

## ORTHOBANC PRIVACY STATEMENT

Last modified December 2019.

OrthoBanc understands and respects your desire to know how information about you will be collected, used and maintained through this Website. The following description provides information about our privacy practices and policy for the public portion of our Website. (If you access password-protected pages of our Website, additional privacy practices may apply.)

This Privacy Statement applies to each of the following OrthoBanc websites:

[www.orthobanc.com](http://www.orthobanc.com)

[www.paymentbanc.com](http://www.paymentbanc.com)

[www.dentalbanc.com](http://www.dentalbanc.com)

[www.acceptxpro.com](http://www.acceptxpro.com)

[www.myzacc.com](http://www.myzacc.com)

[www.paywithbreeze.com](http://www.paywithbreeze.com)

[www.imaxxinsurance.com](http://www.imaxxinsurance.com)

[www.myacceptx.com](http://www.myacceptx.com)

Please <download> or <print> a copy of this Privacy Statement for your records.

### **COLLECTION, USE, AND DISCLOSURE OF YOUR PERSONAL INFORMATION**

We do not actively collect any information that identifies you personally, such as your name, address, telephone number, or email address (“personal information”), other than your Internet Protocol (IP) address.

We collect the personal information that you affirmatively give to us through our Website, such as when you use the “Contact Us” or “Patient Inquiry” features, or when you contact us by e-mail. Giving us your personal information through the Website is voluntary and is not required to use the Website. We use this information only to respond to your comments or questions or as related to the specific purpose for which you submitted the information. We do not use your information for marketing purposes or share any of your personal information with others for their own use, except for the limited purposes described in the “Google Analytics” section below.

We do not share your personal information with any third parties without your consent except as follows: to comply with law, protect the safety of our users or others, or detect, prevent and respond to fraud, security or technical issues; to potential or actual successors or assigns; or with service providers performing services on our behalf. Any service providers employed by us will have access to your nonpublic personal information solely to the extent necessary to enable them to perform services on our behalf and will be contractually prohibited from using the nonpublic personal information for any other purpose.

### **KEEPING YOUR PERSONAL INFORMATION SECURE**

Except as set forth above, we restrict access to nonpublic personal information about you to only those who have a need to know that information in connection with the purposes for which it is collected and used. Additionally, we maintain physical, electronic, and procedural safeguards intended to protect the security of your nonpublic personal information. Our Website employs industry standard information security practices designed to protect against loss, misuse or alteration of personal information you provide to us through the Website. The Website protects your personal information that you provide to us through our “Contact Us” or “Patient Help Request” functions, described above, using Secure Sockets Layer (SSL) encryption. SSL is a function that encrypts all information sent through the Website to prevent access by third parties to such information in transmission. The Internet is inherently risky, especially if you use public wi-fi access or unsecured networks, and we cannot be responsible for any losses or access to your information or computer.

### **COOKIES AND LOG FILES**

We also receive non-personally identifiable information through cookies and log files when you access our Website. A “cookie” is a small text file that is saved to, and during subsequent visits, retrieved from, your computer or mobile device. The Website uses cookies to enhance and simplify your visit. We do not use cookies to disclose information to third parties. Certain technical information, such as your IP address, page views, operating system, Web browser software, and web sites that you visit before and after ours, is collected automatically from your computer. Cookies allow us to monitor how many people are using our Website, the frequency of your visits to our Website and the amount of time that you spend on our Website.

A “log file” is an automatic record of events that occur on the Website and is maintained on the Website. We use log files to record the URL visited, the title of the page visited, the resolution of the user’s monitor and size of the browser window, the referring address, if any (which is used to pick up search keywords and visits that came through links from other sites), the time it took to fetch and render the page, a unique session identifier, allowing us to view a series of page views as a coherent visit, and other non-personal information regarding your visit to the Website.

This information allows us to monitor how many people are using our Website and for what purposes. We use the information gathered from cookies and log files solely to generate broad demographic and user statistics to improve the content of our Website. We do not link any information obtained from cookies or log files to personal information.

You can easily erase cookies from your computer or mobile device using your browser. For instructions on how to handle and delete cookies, please look under "Help" in your browser. You can choose to disable cookies, or to receive a notification each time a new cookie is sent to your computer or mobile device. However, please note that if you choose to disable cookies, you may not be able to take advantage of all features of this Website.

If you visit our Website using your mobile device, we collect the hardware model of your device, the operating system used by your device, and mobile network information.

### **LOCAL STORAGE**

We may collect and store information (including personal information) locally on your device using mechanisms such as [browser web storage](#) (including HTML 5) and [application data caches](#).

## **GOOGLE ANALYTICS AND OTHER SERVICE PROVIDERS**

We work with Google Analytics to help us better understand how you use the Website. Google Analytics works by putting cookies in your browser to collect information such as which web site referred you to the Website and which pages you visit on the Website. This information will help us to enhance and develop the Website and the visitor experience. Google Analytics may only use your personal information to perform services for us and may not share your personal information with anyone else, or use it for any other purpose, except on an aggregated, non-personally identifiable basis, unless you hold a Google account. Please follow this link to review how Google may use your information collected using this service: <https://www.google.com/policies/privacy/partners/>

From time to time, we may use other service providers to collect and analyze information about your use of the Website for our own internal purposes. These service providers do not track your activity across web sites and may not use your information for any other purpose.

## **ONLINE TRACKING**

Please note that the Website does not support “Do Not Track” browser settings and does not currently participate in any “Do Not Track” frameworks that would allow us to respond to signals or other mechanisms from you regarding the collection of your nonpublic personal information.

## **CHILDREN'S PRIVACY**

This Website is intended for use only by adults and businesses. We do not knowingly solicit or collect information from children 13 years of age or younger.

## **KEEPING UP-TO-DATE**

We want you to be fully informed about how we will protect your privacy. We may change our privacy policy in the future, but we will not change our practices until we have posted an announcement of changes and a link to the revised policy on the home page of this Website. If you have any questions about our privacy or information practices, you can send us your question [<here>](#).

## **PRIVACY STATEMENT-CALIFORNIA**

This PRIVACY NOTICE FOR CALIFORNIA RESIDENTS supplements the information contained in the Privacy Statement of ORTHOBANC LLC and its subsidiaries (collectively, “we,” “us,” or “our”) and applies solely to visitors, users, and others who reside in the State of California (“consumers” or “you”). We adopt this notice to comply with the California Consumer Privacy Act of 2018 (“CCPA”) and other California privacy laws. Any terms defined in the CCPA have the same meaning when used in this notice.

### Information We Collect

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device (“personal information”). In particular, we have collected the following categories of personal information from consumers within the last twelve (12) months:

| Category  | Examples   | Collected |
|---|--|-----------|
| A. Identifiers.   | A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.   | YES       |
| B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)). | A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories. | YES       |
| C. Protected classification characteristics under California or federal law.  | Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).   | YES       |
| D. Commercial information.  | Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.   | NO        |
| E. Biometric information.   | Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.  | NO        |
| F. Internet or other similar network activity.  | Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.   | NO        |
| G. Geolocation data.  | Physical location or movements.  | NO        |
| H. Sensory data.  | Audio, electronic, visual, thermal, olfactory, or similar information.   | NO        |

|   |  |     |
|---|--|-----|
| I. Professional or employment-related information.  | Current or past job history or performance evaluations.  | YES |
| J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)). | Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records. | NO  |
| K. Inferences drawn from other personal information.  | Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.  | NO  |

Personal information does not include:

- Publicly available information from government records.
- De-identified or aggregated consumer information.
- Information excluded from the CCPA's scope, like:
  - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
  - personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

We obtain the categories of personal information listed above from the following categories of sources:

- Directly from our clients or their agents. For example, from documents that our clients provide to us related to the services for which they engage us.
- Indirectly from our clients or their agents. For example, through information we collect from our clients in the course of providing services to them.
- Directly and indirectly from activity on our website (www.orthobanc.com). For example, from submissions through our website portal or website usage details collected automatically.
- From third-parties that interact with us in connection with the services we perform. For example, from government agencies when we prepare readiness assessments for projects that receive government funding.

### Use of Personal Information

We may use or disclose the personal information we collect for one or more of the following business purposes:

- To fulfill or meet the reason for which the information is provided. For example, if you provide us with personal information in order for us to prepare a tax return, we will use that information to prepare the return and submit it to the applicable taxing authorities.

- To provide you with information, products or services that you request from us.
- To provide you with email alerts, event registrations and other notices concerning our products or services, or events or news, that may be of interest to you.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collections.
- To improve our website and present its contents to you.
- For testing, research, analysis and product development.
- As necessary or appropriate to protect the rights, property or safety of us, our clients or others.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

We will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

#### Sharing Personal Information

We may disclose your personal information to a third party for a business purpose. When we disclose personal information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

In the preceding twelve (12) months, we have disclosed the following categories of personal information for a business purpose:

- |             |   |
|-------------|---|
| Category A: | Identifiers.  |
| Category B: | California Customer Records personal information categories.              |
| Category C: | Protected classification characteristics under California or federal law. |
| Category I: | Professional or employment-related information.                           |

We disclose your personal information for a business purpose to the following categories of third parties:

- Our affiliates.
- Service providers.
- Third parties to whom you or your agents authorize us to disclose your personal information in connection with products or services we provide to you.

In the preceding twelve (12) months, we have not sold any personal information.

#### Your Rights and Choices

The CCPA provides consumers (California residents) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

### *Access to Specific Information and Data Portability Rights*

You have the right to request that we disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, we will disclose to you:

- The categories of personal information we collected about you.
- The categories of sources for the personal information we collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom we share that personal information.
- The specific pieces of personal information we collected about you (also called a data portability request).
- If we sold or disclosed your personal information for a business purpose, two separate lists disclosing:
  - sales, identifying the personal information categories that each category of recipient purchased; and
  - disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

### *Deletion Request Rights*

You have the right to request that we delete any of your personal information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, we will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

### *Exercising Access, Data Portability, and Deletion Rights*

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- Calling us at 423.855.8370.
- Emailing [compliance@orthobanc.com](mailto:compliance@orthobanc.com)

Only you or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you. Making a verifiable consumer request does not require you to create an account with us. We will only use personal information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

### *Response Timing and Format*

We endeavor to respond to a verifiable consumer request within 45 days of its receipt. If we require more time (up to 90 days), we will inform you of the reason and extension period in writing. If you have an account with us, we will deliver our written response to that account. If you do not have an account with us, we will deliver our written response by mail or electronically, at your option. Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

### Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights. Unless permitted by the CCPA, we will not:

- Deny you goods or services.



- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

### Changes to Our Privacy Notice

We reserve the right to amend this privacy notice at our discretion and at any time. When we make changes to this privacy notice, we will notify you by email or through a notice on our website homepage.

### Contact Information

If you have any questions or comments about this notice, our Privacy Statement, the ways in which we collect and use your personal information, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: 423.855.8370

Email: [compliance@orthobanc.com](mailto:compliance@orthobanc.com)

Postal Address: OrthoBanc, LLC

Attn: Chief Compliance Officer

2835 Northpoint Blvd

Hixson, TN 37343