

**Health As We Age, LLC**

**NOTICE OF PRIVACY PRACTICE**

**THIS NOTICE DESCRIBES HOW HEALTH INFORMATION ABOUT YOU MAY BE USED, DISCLOSED, AND HOW YOU CAN GAIN ACCESS TO THIS INFORMATION**

**PLEASE REVIEW THIS DOCUMENT CAREFULLY**

**1. Our Commitment to Your Privacy:** Health As We Age, LLC (HAWA) understands that your health information is personal. That is why HAWA is committed to protecting and maintaining the privacy of your health information (also known as "Protected Health Information" or "PHI") in accordance with applicable state and federal law. PHI is information about you, including demographic information that may personally identify you. PHI can relate to your past, present, or future physical/mental health condition, and related health care services.

As required by the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), we are providing you with our **Notice of Privacy Practice**. This **Notice of Privacy Practice** describes how we may use and disclose your PHI to provide our quality products and services to you, and for other purposes that are permitted or required by law. It also describes your right to access and control your PHI.

We are required to abide by the terms of this **Notice of Privacy Practice**. We have the right to change the terms of our notice, at any time. If any such change does occur, the new notice will be effective for all PHI that we maintain at that time. Upon your request, we will provide you with any revised **Notice of Privacy Practice**. You may request a revised version by accessing our website, or by contacting us directly and requesting that a revised copy be sent to you by mail.

**2. How We Collect Information About You:** Our primary goal in collecting your personal health information is to provide you with the products and services made available through our web site. If you choose to register to receive the products and/or services we offer, a certain amount of personally identifiable information will be collected. In addition, if you desire to have access to certain restricted sections of our web site, you will be required to become a registered user, and to submit certain identifiable information to us. This happens in a number of instances, such as when you sign up for HAWA services, or if you desire to receive marketing materials and information. Personally identifiable information that we may collect in such instances may include your IP address, full user name, password, email address, city, time zone, telephone number, and other information that you decide to provide us with, or that you decide to include in your public profile. HAWA and its employees may also collect data through a variety of other means including, but not limited to, consultations with medical

professionals, medical testing, and your interaction with our system which may include you providing health history data, your health goals and other personal health information.

**3. Uses and Disclosures of Protected Health Information (PHI):** Information is only used as is reasonably necessary to provide you with health or counseling services which may require communication between HAWA and health care providers, medical product or service providers, pharmacies, insurance companies, and other providers necessary to: verify your medical information is accurate; determine the type of medical supplies or any health care services you need; or to obtain or purchase any type of medical supplies, devices, medications, and insurance. Any information we collect or you provide to us will only be made available to HAWA providers of services that you specifically request such as, but not limited to, an MD with whom you have requested a consultation, a Health Coordinator and/or an RN with whom you have requested a consultation or your designated pharmacy for a medication which has been prescribed for you. In addition, as a result of your participation in services provided by HAWA, we may provide your personal health information to those who are funding your participation in those services. In that case, only the necessary and proper information needed to verify such participation will be used, as governed by HIPAA.

**a. Contact Information:** In addition, we may use your contact information to market to you, and provide you with information about our products and services. If you decide at any time that you no longer wish to receive such information or communications from us, please follow the unsubscribe instructions provided in any of our communications.

**b. Log Data:** When you visit the User Portal ("Portal"), our servers automatically record information that your browser sends whenever you visit a website as Log Data. This Log Data may include information such as your IP address, browser type or the domain from which you are visiting, the websites you visit, the search terms you use, and any advertisements on which you click. For most users accessing the Internet from an Internet service provider the IP address will be different every time you log on. We use Log Data to monitor the use of the Portal and of our service, and for the Portal's technical administration. We do not associate your IP address with any other personally identifiable information, except in case of violation of the Terms of Service.

**c. Cookies:** We use cookies and other technologies to passively collect demographic information and to personalize your experience on our site. Cookies are small files downloaded to your computer to track movements within web sites. We may link cookie information to personal information. Cookies link to information regarding what items you have selected for purchase at our store or pages you have viewed. This information is used to keep track of your shopping cart and make sure you don't see the same ad repeatedly. Also, we use cookies to deliver content specific to your interest and to monitor website usage. Most browsers are automatically set to accept cookies whenever you visit a website. You can disable cookies or set your browser to alert you when cookies are being sent. However some areas of our sites will not function properly if you do so.

**d. Third Party Services:** Users may register for other services from our website. Certain products and/or services available on our site are provided to you in partnership with a third party(s), and may require you to disclose personally identifiable information in order to register for and access such products and/or services. Such products and/or services shall identify the third party partners at the point of registration. If you elect to register for such products and/or services your personally identifiable information will be transferred to such

third party(s), and will be subject to the privacy policy and practices of such third party(s). We are not responsible for the privacy practices and policies of such third party(s) and, therefore, you should review the privacy practices and policies of such third party(s) prior to providing your personally identifiable information in connection with such products and/or services.

**e. Service Providers:** We engage certain trusted third parties to perform functions and provide services to us, including, without limitation, hosting and maintenance, customer relationship, database storage and management, and direct marketing campaigns. We will share your personally identifiable information with these third parties, but only to the extent necessary to perform these functions and provide such services, and only pursuant to binding contractual obligations requiring such third parties to maintain the privacy and security of your data.

**f. Business Transfers:** We may sell, transfer or otherwise share some or all of its assets, including your personally identifiable information, in connection with a merger, acquisition, reorganization or sale of assets or in the event of bankruptcy. You will have the opportunity to opt out of any such transfer if the new entity's planned processing of your information differs materially from that set forth in this Privacy Policy.

**g. Other Permitted and Required Uses and Disclosures That May Be Made Without Your Authorization or Opportunity to Agree or Object:** If you apply or attempt to apply to receive products and/or services through HAWA and provide information with the intent or purpose of fraud or that results in either an actual crime of fraud for any reason including willful or un-willful acts of negligence whether intended or not, or in any way demonstrates or indicates attempted fraud, HAWA may use or disclose your PHI, to the legal authorities including police, investigators, courts, and/or attorneys or other legal professionals, as well as any other information as permitted by law.

HAWA may also use or disclose your PHI in the following situations without your authorization or providing you with the opportunity to agree or object. These situations include:

i. **Required By Law:** HAWA may use or disclose your PHI to the extent that law requires the use or disclosure. The use or disclosure will be made in compliance with the law and will be limited to the relevant requirements of the law. You will be notified, if required by law, of any such uses or disclosures.

ii. **Legal Proceedings:** HAWA may disclose your PHI in the course of any judicial or administrative proceeding, in response to an order of a court or administrative tribunal (to the extent such disclosure is expressly authorized), or in certain conditions in response to a subpoena, discovery request, or other lawful purpose.

iii. **Law Enforcement:** HAWA may disclose your PHI, so long as applicable legal requirements are met, for law enforcement purposes. These law enforcement purposes include (1) legal processes, (2) limited information requests for identification and location purposes, (3) to protect the property and rights of HAWA or an affiliated third party, (4) the safety of the public, (5) to prevent or stop any illegal, unethical, or legally actionable activity, or (6) to comply with the law.

iv. **Criminal Activity:** Consistent with applicable federal and state laws,

HAWA may disclose your PHI, if we believe that the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public. We may also disclose PHI if it is necessary for law enforcement authorities to identify or apprehend an individual.

4. What We Do Not Do With Your Information: Information about your medical conditions and care, and your goals that you provide to us in writing, via email, on the phone (including information left on voice mails), contained in or attached to applications, or directly or indirectly given to us through interaction with the HAWA Virtual Healthcare System, is held in confidence. We do not give out, exchange, barter, rent, sell, lend, or disseminate any information about clients or members who receive our services that is considered member confidential, is restricted by law, or has been specifically restricted by a member/client in a signed HIPAA consent form.

5.

How We Do Use Your Information: Information is only used as is reasonably necessary to provide you with health or counseling services which may require communication between HAWA and health care providers, medical product or service providers, pharmacies, insurance companies, and other providers necessary to: verify your medical information is accurate; determine the type of medical supplies or any health care services you need or to obtain or purchase any type of medical supplies, devices, medications, and insurance. Any information we collect or you provide to us will only be made available to HAWA providers of services that you specifically request such as, but not limited to an MD with whom you have requested a consultation, an RN with whom you have requested a consultation or your designated pharmacy for a medication which has been prescribed for you. In addition, your participation in services provided by HAWA may be provided to those who are funding your participation in those services. In that case, only the least amount of information needed to verify participation will be used, as governed by HIPAA.

6. If you apply or attempt to apply to receive assistance through us and provide information with the intent or purpose of fraud or that results in either an actual crime of fraud for any reason including willful or un-willful acts of negligence whether intended or not, or in any way demonstrates or indicates attempted fraud, your non-medical information can be given to legal authorities including police, investigators, courts, and/or attorneys or other legal professionals, as well as any other information as permitted by law.

7. Contact Information: In addition, we may use your contact information to market to you, and provide you with information about, our products and services, including but not limited to our services. If you decide at any time that you no longer wish to receive such information or communications from us, please follow the unsubscribe instructions provided in any of the communications.

8. Log Data: When you visit the Site, our servers automatically record information that your browser sends whenever you visit a website as Log Data. This Log Data may include information such as your IP address, browser type or the domain from which you are visiting, the websites you visit, the search terms you use, and any advertisements on which you click. For most users accessing the Internet from an Internet service provider the IP address will be different every time you log on. We use Log Data to monitor the use of the Site and of our Service, and for the Site's technical administration. We do not associate your IP address with

any other personally identifiable information to identify you personally, except in case of violation of the Terms of Service.

9. **Cookies:** We use cookies and other technologies to passively collect demographic information and to personalize your experience on our site. Cookies are small files downloaded to your computer to track movements within web sites. We may link cookie information to personal information. Cookies link to information regarding what items you have selected for purchase at our store or pages you have viewed. This information is used to keep track of your shopping cart and make sure you don't see the same ad repeatedly. Also, we use cookies to deliver content specific to your interest and to monitor website usage. Most browsers are automatically set to accept cookies whenever you visit a website. You can disable cookies or set your browser to alert you when cookies are being sent. However some areas of our sites will not function properly if you do so.

10. **Information We Do Not Collect:** We do not collect information about site visitors except for that which you provide to us in the normal interaction with and use of the services provided through the HAWA Virtual Healthcare System, which includes, but is not limited to, Health History, Health Goals, and medical test results. We do use some affiliate programs that may or may not capture traffic data through our site.

11. **Limited Right to Use Non-Identifying Personal Information From Biographies, Letters, Notes, and Other Sources:** Any pictures, stories, letters, biographies, correspondence, or thank you notes sent to us become the exclusive property of HAWA. We reserve the right to use non-identifying information about our clients (those who receive services or goods from or through us) for promotional purposes that are directly related to our mission.

Clients will not be compensated for use of this information and no identifying information (photos, addresses, phone numbers, contact information, last names or uniquely identifiable names) will be used without the advance and expressed permission of the client.

You may specifically request that NO information be used whatsoever for promotional purposes, but you must identify any requested restrictions in writing. We respect your right to privacy and assure you that no identifying information or photos that you send to us will ever be publicly used without your direct or indirect consent.

Revision Date: 10/30/2013

