

# Compass

## Professional Health Services

### *Privacy Policy for Protected Health Information (PHI)*

© Compass PHS 2012

## Compass Professional Health Services Privacy Policy for Protected Health Information

Compass Professional Health Services (“Compass”) is committed to protecting your privacy and developing technology that gives you the most powerful and safe client experience. By accepting Compass’s Terms of Use (which incorporates by reference this Privacy Policy), you are also agreeing to the terms and conditions of this Privacy Policy, including consenting to the use and disclosure of certain information, including personally identifiable information provided to us as outlined in this Privacy Policy.

Cliff Sentell will be the Privacy Officer for Compass. The Privacy Officer will be responsible for the development and implementation of policies and procedures relating to privacy, including but not limited to this Privacy Policy and the Company’s more detailed use and disclosure procedures. The Privacy Officer will also serve as the ultimate contact person for those who have questions, concerns or complaints about the privacy of their PHI.

### **A. Collection of Information**

Because Compass provides a consulting service for evaluating client health care decisions and service options, we ask clients for the sort of personal and medical information needed in order to make such evaluations. We will not sell, share or rent this information that is collected in the Compass service to others in ways different than from what is disclosed in this Statement. Compass collects information about clients from both the client and others at several points in our service.

### **B. Information Collected**

As a client of Compass, your personal and healthcare information, including, but not limited to, your name, address, telephone number, email address, social security number, member identification number, medical records, billing records, claims information, information on your medical conditions, prescribed medications, health risk status, and other health and wellness-related information (“Personal Health Information”), needs to be collected, maintained and made available to Compass employees and strategic partners so that Compass can administer its consulting services on your behalf.

Some of this Personal Health Information is collected and used in order to report periodic utilization on an aggregate basis, and in an anonymous manner, to the employer group with whom the client is associated. In no event is the client’s name or other personally identifying information disclosed to your employer in this aggregate report. Notwithstanding the foregoing, your Employer may sponsor an employee incentive plan(s) or provide a disease/condition management program(s) for which you may be eligible to participate. In the event that Compass is requested by your employer to disclose identifying information, for purposes of administering such incentive plan(s) and/or disease/condition management program(s), Compass will comply.

### **C. Use And Disclosure of Your Information**

Compass will use and disclose client Personal Health Information only as necessary to administer Compass’ Programs. We may also disclose client Personal Health Information with contracted service providers and trusted strategic partners. Compass does not use or disclose sensitive personal information, such as race, religion, or political affiliations, without your explicit consent.

There is also information about client computer hardware and software that is automatically collected by Compass. This information can include: client IP address, browser type, domain names, access times and referring website addresses. This information is used by Compass for the operation of the service, to maintain the quality of the service, and to provide general statistics

## Compass Professional Health Services Privacy Policy for Protected Health Information

regarding use of the Compass website. Compass cannot read or access any of a client's private online communications, other than those sent specifically to Compass.

Compass collects and uses client personal information to operate the Compass website and to deliver the services the client has requested. Compass does not sell, rent or lease its customer lists to third parties. Compass may share data with trusted strategic partners, some of whom may provide services on the Compass website. Other strategic partners may help us send clients email or provide customer support. All such third parties are prohibited from using client personal information except to provide these services to Compass, and they are required to maintain the confidentiality of your personal information.

Clients have the right to: (i) request certain restrictions on the use of their Personal Health Information; (ii) receive an accounting of disclosures of use of their Personal Health Information; (iii) amend their Personal Health Information; (iv) complain to Compass's designated privacy officer at [privacy@compassphs.com](mailto:privacy@compassphs.com), or the Secretary of Health and Human Services if they believe their privacy rights have been violated; and/or (v) revoke their authorization to Compass to use and disseminate their Personal Health Information.

Requests should be mailed to:

Compass Professional Health Services  
Attn: Privacy Officer  
13601 Preston Rd, Suite 816E  
Dallas, TX 75240

### **D. Disclosure of Information**

Compass will disclose client personal information, without notice, only if required to do so by law or in the good faith belief that such action is necessary: (a) to conform to the edicts of the law or comply with legal process pursuant to a subpoena or summons; (b) to act under exigent circumstances to protect the personal safety of users of Compass, or the public; (c) as permitted by law with our attorneys, accountants and auditors, your authorized representatives, if any, healthcare providers, third-party administrators, disease management companies, insurance companies, or insurance agents and brokers; (d) to government agencies or accrediting organizations that monitor our compliance with applicable laws and standards; and/or (e) we will not disclose Personal Health Information to any other third parties without your request or authorization.

For making disclosures or requests for PHI to any party for any purpose, Compass will only provide the minimum necessary information to accomplish the purpose of the disclosure. The "minimum-necessary" standard does not apply to any of the following:

- uses or disclosures made to the individual;
- uses or disclosures made pursuant to a valid authorization;
- disclosures made to the Department of Labor;
- uses or disclosures required by law; and
- uses or disclosures required to comply with HIPAA.

### **E. De-identified Information**

On occasion, Compass may make arrangements with certain customers or business partners to share certain pattern information in order to assist such customers or business partners in evaluating patterns, utilization, usage trends, etc. Compass may also share such information with clients or other users of our service. This type of information may be based in part on information related to the client, but does not allow for the personal identification of any individual (in other

## Compass Professional Health Services Privacy Policy for Protected Health Information

words, it is “patient de-identified”). This information will not be used by the customer or business partner for marketing and/or any other purpose.

Compass removes a client’s identity from personal information (contact, health and/or financial) and may work with it as anonymous (“de-identified”) information. De-identified individual information is information about a user presented in a form where information about one anonymous user would be indistinguishable from information relating to other anonymous users (“a 40 year old female”). De-identified individual information is not in a form that allows anyone studying the information to personally identify any user.

Aggregate information is information that describes the habits, usage patterns and/or demographics of users as a group but does not reveal the identity of particular users. A client’s anonymous data is combined with the anonymous data of other Compass users and becomes statistics. We might use aggregate information within Compass to understand the needs of the Compass community of users and determine what kinds of programs and services we can offer to clients. Compass could use this anonymous information to give potential users or business partners a picture of the Compass community and services. Aggregate information may be provided or sold to third parties. Absolutely no personal identifying information is included in the aggregate reports; each individual remains anonymous.

Locator information is a client’s name, electronic messaging address, physical address, and/or other data that enables someone to personally identify a patient. Compass and your Internet Access Provider may use Locator information as is necessary to enforce any of the terms of the Compass Terms of Use.

### **F. Opting Out or Opting In to Specific Uses Of Information**

Compass may provide service updates, tips or education, or may market the Compass service to a client. The client will be able opt-out of any such communications at any time. As we add services to the Compass service that require the collection, use or disclosure of data other than as set forth in this Privacy Policy, we will offer users the option to opt in or out of those services.

### **G. Storage and Maintenance of Information**

Compass will store and maintain Personal Information (as defined below) and Contact information in accordance with the requirements agreed to by Compass and your health plan or its TPA, unless a client notifies Compass by contacting us at [info@compassphs.com](mailto:info@compassphs.com), that either (i) the client wishes to have all or a portion of its Personal Information Purged (as defined below) from Compass’ system; or (ii) the client wishes to have Compass retain all or a portion of such information. For more information on the specific requirements that Compass and the health plan or its TPA agreed we would follow, a client may contact us at (800) 513-1667 or at [info@compassphs.com](mailto:info@compassphs.com) or the client may contact its health plan or its TPA. Personal Information shall mean your sensitive personal information, including but not limited to social security numbers, account numbers, protected health information (PHI), claim data, financial data, driver’s license number, date of birth, prescription-related information, next of kin contact information and passwords, but shall exclude Contact Data. Contact Data shall mean the client’s name and email address and electronic communications between the client and Compass (such as ask Compass inquiries and emails). Compass shall not sell or disclose Contact Data to any unrelated third party other than disclosures to the client and the client’s health plan or its TPA or as may be required in connection with our business operations.

### **H. Security**

Compass takes commercially reasonable measures to secure your data on our servers. The data center we use is both physically and electronically secured. Our internet servers are protected on

## Compass Professional Health Services Privacy Policy for Protected Health Information

the internet behind a firewall which is a hardware and software system that blocks access by unauthorized parties. For more information, please refer to Compass' Security Policy.

### **I. Cookies**

In order to personalize our service for you and to collect aggregate, non-personal information regarding service usage by all of our users, Compass uses "cookies." A "cookie" is a small text file that Compass transfers to a client's computer hard drive. Compass assigns each computer a different cookie. The cookie assigns a random, unique number to the computer. The cookie does not contain personally identifiable information.

Your browser software can be set to warn you of cookies or reject all cookies. Most browsers offer instructions on how to reset the browser to reject cookies in the "Help" section of the toolbar. If a client rejects our cookie, the client may not be able to use Compass.

Sponsors or partners on Compass may also use their own cookies when a client clicks on a hypertext link to their site or service. We do not control these third parties' use of cookies, or how they manage the non-personal information that they gather through them. A client should review the Privacy Policy of other sites the client links to from our service to understand how these other sites use cookies and how they use the information they collect through the use of cookies on their own sites.

### **J. Workforce Training & Sanction**

Compass' policy is to train those employees who have access to PHI on its privacy policies and procedures. The Privacy Officer will develop training schedules and programs so that all workforce members receive the training necessary and appropriate to permit them to carry out their functions which may involve PHI.

Sanctions for violations of Privacy Policy Sanctions for using or disclosing PHI in violation of this HIPAA Privacy Policy will be imposed in accordance with the Company's employment discipline policies and practices, up to and including termination.

### **K. Miscellaneous**

Protection of Privacy. In order to protect one's privacy, never share sign-in names or passwords and always log out of Compass when finished using the service.

Questions. If you have any questions about this Privacy Policy or the use of your information via Compass, please contact us at [privacy@compassphs.com](mailto:privacy@compassphs.com).

Changes to Privacy Policy. Compass will only use a client's personally identifiable information in the manner described in the Privacy Policy in effect when we collected the information from you. However, we reserve the right to change the terms of this Privacy Policy at any time by posting those change so clients are always aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it. If at any point, we decide to use personal health information in a manner different from that stated at the time it was collected, we will notify users by way of e-mail. Clients will be given the opportunity to opt-out for any additional uses or disclosures of your personal health information that you made available to us prior to any such change in our Privacy Policy. In addition, we urge clients to check for any updates to this Privacy Policy from time to time.