required to erase the information in response to such request where:
  - the information is no longer necessary in relation to the purpose for which it was collected, such as where a user chooses to terminate his or her use of the Service;
  - where the processing of the information is based on the user's consent (and the other circumstances described in the 'Legal Basis for Processing Your information' and 'How We May Share Your information' sections above no longer apply), if the user withdraws his or her consent; or
  - the user objects to the processing of his or her information and there are no overriding legitimate grounds for the processing.
- Where ABPMR has disclosed the information of a European Union user to a third party and the user requests the erasure or rectification of the data, ABPMR will take all reasonable steps to inform the third party of such request.
- The right to restrict ABPMR from processing their information in certain circumstances, such as where the accuracy of that information is disputed or an objection has been raised (see below). In such circumstances, ABPMR will only process that information with the express consent of the user, or for the establishment, exercise or defense of legal claims or for the protection of the rights of another natural or legal person or for reasons of important public interest;
- The right to receive their information from ABPMR in a structured, commonly used and machine-readable format;
- The right to object to the processing of their information by ABPMR where:
  - ABPMR has relied on the 'legitimate interest' basis for processing that information, in which case we will immediately stop processing the user's



- information unless we have compelling legitimate grounds which override the interests, rights and freedoms of the user; or
- the information is used for direct marketing purposes, in which case we will immediately stop processing the user's information for such purposes.
- The right to lodge a complaint with the data protection supervisory authority of the EU member state where the user resides.
- The above legal rights are subject to various conditions and exceptions including where the data is used for statistical or scientific research purposes and the exercise of the right would prevent such purposes from being attained or would seriously impair their attainment.

#### **X. Information Collected From Other Websites and Mobile Applications and Do Not Track Policy**

Your browser or device may offer You a “Do Not Track” option, which allows You to signal to operators of websites, web applications, mobile applications and services (including behavioral advertising services) that You do not wish such operators to track certain of Your online activities over time and/or across different websites or applications. Our Website does not support Do Not Track requests at this time, which means that We or our analytics providers or other third parties with which We are working may collect information about Your online activity both during and after Your use of the Website.

#### **XI. Children**

We do not knowingly collect personal information from an individual under age 13. If You are under the age of 13, please do not submit any personal information through the Website. If You have reason to believe that We may have accidentally received personal information from an individual under age 13, please contact us immediately at [office@abpmr.org](mailto:office@abpmr.org).

#### **XII. Changes to Privacy Policy**

We reserve the right to update or modify this Privacy Policy at any time and from time to time without prior notice. Please review this Privacy Policy periodically, and especially before You provide any information. This Privacy Policy was made effective on the date indicated above.

#### **XIII. How to Contact Us**

Please feel free to contact us by email at [office@abpmr.org](mailto:office@abpmr.org) or by writing us at American Board of Physical Medicine and Rehabilitation, 3015 Allegro Park Lane SW, Rochester MN 55902, if You have any questions about this Privacy Policy.

#### **XIV. Your California Privacy Rights**

Section 1798.83 of the California Civil Code permits California residents to request from a business, with whom the California resident has an established business relationship, certain information about the types of personal information the business has shared with third parties for those third parties' direct marketing purposes and the names and addresses of the third parties with whom the business has shared such information during the immediately preceding calendar year. You may make one request each year by emailing us at [office@abpmr.org](mailto:office@abpmr.org) or writing us at American Board of Physical Medicine and Rehabilitation, 3015 Allegro Park Lane SW, Rochester MN 55902.