

# TCPA

## Monitoring & Testing

### Playbook Template



AskDegree°

# Instructions for Operationalizing Monitoring and Testing Playbook Templates

Dear Builder Extraordinaire 

Thank you for choosing our Monitoring & Testing Playbook templates. This document provides a comprehensive guide on how to customize and implement our Playbooks effectively within your organization. Our Monitoring and Testing Playbooks are best suited for individuals with at least 2 - 3 years of compliance testing experience. Please follow these steps to ensure the Playbooks align with your specific product or service and unique risks.

## Download and Review the Template:

- Begin by downloading the Playbook Template provided. Familiarize yourself with its contents to gain a thorough understanding of its structure and components.

## Customize Organizational Information:

- Open the template using your preferred word-processing software.
- Locate and replace all instances of "[Your Organization, COMPANY NAME]" with the actual name of your organization.

## Identify and Tailor Sample Sizes:

- Review the template and identify sample sizes. Ensure the sample size selected is tailored to your organization. Consider information such as the number of customers, number of applications, and volume within a specific time period (e.g. month, or quarter). It is important to sample a population that will provide meaningful results for your organization.

## Update Job Titles (If applicable):

- Identify placeholders for job titles (e.g., [Job Title]) and replace them with the specific job titles used in your organization. Ensure that all positions mentioned in the policy are accurate and up to date.

## Adapt System References:

- Locate any references to specific systems or tools used in the policy (e.g., [System Name]). Replace these with the names of the actual systems employed by your organization.

## Review and Customize Playbook Content:

- Carefully review each section of the Playbook to ensure it aligns with your organization's practices, values, and procedures. Modify any language or processes as needed to reflect your specific operations.

### **Insert Contact Information:**

- Include the contact details of relevant individuals or departments responsible for overseeing changes to the Playbook. This could include HR personnel, supervisors, or designated monitoring and testing team lead.

### **Incorporate Legal and Regulatory Requirements:**

- Ensure that the Playbook complies with any relevant legal or regulatory frameworks specific to your industry or location. Add or modify sections as necessary to address compliance issues.

### **Seek Expert Help (if necessary):**

- If you have any doubts about the implications or compliance requirements of the Playbook, reach out to experienced compliance professionals for assistance. We are always an email away. We'll help you to ensure it meets all necessary standards.

### **Review and Finalize:**

- Once you have made all necessary customizations, carefully review the Playbook to verify accuracy and consistency.

### **Distribute and Train:**

- Disseminate the finalized Playbook to all relevant personnel within your organization. Provide training or informational sessions to ensure everyone understands the new Playbook.

### **Establish a Review Schedule:**

- Regularly review and update the Playbook to reflect any changes in your organization's structure, procedures, or applicable laws.

By following these steps, you will successfully customize and implement the Monitoring & Testing Playbook Template to meet the specific needs of your organization. If you have any further questions or need additional assistance, please do not hesitate to reach out.

Thank you for your commitment to ensuring a proactive compliance program within your organization.

Sincerely,  
AskDegree Launchpad Team



# (Company Name)

## Telephone Consumer Protection Act (TCPA)

## Monitoring & Testing Playbook

Version X.X

Month YYYY

Test Objective:

The primary objective of this monitoring and testing procedure is to ensure COMPANY NAME's compliance with consumer protection rights related to the Telephone Consumer Protection Act 47 U.S.C. § 227.

TCPA limits COMPANY's ability to use pre-recorded voice messages, automatic dialing, and SMS and fax technology to communicate with consumers. Without explicit customer consent, COMPANY's must adhere to strict solicitation rules, solicitors must honor the National Do Not Call Registry.

**1. TCPA Authorization Provision and Acknowledgment:**

Procedure:

1.1. On a quarterly basis select a 50 file sample of (Product Name) applicants, this should include all declines, approvals, and withdrawn applications.

    1.1.1 Extract a file of all (Product Name) applications initiated within the previous calendar quarter.

    1.1.2 Use a randomization feature within Google Sheets or Excel to identify your testing population.

    1.1.3 Create a testing folder for this exercise titling the folder **TCPA Testing Q\_ (1,2,3,or 4) 202\_**.

1.2. Verify that each selected applicant has been presented with a copy of the company's TCPA Authorization, this also includes verifying that the correct historical version of the TCPA Authorization.

1.3. Confirm that the TCPA Authorization includes all required information per the TCPA.

1.4. Check if there is a formal acknowledgment process for the TCPA Authorization.

1.5. Ensure that the selected applicants have formally acknowledged and agreed to the terms of the TCPA Authorization.

1.6. Confirm that the acknowledgment records are stored in a retrievable format.

1.7 Store all work papers within the folder created.

1.8 Notate any deficiencies and communication need for remediation to applicable responsible parties.

**2. Retention Practices:**

Procedure:

2.1. On a quarterly basis identify a representative sample of 50 customer TCPA Authorization acknowledgment records. Pull a file of all accounts and use a randomization tool to select your 50 file sample.

2.2. Verify that these records are stored in a manner that allows for easy retrieval. Easy retrieval is defined as the extraction of the record should take no more than 3 business days to complete.

2.3. Confirm that records include relevant details such as date of acknowledgment and the version of the TCPA Authorization provided.

2.4. Ensure that conspicuous records are retained for the required period as per applicable regulations and laws.

### **3. Opt-Out Requests:**

Procedure:

3.1. On a quarterly basis obtain a list of opt-out requests submitted in the previous calendar quarter. At this time because of the limited volume this test requires review of the entire population per calendar quarter.

3.2. Verify that the opt out methods presented to consumers via web, text, and email are in compliance with the TCPA.

3.3 Review each opt-out request submitted within the sample population and confirm the request was responded to within the stipulated time frame outlined in the TCPA and in accordance with company Policy.

3.3. Confirm that the response to opt-out requests includes a confirmation to the customer.

3.4. Check if records of opt-out requests are logged systematically.

3.5. Ensure that the logged records include details like customer name, date of opt-out request, and the specific data sharing restrictions requested.

### **4. Random Audit:**

Procedure:

4.1. Conduct periodic random audits on a rolling basis.

4.2. Select a sample of customer accounts and repeat the verification procedures for TCPA Authorization provisions, acknowledgment, retention practices, and opt-out requests.

4.3. Document findings and report any discrepancies to the compliance team for immediate corrective action.

### **5. Documentation and Reporting:**

Procedure:

5.1. Maintain detailed records of all testing procedures, including sample selection, verification steps, and outcomes.

5.2. Generate regular compliance reports highlighting key findings, trends, and areas for improvement.

5.3. Share the reports with the compliance team at the Quarterly Compliance Committee meeting and share with any additional relevant stakeholders.

## 6. Continuous Improvement:

Procedure:

6.1. Conduct regular reviews of the monitoring and testing procedures to ensure they remain aligned with federal regulations and state guidance.

6.2. Incorporate feedback from testing results and regulatory updates to enhance the effectiveness of the compliance program.

By implementing and regularly updating this monitoring and testing procedure, COMPANY will demonstrate a commitment to compliance with the TCPA and other related regulations and laws.

## 7. Consultations and Revisions Log

| DOCUMENT TITLE: COMPANY TCPA Monitoring and Testing Playbook |      |              |             |
|--|------|--------------|-------------|
| DOCUMENT NUMBER:   |      | VERSION: X.X | ISSUE DATE: |
| APPROVAL   | NAME | ROLE         | DATE        |
| Prepared by  |      |              |             |
| Reviewed by:   |      |              |             |
| Approved by:   |      |              |             |

| DOCUMENT REVISION HISTORY |        |         |                   |
|---------------------------|--------|---------|-------------------|
| DATE                      | AUTHOR | REMARKS | DATE COMMUNICATED |
|                           |        |         |                   |
|                           |        |         |                   |