

Regulatory Compliance for Voice: Your Essential Guide



As a Voice Provider, How Concerned Do You Need to Be With Regulations?

If you have any technology that processes voice calls using telephone numbers, then you're regulated as a voice service provider. That means you must know about all the compliance requirements for a voice provider, such as STIR/SHAKEN.

What Is STIR/SHAKEN?

STIR/SHAKEN, or Secure Telephony Identity Revisited/Signature-based Handling of Asserted information using toKENS, is a set of standards to combat spoofed robocalls that all large voice must implement by 2023.

The TRACED Act requiring STIR/SHAKEN is just one of the latest new regulations added to the growing list of engineering requirements for emergency calling, SIP headers and response codes, call routing within the US, regulations affecting cancellation of services...

Why Does It Matter for Voice Service Providers?

STIR/SHAKEN impacts voice service providers by prioritizing the revision of their policies that could save them many direct costs they might incur because of noncompliance.

Cyber Security: Poor cyber security can lead to penalties for a data breach and loss of protected information as well as cause direct downtime and loss of reputation/goodwill.

Call Recording: Poor call recording policies can lead to substantial court settlements, such as the Twilio \$10M settlement related to call recording performed by a user.¹

Call Routing: Poor call routing policies – rural call completion, in particular – may lead to huge penalties if they fail to route calls following FCC policies.

911 Compliance: If you fail to comply with rules requiring dialing and routing 911 calls, you can be fined up to \$10,000, with additional civil penalties if a tragedy occurs.²

Lawful Intercept:

The penalties³ for refusing to comply with a court order can be \$10,000 for each day.

1. <https://topclassactions.com/lawsuit-settlements/closed-settlements/883844-trulia-handy-homejoy-call-recording-class-action-settlement/>

2. <https://kcgstel.com/karis-law-what-you-need-to-know/>

3. http://www.baller.com/wp-content/uploads/Lide_NATOA_CALEA_10-07.pdf

Tech Components for Legal Compliance

- ✓ **Cyber Security:** Use of industry-standard cyber security mechanisms for data loss/theft is required by law.
- ✓ **Call Recording:** If the call includes a participant in California, your system must inform the party before recording their call, as per the laws of California.
- ✓ **Logfile and database backups:** If your backups of the voice application server go back years, you must protect the records because of the personal information that they carry.
- ✓ **Encryption and access auditing:** If you provide services to healthcare providers covered by HIPAA, you need encryption of protected health information in compliance with tech standards along with record-keeping of both parties with access to the data.

4 Factors to Watch out for

1. You need a thorough understanding of the large set of laws governing the interest of both parties involved in a call.
2. You need to be up to date with the changes in laws and rules.
3. If you configure call routing in a way that limits calls to rural destinations in the USA, you can be fined \$19,639 per incident.
4. You need to be aware of the key regulations on top of the FCC regulations for the other parties on the call, as privacy laws are localized.



5 Things You Might Miss

1.

Despite the cutting back of several laws in the past year, telecommunications regulations have increased.

2.

Any device with an outgoing call facility has to be able to make 911 calls, including Zoom calls and many iPhone apps.

3.

The "rural call completion" laws mean that you cannot intentionally limit calls to rural destinations.

4.

FCC rules prohibit robocalling on mobile phones.

5.

Telephone service providers need to support "Lawful Intercept" of phone calls with due court orders or subpoenas.

3 Pitfalls to Avoid

- ✘ You might be led to wrongfully think that regulations don't apply to internet technology.
- ✘ You might overlook the legal ramifications and requirements while designing a new service.
- ✘ You might not have a complete understanding of the FCC "Customer Proprietary Network Information" rules from the 1990s regarding privacy. These are strict rules concerning the disclosure of information about a telecom customer's services.



Other Important Factors

There are a few other things you should get in order to adhere to legal and regulatory compliance.

- ✓ The TRACED Act mandates STIR/SHAKEN implementation, including mapping a plan to block nuisance calls affirmatively.
- ✓ Service providers need to implement "Know Your Customer" procedures to ensure the right customers are allowed to use the right telephone numbers.
- ✓ The FCC is focused on nuisance calls leaving service provider networks, but you're allowed to use Reasonable Analytics to manage and block inbound nuisance calls to prevent them from reaching your users.
- ✓ Don't let your system start recording calls before you get the consent of the caller? Major class action settlements have been made for making that mistake.
- ✓ Requirements are changing soon requiring detecting the location of mobile devices that can call 911, including VoIP apps.
- ✓ Every Voice provider must be updating new databases for Reassigned Numbers and Robocall Mitigation Database.

What Can You Do About This?

Providers need to start with establishing a proper understanding of these laws and implementing them in practice. An easy way to achieve this is by working with a voice infrastructure provider such as ECG.

- ✓ ECG offers cyber security audits and implementation to ensure the best security practices.
- ✓ ECG helps service providers understand where their backups and logs are going and design a plan for proper management.
- ✓ ECG offers regular training classes on the laws and regulations for engineers.

Why Work With ECG?

At ECG, clients trust our expertise in the voice infrastructure. With ECG, you can be assured of:

- ✓ Compliance with ever-changing telecom regulations landscape
- ✓ Lawful Intercept - CALEA
- ✓ E911 - Kari's Law, RAY BAUM's Act
- ✓ Reliability & Outage Prevention
- ✓ Privacy - California Consumer Protection, FCC CPNI
- ✓ Call Recording - California Consumer Protection compliance
- ✓ Call Routing - Rural call completion regulations
- ✓ Robocalling Protections - Robocall Mitigation Program



Why Work With ECG?

ECG develops voice, collaboration, and data networks for service providers and enterprises around the world.

Stay Ahead of Compliance Issues

Don't get caught unprepared for STIR/SHAKEN and risk your outgoing calls getting blocked. **Get in touch with ECG today** to learn more about how to minimize disruption in the face of upcoming changes.



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