

## Privacy Policy

### Our Commitment to Your Privacy

ARKRAY is strongly dedicated to maintaining the privacy of your Individually Identifiable Health Information. This notice explains our privacy policies and describes how ARKRAY may use and disclose health information that specifically identifies you or could be used to identify you. This notice also provides you with information about your privacy rights and how you may exercise those rights.

### Your Health Information

To provide you with diabetes monitoring services, we must obtain and use health information about you. Examples of health information that we record include your name, e-mail address, date of birth, gender, type of diabetes and blood glucose readings.

**Important: we will never provide any personal information, including e-mail address, to any other company. We strongly oppose the use of unsolicited spam.**

### HIPAA Privacy Standards

The United States Department of Health and Human Services has adopted privacy standards – “The HIPAA Privacy Standards” – which protect your health information. These standards establish rules for when companies that use health information may use or disclose that information. The HIPAA privacy standards also tell us what we cannot do with your healthcare information.

**How ARKRAY May Use or Disclose Your Health Information:** The HIPAA Privacy Standards allow us to use and disclose your health information, without prior authorization, to perform routine business activities that are listed below:

**You:** We are permitted to share health information with you. The ARK Care® Advance software service has as its central premise the collection, analysis, and sharing of blood glucose data and other information that you provide relating to your diabetic condition.

**User Problems and Questions:** If you have a problem using ARK Care® Advance service or have a specific question about it, it may be necessary for us to access your health information to solve the problem or answer your questions.

**Summary Information:** We may use summary information from you and other members so we can understand how diabetes care is changing over time, as well as to determine the overall results being achieved by the entire ARK Care® Advance membership in controlling their diabetes. **No individual information will be included in this summary information.**

**System Problems:** If ARK Care® Advance encounters system problems, we may need to access your health information to investigate and correct those problems.

**Reports:** Using ARK Care® Advance, you can print, send or share reports about your diabetes care to your healthcare professionals. The information that is printed, sent or shared is entirely under your control.

**Healthcare Professional Access:** At your direction, your healthcare organization or providers that are members of your connections, may log in to ARK Care® Advance to gain direct access to your health information. You will control who is included in your connections and who has access to this information. No healthcare organization and will be able to access your health information without your authorization.

**Courts and Government Bodies:** Federal and State law may require us to disclose your health information. We may also provide information to government agencies for health care related investigations, audits, or inspections; to comply with workers' compensation laws; or for certain national security or intelligence activities. If you are involved in a legal matter, we may be ordered to provide your healthcare information to a court or other party. We may disclose your health information if you are a member of U.S. or foreign military forces (including veterans) and if required by the appropriate authorities. In those cases, only the specific health information required by law, subpoena, or court order will be disclosed.

**The Department of Health and Human Services:** We are required to disclose your health information to the Department of Health and Human Services, at its request, so it may investigate complaints and review our compliance with the HIPAA Privacy Standards.

### **Your Rights Regarding Your Health Information**

You have the following rights regarding the health information that we maintain about you. You may contact us at 877.646.3299.

**Confidential Information:** You have the right to request that our support staff communicate with you about your health care in a particular manner or at a certain location. While most correspondence is done via e-mail, we can also arrange to call you or send you information by U.S. Mail. In order to request this change, please contact us by e-mail or in writing at the corporate address on our web site.

**Requesting Restrictions:** You have the right to request a restriction in our use or disclosure of your health information. You have the right to request that we restrict our disclosure of your health information to only certain individuals involved in your care, such as family members or friends. We are not required to agree to your request. However, if we do agree, we are bound by our agreement except when otherwise required by law. Health Care Providers may only receive information that you decide to send or enable. Other requests may limit the usefulness of ARK Care® Advance in part or in whole. Please communicate such requests to us at 877.646.3299.

**Amendment:** You may change your health information using the edit functions available within the ARK Care® Advance software. In the event this does not meet your needs, you may ask us or your healthcare professionals with access to your account to amend your health information if you believe it is incorrect or incomplete, for as long as it is stored on the ARK Care® Advance servers. (see Terms and Conditions for our data retention policy).

**Right to a Paper Copy of this Notice:** A link to this notice is available at the bottom of every page on the ARK Care® Advance web site. You may print this notice at your convenience as needed.

**Right to File a Complaint:** If you believe your privacy rights have been violated, you may file a complaint with us or the Department of Health and Human Services. To file a complaint with us, please contact us at 877.646.3299 or in writing. You will not be penalized for filing a complaint.

**Right to Provide Authorization for Other Uses and Disclosures:** In the unlikely event that we use or disclose healthcare information for reasons other than those identified here, we will obtain your written authorization first. Any authorization you provide us regarding the use and disclosure of your health information may be revoked at any time in writing.

### **Computer Security**

Because ARK Care® Advance is an online application, we feel obligated to explain the processes we use to protect your health information.

**User ID and Password:** All enrolled users of the ARK Care® Advance software have a unique user ID and password to access the system. Software is in place to ensure that no part of the system that carries your health information can be accessed without a proper user ID and password. Members of your connections and their organizations to whom you grant access to your health information must also have a valid user ID and password to access the system and view your information. We strongly urge you to keep your password secret.

**Password Encryption:** We use a one-way encryption algorithm to store your password in the system. This means that when you sign in, your password is encrypted and matched to the encrypted string in the database. You can only log in if the two match. It is extremely difficult to convert an encrypted password into a readable password.

**Secure Sockets Layer:** Your user ID and password are encrypted before being sent to the ARK Care® Advance server.

**Secure Hosting Facility:** ARK Care® Advance application and data servers are hosted at a secure, state-of-the-art hosting facility with expandable bandwidth and backup power supply. Access to our hosting facility requires authorization from the President of ARKRAY USA (USM).