§ 584-b. Prohibited activities. 1. No person, partnership, association, corporation, or other entity, except a licensee, may make any representation, directly or indirectly, orally or in writing that he, she, or it is licensed under this article.

2. No licensee shall advertise its services in any media, whether print or electronic, in any manner that may be false or deceptive. All such advertisements shall contain the name and office address of such entity, which shall conform to a name and address on record with the department and which shall indicate that the licensee is licensed by the department. Any advertisements in any media, print or electronic, contracted for or placed prior to the effective date of this section, shall not be subject to the provisions of this section.

3. No person or any other entity, other than a licensee, shall use the title "budget planner" or "licensed budget planner" or the term "budget planning" in any public advertisement, business card, or letterhead.

4. No licensee shall commingle monies received from debtors with any other funds associated with the operation of its business or with any funds associated with any other type of business, provided, however, that for the sole purpose of making a single payment to a creditor, a licensee may commingle monies received from debtors under contract with one or more of its affiliates authorized to engage in budget planning in another state.

5. Licensees shall make payments to creditors in a timely manner, in accordance with the contract between the licensee and the debtor, provided, however, that a licensee may contract with a person or entity that distributes, or supervises, coordinates, or controls the distribution of, such payments to the creditors, pursuant to such terms or conditions that the superintendent may prescribe by regulation. Payments made pursuant to such contract with the licensee shall not require such person or entity to be licensed pursuant to article thirteen-b of this chapter.

6. No licensee shall purchase any obligation of a debtor.

7. No licensee shall operate as a person or entity seeking payment of obligations on behalf of any creditors that are not receiving payments pursuant to a contract between a debtor and a licensee.

8. No licensee shall execute any contract or agreement to be signed by the debtor unless the contract or agreement is fully completed, and the duration of any such contract shall be in conformance with any limitations specified pursuant to regulations of the superintendent.

9. No licensee shall pay any bonus or other consideration to any person or entity for the referral of a debtor to its business, or accept or receive any bonus, commission or other consideration for referring any debtor to any person or entity for any reason; provided, however, that nothing herein shall prohibit the payment of rebates from creditors to licensees.

10. No licensee shall disclose or threaten to disclose information concerning the existence of a debt, or any other conduct, which could coerce payment of the debt of a debtor with whom it has a contract.

11. No licensee shall use a communication which simulates in any manner a legal or judicial process, or which gives the false appearance of being authorized, issued, or approved by a government, governmental agency, or attorney-at-law.

12. No licensee, or a director, manager or officer of such licensee, or any immediate family member of such individual, or a controlling party of such licensee as defined in section five hundred eighty-three-a of this article, shall be a director, manager, officer, owner, or controlling party of any creditor or a subsidiary of any such creditor, that is receiving or will receive payments from the licensee on behalf of a debtor with whom the licensee has contracted.

13. No licensee, or a director, manager or officer of such licensee, or any immediate family member of such individual, or a controlling party of such licensee as defined in section five hundred eighty-three-a

of this article, shall disclose by any means, directly or indirectly, the name, address, or any other identifying information of a debtor, except as required by subpoena or other process from a court of competent jurisdiction or a law enforcement agency, or in order to establish an account with a creditor. "Identifying information of a debtor" as used herein shall include, but not be limited to, a debtor's name, photograph, address, telephone number, social security number, date of birth, drivers identification number, credit card number, bank account number, mother's maiden name, medical or disability information, if any, as well as any other identification number which a licensee may possess.