

You may request a record of the times that the PHI of your patients has been shared. You must make your request in writing. You may request this as far back as six (6) years, beginning April 14, 2003. The listing you will receive will include the date, name and address (if known) of the person or agency receiving your patient's information. It will also include a brief description of the information given and a brief statement of why the information was shared. The following terms apply for PHI disclosures:

- HealthWyse will have sixty (60) days to respond to your request. If we have not been able to act on the request within the sixty (60) days, we will notify you that we are extending the response time by thirty (30) days.
- If we do that, we will explain the delay to you in writing and give you a new date of when to expect a response.
- Your first request for a record in any 12-month period is free.
- We will charge a fee for any other requests in that period.
- We will notify you of the fee before we do the work. This will give you a chance to stop the request if you do not wish to pay the fee.

Return or Destruction of PHI...

At termination of a contract between you and HealthWyse, if feasible HealthWyse shall return or destroy all electronic and/or paper PHI received from you, or created or received by us on behalf of you. If return or destruction of PHI is not feasible, HealthWyse agrees to extend the protections of the contract to the information only, for as long as necessary to protect the PHI.

Our Former Customers...

Even if you are no longer a HealthWyse customer, our Privacy Policy will continue to apply to you.

Our Security Practices and Information Accuracy...

We also take steps to safeguard your information and patient information handled by you. We restrict access to your personal and account information and to the personal information of your patients to those employees for whom such information is relevant to their job responsibilities. We maintain physical, electronic, and procedural safeguards that

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comply with federal, state, and HIPAA standards to protect customer and patient information.

We also have internal controls to keep your information as accurate and complete as we can. If you believe that any information about you is not accurate, please let us know so that we can correct it.

Right to File a Complaint...

If you believe your rights or the rights of your patients have been violated, you should let us know immediately. We will take steps to remedy any violations of the HealthWyse Privacy Policy or of this notice.

You may file a formal written complain with our Privacy Officer and/or with the United States Department of Health and Human Services at the addresses below. You should attach any documents or evidence that support your belief that your privacy rights or the rights of your patients have been violated. We take your complaints very seriously. **HealthWyse policy and federal law prohibit retaliation against any person or entity for filing such a complaint.**

Written complaints should be sent to:

HealthWyse, LLC
Attn: Privacy Officer
60 Concord Street
Wilmington, MA 01887

Telephone: 1-877-777-9973 ext. 698 for Privacy Officer
Email: privacy@healthwyse.com

Secretary of the U.S. Department of Health and Human Services

Office for Civil Rights
200 Independence Avenue, SW
Washington, DC 20201
Email: HHS.Mail@hhs.gov

Other Information...

This Privacy Policy applies to products and services provided by HealthWyse in the United States used primarily for business purposes. As the law permits, we reserve the right to change this Privacy Policy, and any of the policies described above, at any time, and to do so without advance information or consent. The effective date of a version of this policy notice will be written on the first page. Any examples used within this Privacy Policy are illustrations; they are not intended to be inclusive.

Questions? Please call 1-877-777-9973 ext. 698 to talk to HealthWyse's Privacy Officer, or email us at privacy@healthwyse.com



Effective Date: January 1, 2009

HealthWyse, LLC

Notice of Privacy Practices

What HealthWyse is doing to protect your privacy and the privacy of your patients.



60 Concord Street
Wilmington, MA 01887

Dear HealthWyse Customer:

We know how important your privacy and the privacy of your patients are to you. We also acknowledge that the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") requires that your institution or practice have a special policy for safeguarding a category of health information related to your patients called "protected health information" or "PHI," received or created in the course of you providing services to your patients. At HealthWyse, LLC, we are committed to protecting both your privacy and the privacy of your patients. We are required by law to keep your patients' health information private.

To explain the way HealthWyse handles customer information, including the PHI of your patients, we are providing HealthWyse's Privacy Policy to you.

Protecting your privacy and the privacy of your patients is a priority to us. HealthWyse does not share nonpublic information about you and your patients with other organizations or third-party marketers outside of HealthWyse without your consent, except as explained in our Privacy Policy.

The security of your information and your patients' information is a priority to us. We maintain physical, electronic, and procedural safeguards that comply with federal standards and HIPAA regulations to protect customer and patient information.

We want to make sure you understand how we protect your privacy. If you have questions with regard to HealthWyse's Privacy Policy, please call the toll-free number included at the end of the HealthWyse Privacy Policy and speak with the Privacy Officer.

Thank you for doing business with HealthWyse,

Sincerely,



Michael Kramer, PhD
President and CEO
HealthWyse, LLC

Privacy Policy

About Our Privacy Policy...

Protecting your privacy and your patients' privacy is important to HealthWyse. We want you to understand what information we may gather and how we may share it. This Privacy Policy explains HealthWyse's collection, use, retention, and security of information about you and your patients.

How We Gather Information...

As part of providing you with clinical, administrative, support, and financial products or services, we may obtain business information about you from the following sources:

- Forms, contracts, and other information that you provide to us, whether in writing, in person, by telephone, electronically, via the Internet or by any other means. This information may include your business's name and address, business identification information, etc.
- Your transactions with us. This information may include payment history, support contract usage, etc.
- Usage of our products. This information may include employee names, phone numbers, etc.

As part of you using our products, we may obtain protected health information (PHI) about your patients from the following sources:

- Patient databases or database conversion associated with use of our products.
- Views of computer screens containing patient information that are used by our employees to provide you with new product development, support, and training.

Sharing Customer Information Outside HealthWyse...

We are required to or we may provide information about you to third parties outside of HealthWyse without your consent, as permitted by law, such as:

- To respond to a subpoena or court order, judicial process, regulatory authorities, or law enforcement agencies;
- To consumer reporting agencies;
- In connection with a proposed or actual sale, merger, or transfer of all of a portion of a business or operating unit;
- To protect against fraud.

In addition, we may provide information about you to our service providers to help us process your contracts or service your accounts. Our service providers may include network service providers, telephone service companies, attorneys, and accountants.

We may also provide information about you to our service providers to help us perform marketing services (including the marketing of HealthWyse products and services). The information provided to these service providers may include the category of business information described above under "How We Gather Information..." but not your patient's protected health information (PHI).

Sharing Customer Information Within HealthWyse...

We also may share information about you within our company. We may share with each other all of the categories of information we gather about you and your patients, including contract information as well as your transactions and experience with us, identification information, and other related information. We use customer information for administrative and quality control functions. This information will be shared on a need to know basis for each job category and will be the minimum required for an employee to be able to perform his/her job. By sharing this information, HealthWyse can better understand and support your business and financial needs. We may then send you notification of new products and product upgrades and special promotional offers that you might not otherwise know about.

Access to PHI and Requests for PHI Changes and Disclosures...

Your patients' rights with respect to their protected health information and how to access it will be handled by you. HealthWyse does not deal with your patients directly in regards to any requests about their protected health information. In the event one of your patients requests directly from HealthWyse access to their PHI, to amend their PHI, or to obtain disclosures of their PHI, we shall within two (2) business days forward such requests to you in writing. Any denials to a patient of access to, request to amend, or to obtain disclosures of a patient's PHI shall be your responsibility.

Access to PHI...

HealthWyse agrees to make available and provide to you a right of access to PHI within ten (10) business days of a written request by you for access to PHI about an individual. In the event any individual patient requests access to PHI directly from HealthWyse, we shall within two (2) business days forward such requests to you in writing. Any denial of access to the PHI requested shall be your responsibility.

Amendment of PHI...

HealthWyse agrees to make available and provide to you a means, if it does not currently exist in our products, to modify PHI within ten (10) business days of a written request

by you to modify PHI about an individual. (This may or may not be provided as a modification to the product software.) In the event any individual patient requests an amendment to PHI directly from HealthWyse, we shall, within two (2) business days forward such requests to you in writing. Any denial of an amendment to the PHI requested shall be your responsibility.

Uses and Disclosures of PHI...

To protect the privacy of your patients' PHI, HealthWyse not only guards the physical security of this information, but also limits the way PHI is used or disclosed. HealthWyse may use or disclose PHI in certain permissible ways, such as those described below.

- **For product development to provide you with product functionality, services, and enhancements.** We use PHI to provide data analysis and aggregation services for product development to provide product functionality. We use de-identified patient data for statistical analysis and identified patient data for aggregation services. Once patient data is aggregated, individual PHI is not retained.
- **For the administration and operation of HealthWyse.** We may use and disclose PHI for certain operational, administrative, and quality control functions needed for the proper management and administration of our business. We may disclose PHI to business associates if they need to receive this information to provide a service to us and will agree to abide by specific HIPAA rules relating to the protection of health information.
- **To the U.S. Department of Health and Human Services** to demonstrate our compliance with HIPAA.
- **To respond to an order of a court or administrative tribunal,** such as a court ordered warrant, subpoena or summons, grand jury subpoena, or administrative subpoena or other request.
- **To respond to a subpoena, warrant, summons, or other legal request** if sufficient safeguards, such as a protective order in the case of a private law suit, are in place to maintain PHI privacy.
- **To a law enforcement official for a law enforcement purpose** as required by law.

If an applicable state law provides greater health information privacy protections than the federal law, we will comply with the stricter state law.