

US Department of Health and Human Services

Third Party Websites and Applications Privacy Impact Assessment

Date Signed:

September 07, 2018

OPDIV:

CMS

Name:

BING

TPWA Unique Identifier:

T-3538356-265911

Is this a new TPWA?

Yes

Will the use of a third-party Website or application create a new or modify an existing HHS/OPDIV System of Records Notice (SORN) under the Privacy Act?

No

If SORN is not yet published, identify plans to put one in place.

Not applicable.

Will the use of a third-party Website or application create an information collection subject to OMB clearance under the Paperwork Reduction Act (PRA)?

No

Indicate the OMB approval number expiration date (or describe the plans to obtain OMB clearance).

Expiration Date: 1/1/01 12:00 AM

Describe the plans to obtain OMB clearance.

Explanation: Not applicable because CMS is not collecting or storing any personally identifiable information (PII).

Does the third-party Website or application contain Federal Records?

No

Describe the specific purpose for the OPDIV use of the third-party Website or application:

CMS uses Bing advertising services to place digital advertisements on pages that display Bing search results. The purpose for placing the digital ads is two-fold: (1) to conduct outreach and education by reaching new users, and (2) to provide information to previous users of a CMS website. Conversion tracking will be in place for Bing to measure consumer's activity on a CMS website who were driven to the website from advertising.

Have the third-party privacy policies been reviewed to evaluate any risks and to determine whether the Website or application is appropriate for OPDIV use?

Yes

Describe alternative means by which the public can obtain comparable information or services if they choose not to use the third-party Website or application:

If users do not want to interact with Bing.com or the CMS website ads Bing may deliver, but still want to obtain information through the CMS website, they can obtain comparable information by visiting the CMS website directly, or other government-sponsored websites and resources that offer relevant information, including but not limited to CMS.gov. The public can also call into CMS's call center to obtain information generally offered through the CMS website or the CMS website advertisements served by Bing.

Does the third-party Website or application have appropriate branding to distinguish the OPDIV activities from those of nongovernmental actors?

Yes

How does the public navigate to the third party Website or application from the OPDIV?

The public does not navigate to Bing's website search page from the CMS website. Rather, the public may independently navigate to Bing.com to perform web searches.

Please describe how the public navigate to the thirdparty website or application:

The public may independently navigate to Bing.com to perform web searches.

If the public navigate to the third-party website or application via an external hyperlink, is there an alert to notify the public that they are being directed to anongovernmental Website?

No

Has the OPDIV Privacy Policy been updated to describe the use of a third-party Website or application?

Yes

Provide a hyperlink to the OPDIV Privacy Policy:

This is the privacy policy for all CMS website <https://www.cms.gov/privacy/> unless one of the following is noted <https://www.healthcare.gov/privacy/> and <https://www.medicare.gov/privacy-policy/index.html>.

Is an OPDIV Privacy Notice posted on the third-part website or application?

No

Is PII collected by the OPDIV from the third-party Website or application?

No

Will the third-party Website or application make PII available to the OPDIV?

No

Describe the PII that will be collected by the OPDIV from the third-party Website or application and/or the PII which the public could make available to the OPDIV through the use of the third-party Website or application and the intended or expected use of the PII:

Not applicable. CMS does not collect any PII through the use of Bing.

Describe the type of PII from the third-party Website or application that will be shared, with whom the PII will be shared, and the purpose of the information sharing:

Not applicable. Bing does not share any PII.

If PII is shared, how are the risks of sharing PII mitigated?

Not applicable.

Will the PII from the third-party website or application be maintained by the OPDIV?

No

Describe how PII that is used or maintained will be secured:

Not applicable.

What other privacy risks exist and how will they be mitigated?

CMS will use Bing advertising services in a manner that will support CMS' mission to inform users of the services and program provided by CMS through CMS websites, while respecting the privacy of users. CMS will conduct periodic reviews of Bing's privacy practices to ensure its policies continue to align with agency objectives and privacy policies and do not present unreasonable or unmitigated risks to user privacy. CMS employs Bing advertising services solely for the purposes of improving CMS' services and activities online related to operating CMS websites.

Potential Risk:

As described in our Privacy Policy, we use persistent cookies on CMS websites to support our digital advertising outreach, and these cookies may be stored on a user's local browser for a limited time. Bing advertising cookies used to provide CMS with Bing advertising services are set to expire within 90 days. The use of persistent cookies presents the risk that a user's activity on the internet may be tracked across multiple sites and over time, compromising user privacy. The use of persistent cookies for an extended period of time presents the risk that more information will be collected about users than is necessary to fulfill the purpose of the collection, further compromising user privacy.

Mitigation:

CMS websites and Bing offer users notice about the use of persistent cookies, the information collected about them, and the data gathering choices that they have in their website privacy policies.

CMS uses a Tealium iQ Privacy Manager to give users control over which tags or cookies they want to accept from a CMS website.

For Bing advertising cookies outside of a CMS website, Bing offers users the ability to opt-out of having Bing advertising services target them using cookies by opting out through:

Choices offered at <http://choice.microsoft.com/en-us/opt-out> (the opt-out is set for five years); and Opt-out options on websites of industry self-regulation programs respected by Bing, including the Digital Advertising Alliance, European Interactive Digital Advertising Alliance, and Digital Advertising Alliance of Canada.

Potential Risk:

CMS uses Bing services for conversion tracking. This technique uses cookies to track users across multiple sites and over time, and the resulting combined information could be used to compromise user privacy by revealing patterns in behavior that the user may not want to disclose to CMS or to Bing for provision of a of advertising services to other Bing customers who may wish to target the health care sector.

Conversion tracking allows advertisers to measure the impact of their advertisements by tracking whether users who view or interact with an ad later visit a particular site or perform desired actions on such site, such as enrolling in health care coverage on HealthCare.gov.

Conversion tracking enables CMS to improve the performance of ads by delivering them to relevant audiences and measuring their effect.

Mitigation:

To mitigate this risk, CMS uses a Tealium iQ Privacy Manager to give users control over which tags or cookies they want to accept from a CMS website, including whether they want to accept advertising cookies.