

# Privacy Policy

**Updated on March 27, 2024**

The American College of Surgeons, the ACS Foundation, the ACS Insurance Trust, the ACS Professional Association political action committee (ACSPA-SurgeonsPAC) (collectively "ACS," "we," or "us") knows that you care how your information is used and shared. This Privacy Policy ("Policy") describes our policies with respect to information that ACS collects through the MyATLS Mobile App ("App").

## **Changes in this Policy**

ACS may amend this Policy at any time without notice. Changes to this Policy may affect our use of personally identifiable information that you provided us prior to our notification to you of the changes. Please visit our Policy section of the App to obtain current information about our Policy.

## **I. Information ACS Collects**

The information we collect generally includes: (1) personal information you supply and (2) tracking information collected as you navigate through the App.

### **Information Collected from You**

We may collect and store personally identifiable information that you provide to us. The personally identifiable information we request from you may include your: (i) country of residence; (ii) first, middle, and last name; (iii) highest level of education attained; (iv) job title; (v) home or office phone and fax numbers; (vi) employer's name and address; (vii) home or office address; (viii) home or office e-mail address; (ix) ACS member identification number, user ID, and password; and (x) credit card information (only if purchases are made) (collectively "Personal Data").

In accordance with the Children's Online Privacy Protection Rule ("COPPA"), ACS does not knowingly collect any personally identifiable information online from children under the age of 13.

### **Information Collected through Technology**

We collect information on how users interact with the MyATLS mobile application features and content in order to improve the user experience.

## **II. How ACS Uses that Information**

We do not undertake to maintain any information about you for a duration greater than necessary to provide services to you or as provided by law, rule, or regulation.

ACS may use information about use of the App and aggregated information about you and other visitors to our App in order to improve our App and develop content and services that may be of interest to you and for its other business purposes.

## **III. Security Measures Taken to Protect Personally Identifiable Information**

The ACS utilized Firebase as the data hosting service for the MyATLS mobile application. All Firebase services (aside from App indexing) have successfully completed the [ISO 27001](#) and [SOC 1](#), [SOC 2](#), and [SOC 3](#) evaluation process. Compliance reports and certificates for Firebase services governed by the GCP Terms of Service may be requested via the [Compliance Reports Manager](#). Firebase services encrypt data in transit using HTTPS and logically isolate customer data. In addition, several Firebase services also encrypt their data at rest. To keep personal data safe, Firebase employs extensive security measures to minimize access: 1. Firebase restricts access to a select employees who have a business purpose to access personal data. 2. Firebase logs employee access to systems that contain personal data. 3. Firebase only permits access to personal data by employees who sign in with Google Sign-In and [2-factor authentication](#).

While the ACS and Firebase employ reasonable security measures to protect your personal information, please be aware that no method of electronic transmission is completely infallible, and we cannot guarantee its absolute safety.

## **IV. Information Sharing with Third Parties**

We may share your personal information with our authorized service providers that perform certain services on our behalf. These services may include providing customer service, performing business and sales analysis, and supporting our App functionality, other features offered through our App. These service providers may have access to personal information needed to

perform their functions but are not authorized to share or use such information for any other purposes.

We may also provide your information to third parties to accomplish the purpose for which the information was submitted, such as providing your personally identifiable information to credit card processors to process a purchase.

We may also transfer user or customer information, including personally identifiable information, in connection with a corporate transaction, such as a divestiture, merger, consolidation, or asset sale.

We may disclose specific information in response to a valid court order, subpoena, government investigation, or as otherwise required by law, to enforce our App policies, or to protect our or others' rights, property, or safety. We reserve the right to report to law enforcement illegal uses of the App, or defend ourselves against third-party claims. We may also share information with companies assisting in fraud protection or investigation. We do not provide information to these agencies or companies for marketing or commercial purposes.

## **V. Rights in Relation to Your Personal Data**

Users of the App have the option to hide personal information through Apple and Google SSO. Users of the App may request to have their account and corresponding personal information deleted.

**Right of access:** Upon request, the ACS will confirm any processing of your Personal Data and, provide you with a copy of that Personal Data in an acceptable machine-readable format.

**Right to rectification:** You have the right to have ACS correct any inaccurate Personal Data or to have ACS complete any incomplete Personal Data.

**Right to restrict processing;** You have the right to ask ACS to suppress the processing of your Personal Data but ACS may still store your Personal Data.

**Right to object to processing:** You have the right to object to your Personal Data being used in the following manners: (a) processing based on legitimate interests or the performance of a task in the public interest/exercise of official authority (including profiling); (b) direct marketing (including profiling); and (c) processing for purposes of scientific/historical research and statistics.

**Right to erasure:** You may ask the ACS to delete or remove your Personal Data collected through the MyATLS mobile app. The requesting user's information will be removed from the live and backup systems within 180 days. In which case, please be aware that the ACS will not be able to restore the user's progress/bookmarks/onboarding data in the MyATLS mobile app.

**Right to data portability:** Effective 01 March 2024, you have the right to obtain your Personal Data from us that you consented to give us or that is necessary to perform fulfillment of member benefits with you. We will give you your Personal Data in a structured, commonly used and machine-readable format.

**Right to withdraw consent:** We rely on your consent to process your Personal Data, you have the right to withdraw that consent at any time. This will not affect the lawfulness of processing based on your prior consent.

**Right to file a complaint with a supervisory authority:** You have the right to file a complaint with a supervisory authority, in particular in the European Member State of your habitual residence, place of work or place of the alleged infringement if you consider that the processing of Personal Data relating to you infringes upon your rights.

You may exercise your rights by contacting us as indicated under "Contact Us" section below.

## **VI. Transfer and Storage of Your Information**

Please note information ACS collects about you may be transferred, processed and/or accessed by us in the United States, or another country where we, or our Service Providers operate. Please be aware Personal Data may be transferred to, and maintained on, computers located outside of your state or country where privacy laws may differ from and may not be as protective as those where you live. If you are located outside the United States and choose to allow us to collect information about you, please be aware that ACS may transfer your Personal Data to the United States and process and store it there.

If you are located in the European Economic Area ("EEA") or other regions with laws governing data collection and use that may differ from U.S. law, please note that we may transfer information to a country or jurisdiction that does not have the same data protection laws as your jurisdiction, as disclosed in this

Privacy Policy. It may also be processed by staff operating outside the EEA who work for us or for one of our Service Providers, also as disclosed.

**Data Hosting:** ACS works with Firebase as its data hosting services provider for the MyATLS mobile app. Firebase is located in San Francisco, California and ACS's data is stored by Firebase on servers located in the United States of America. Data is encrypted at rest and transmitted via an encrypted channel.

### **Safely Using ACS's Services**

Despite ACS's safety and privacy controls, we cannot guarantee the Services are entirely free of illegal, offensive, pornographic, or otherwise inappropriate material, or that you will not encounter inappropriate or illegal conduct from other Users when using the Services. You can help ACS by notifying us of any unwelcome contact by contacting us using the information below.

### **Your California Privacy Rights**

Under California Civil Code Section 1798.83 (known as the "Shine the Light" law), ACS members and customers who are residents of California may request certain information about our disclosure of personal information during the prior calendar year to third parties for their direct marketing purposes. To make such a request, please write to us at the address below or at [myatlsapp@facs.org](mailto:myatlsapp@facs.org) with "Request for California Privacy Information" on the subject line and in the body of your message. We will comply with your request within thirty (30) days or as otherwise required by the statute. Please be aware that not all information sharing is covered by the "Shine the Light" requirements and only information on covered sharing will be included in our response.

### **Questions or Comments**

If you have any questions or comments about the American College of Surgeons' privacy policy, please contact us at:

American College of Surgeons  
633 North Saint Clair Street  
Chicago, Illinois 60611-3295  
Tel: 312-202-5000  
E-mail: [myatlsapp@facs.org](mailto:myatlsapp@facs.org)

### **VII. Miscellaneous**

## **Terms of Use**

This Policy is subject to, a part of, and incorporated into the Terms of Use which can be found at [\*\*https://www.facs.org/terms-of-use\*\*](https://www.facs.org/terms-of-use).

## **International Users**

This App is operated, in whole or in part, from the United States. By using this App, regardless of where you live in the world, you consent to have your Personal Data transferred to and processed in the United States, and allow ACS to use and collect your personal information in accordance with this Policy.