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# Data Protection Policy Order Form

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**Frascona, Joiner, Goodman & Greenstein, P.C. ("FJGG")**

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Please complete this form to order your Data Protection Policy, and then email, fax, or mail it to us. Please carefully review each part of the form, including the instructions below, but if you any have questions about how to complete the form then please contact Jennifer Overbey at 303-539-9222.

## 1. Company Information

a. **Full Name of Company:**

\_\_\_\_\_

b. **Description of Business:**

\_\_\_\_\_

c. **Primary Contact for this Order Form** (Name of individual to communicate with about this order):

\_\_\_\_\_

d. **Phone:** \_\_\_\_\_ e. **Email:** \_\_\_\_\_

f. **Address:** \_\_\_\_\_

\_\_\_\_\_, CO \_\_\_\_\_

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### How to Complete this Form

Under Colorado state law, companies that obtain certain kinds of personal information about their customers, clients, staff, etc. are required to have a written policy about proper protection and disposal of this information. The nature and scope of your company's policy will depend on how much "personal identifying information" ("**PII**") your company needs to handle in the course of its business. Please review the definition of PII and then answer the questions below. You may be asked to skip certain sections of the form depending on your answers.

### Definition of PII

PII includes all of the following: **social security number; government-issued driver's license number or ID card number; passport number; employer, student, or military identification number; personal identification number (aka a "PIN" number); financial transaction device (e.g. credit card, debit card or any other device that can be used to make financial payments, but *not* a check); password or pass code; or biometric data (e.g. fingerprints).**

Those above items are considered PII regardless of the form that information is stored in (electronically or on paper) and regardless of whether it relates to employees, customers or any other person.

### Potential Need for Further Consultation and Customization

After reviewing your responses to this form, your company may have the option to purchase one of FJGG's policies offered at a predetermined flat fee. However, depending on your responses, we may request a consultation with you to see if we recommend a policy with further customization. There will be no charge for that consultation, but in the event we recommend a customized policy, the company will be asked to pay an additional hourly fee for FJGG to customize your policy. Hourly rates for that customization will be provided before the company agrees to obtain this service.

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## 2. PII from Individuals Within the Company

Yes  No Does the company have any employees or independent contractors that it obtains PII from (common examples include: social security numbers or employer identification numbers for wage and tax records, copies of drivers licenses, passports, or other identifications for employment applications, and bank account or credit card numbers for direct deposits or expense reimbursements)? **If NO, you can skip the questions below and proceed to Section 3.**

Does the Company store this PII gathered from individuals within the Company on paper, electronically, or with a combination of both?  Paper Files  Electronic Files  Combination of both

Yes  No Does the Company have any policies or procedures in place to restrict access to these files within the Company (for example by using locked offices/file cabinets for paper files, or restricting computer access for certain electronic files, to only allow access by individuals who need them for their job duties)?

If yes, please provide a basic overview: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Yes  No Does the Company provide any of this information to a third party service provider, such as an outside payroll services company, or for purposes of providing employee health insurance, 401(k), or other benefits? If yes, please provide details: \_\_\_\_\_

\_\_\_\_\_

Yes  No Does the Company have a bookkeeping person/department in charge of administering compensation to employees/independent contractors? Please provide details: \_\_\_\_\_

\_\_\_\_\_

Yes  No Does the Company have a human resources person/department or someone else in charge of maintaining employment records for employees/independent contractors/applicants? Please provide details: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## 3. PII from Individuals Outside the Company

Yes  No Does the Company provide property management services or does the Company otherwise have reasons that it obtains PII from customers, clients, or others outside of the company (common examples, depending on the nature of your business, include: customer payments, background checks, notary records, loan applications, etc.)? **If NO, you can skip the questions below in this Section 3 and proceed to Section 4.**

Does the Company store this PII gathered from individuals outside the Company on paper, electronically, or with a combination of both?  Paper Files  Electronic Files  Combination of both

Yes  No Does the Company have any policies or procedures in place to restrict access to these files

within the Company (for example by using locked offices/file cabinets for paper files, or restricting computer access for certain electronic files, to only allow access by individuals who need them for their job duties)?

If yes, please provide a basic overview: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Yes  No Does the Company provide any of this information to a third party service provider such as a credit card payment processing company? If yes, please provide details: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

#### 4. Company Data Security and Document Retention

If the Company answered “**Yes**” to the first question under either Section 2 or Section 3, please complete this Section 4. If the Company answered “**No**” to the first question under both Section 2 and Section 3, you do not need to complete this Section 4 and can proceed to Sections 5 and 6.

Yes  No Is the Company willing to appoint an individual within the Company as the Data Protection Coordinator? This is recommended, and the individual would be responsible for administering the policy, would serve as the primary point of contact for questions, etc. If yes, please provide this individual’s name and contact information: \_\_\_\_\_

\_\_\_\_\_

Yes  No Does the Company have an information technology person/department in charge of the Company’s computer systems and networks, either within the company or with an outside service provider? If yes, please provide details: \_\_\_\_\_

\_\_\_\_\_

Yes  No If the Company stores files electronically, does the Company have any policies or procedures in place regarding password requirements for all computers/smart phones that can be used to access Company files?

Yes  No If the Company stores files electronically, does the Company have any policies or procedures in place regarding anti-virus software for Company computers?

Yes  No If the Company stores files electronically, does the Company have any policies or procedures in place regarding computer network “firewall” protection?

Yes  No If the Company stores or sends files electronically, does the Company have any policies or procedures in place regarding encryption of electronic data?

Yes  No Does the Company have policies or procedures in place for how it will investigate and respond to any actual or suspected security breach incidents involving unauthorized access to files?

Yes  No Does the Company have policies or procedures in place for how long different types of business records are kept, as well as for the disposal of files after they are no longer needed? **If No, the Company will need to prepare a document that includes this information.** FJGG can assist with reviewing your current policy, or preparing a document that describes how long files will be retained and how old files are disposed of, but that is **not** included in the flat fee pricing options below; that would be an additional charge.

## 5. Order Form Disclaimer:

Please confirm whether your business is subject to the Colorado Privacy Act, which applies to entities, including nonprofits, conducting business in Colorado or targeting Colorado residents. If your business meets any of the following criteria, please check “Yes.” This confirmation is for informational purposes only and does not constitute legal advice.

- Operates in Colorado or targets Colorado residents, **and**:
  - Processes the personal data of more than 100,000 individuals annually, **or**
  - Derives revenue or receives discounts from selling the personal data of 25,000 or more individuals, **or**
  - Acts as a service provider, contractor, or vendor that manages, maintains, or provides services related to such data on behalf of other companies.

Yes  No

## 6. Pricing:

Flat-Fee Policy for Companies with Little to No PII

**If the Company answered “No” to the first question under both Section 2 and Section 3**, the Company is eligible for FJGG’s Flat Fee Policy for Companies with Little to No PII, which is available for **\$200.00**

Flat-Fee Policy for Companies with Limited PII

**If the Company answered “Yes” to the first question under either Section 2 or Section 3**, the Company may still be eligible for FJGG’s Flat Fee Policy for Companies with Limited PII, which is available for **\$375.00**

Customized Policy for Companies with Extensive PII

**If the Company answered “Yes” to the first question under either Section 2 or Section 3, and depending on the Company’s other answers above, the Company may require a Data Protection Policy that needs further customization above and beyond one of FJGG’s flat-fee options.** Depending on your responses, we may request a consultation with you to see if we recommend a policy with further customization. There will be no charge for that consultation, but in the event we recommend a customized policy, the company will be asked to pay an additional hourly fee for FJGG to customize your policy. Hourly rates for that customization will be provided before the company agrees to obtain this service.

## 7. Payment:

Once we determine your pricing option, and if you decide to purchase a policy from us based on that pricing option, you will receive an email from our office with payment instructions. You will have the choice to either: 1) follow a link in that email to provide payment by credit card via our online payment portal, or 2) you can send us a check with your order form via regular mail.

8. **How did you hear about us?** \_\_\_\_\_

9. **Authorization; Limited Scope Engagement:** By signing below, I confirm that I have read Data Protection Policy Order Form and the associated explanation at the Frasca website on behalf of the company identified above. I understand that while my order creates an attorney-client relationship between FJGG and the company, this is a limited services engagement. My order of a Data Protection Policy does not preclude FJGG from representing another client who has interests adverse to me or my company.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Date)