

# PRIVACY POLICY

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Paradigm Management Services, LLC and its affiliates and subsidiaries, including Foresight Medical, LLC, Adva Holdings, LLC, Encompass Specialty Network, LLC, Adva-Pac, LLC, Alaris Encore Minnesota, LLC, The Alaris Group, Inc., Encore Unlimited, LLC, Encore Alliance, LLC, and HomeCare Connect, LLC. (“Paradigm”, “we”, “us” or “our”) respects your privacy, and we are committed to letting you know how we will collect and use personal information. This privacy policy (“Privacy Policy”) informs you of our privacy practices, how we collect and use your information, when it might be disclosed, and how you can manage personal information about you while accessing or using our Website or our services. This Privacy Policy is a legal agreement between you and Paradigm that states the material terms and conditions that govern your use of the Website and or services. You agree to this Privacy Policy by accessing or using our Website or agreeing to receive our services. **IF YOU DO NOT AGREE TO BE BOUND BY THIS POLICY, DO NOT USE THE WEBSITE OR OUR SERVICES.**

Please be advised that the practices described in this Privacy Policy apply only to information gathered online at our Websites, through your use of our services, or through your insurer or employer’s use of our services in connection with your worker’s compensation claim or medical care.

This Privacy Policy is incorporated into and is subject to Paradigm’s terms of use (“Terms”) above. Capitalized terms used in this Privacy Policy that are not otherwise defined have the meanings set forth in the Terms. You may download a copy of this Privacy Policy [here](#).

Please be aware that Paradigm and all associated Services and systems are housed on servers in the United States. If you are located outside of the United States, information we collect (including cookies) are processed and stored in the United States, which may not offer the same level of privacy protection as the country where you reside or are a citizen. By using the Website and providing information to us AND using OUR SERVICES, you consent to the transfer to and processing of the information in the United States.

PARADIGM MAY PERIODICALLY AND IN ITS SOLE DISCRETION MODIFY THIS POLICY. IF PARADIGM MATERIALLY CHANGES THIS POLICY, A NOTICE WILL BE POSTED ON THE WEBSITE, ALONG WITH THE UPDATED POLICY, AND THE “LAST UPDATED” DATE ABOVE WILL BE MODIFIED. YOUR CONTINUED USE OF THE WEBSITE OR OUR SERVICES MEANS THAT YOU ACCEPT THE UPDATED POLICY. UNLESS WE PROVIDE YOU WITH SPECIFIC NOTICE, NO CHANGES TO OUR POLICY WILL APPLY RETROACTIVELY.

Our privacy policy is simple: except as disclosed in this Privacy Policy, we will not sell, barter, give away or rent personal information to any other company.

## 1. Information We Collect

### *Personal Information and Sensitive Personal Information*

Below are some examples of the Personal Information and Sensitive Personal Information we may collect through the Website or through our provision of services to you or your employer or insurer in connection with your worker’s compensation claim or medical care. There may be some overlap between the personal information in each category:

- Identifiers. Such as a real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, or other similar identifiers.
- Individual Records. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)), such as name, signature, physical characteristics or description, address, telephone number, driver’s license or state identification card number, insurance policy number, education, employment, employment history, medical information, or health insurance information.

*Individual Records may include the following Sensitive Personal Information:* government identifiers (social security, driver's license, or state identification card), or mail, email, or text messages contents not directed to us.

- Protected Classification Characteristics. Such as 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).

*Protected Classification Characteristics may include the following Sensitive Personal Information:* racial or ethnic origin, religious or philosophical beliefs, union membership, genetic data, health, sex life, or sexual orientation information

- Biometric information. Such as genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, gait, or other physical patterns, and sleep, health, or exercise data.

*Biometric Information may include the following Sensitive Personal Information:* unique identifying biometric information.

- Internet or other similar network activity. Such as browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.
- Geolocation data. Such as physical location or movements.

*Geolocation data may include the following Sensitive Personal Information: precise geolocation.*

- Sensory data. Such as audio, electronic, visual, or similar information.
- Professional or employment-related information. Such as current or past job history or performance evaluations.
- Inferences drawn from other personal information. Such as profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

## 2. How we Collect Information

As a general matter, you can browse the Website without submitting Personal Information to us. However, there are a number of circumstances in which you may supply us with Personal Information. We may collect Personal Information when you (a) sign up to receive e-mail newsletters, e-mail alerts, or email offers from us; (b) request customer service or other assistance; (c) submit a form to contact us or submit a referral form; (d) participate in social media accounts involving Paradigm's content or services; (e) register for a webinar or webinar replay; (f) use any of our services, (g) your insurer or employer uses our services in connection with your worker's compensation

claim or medical care, or (f) volunteer personal information to us in any other manner.

### Collection of Personal Information From or Through Social Media Sites or Using Your Social Media Login

When you interact with any Paradigm page on a social media platform, such as Facebook, Twitter, Google+, Tumblr, LinkedIn, YouTube, or Pinterest, we collect the personal information that you make available to us on that site, including your account ID or “handle.” We will comply with the privacy policies of the corresponding social media platform.

### Collection of Your Source IP Address / Location Information

We collect and store your Device’s source IP address, which may disclose the location of your Device at the time you access the Website. Advertisements and certain content are directed to you as a result of this data. If you enable that feature, your current location will be stored to serve you certain content tied to your location. If you elect to have your location-based searches saved to your history, we will store such information on our servers.

### Collection of Personal Information from Other Sources

We also collect and store information about you that we receive from other sources (including our offline interactions with you), to, among other things, enable us to update and correct the information contained in our database and to better customize your experience on the Website. We may use the information from one portion of the Website in other portions of the Website, and we may combine information gathered from multiple portions of the Website into a single customer record.

We may link together different types of information or link information to Personal Information. If linked information directly or indirectly identifies an individual person, we treat the linked information as Personal Information. In this Privacy Policy, to “process” Personal Information means to perform any operation on Personal Information, whether or not by automated means, such as collection, recording, organizing, storing, adapting, use, disclosure,

combining, erasing or destroying. Where we need to collect Personal Information by law, or under the terms of the contract between us and you do not provide that data when requested, we may not be able to perform the contract we have or are trying to enter into with you or your insurer or employer (for example, to provide you with services or products or Website). In this case, we may have to cancel a product or service you or your insurer or employer have with us but we will notify you if this is the case.

### 3. Cookies and Similar Technology

Like many websites, we use “Cookies”, which are small text files that are stored on your Device when you visit certain online pages that record your preferences and actions. We use Cookies to track use of our Website and online services. We also use Cookies to monitor traffic, improve the Website and make it easier or more relevant for your use.

Specifically, our Website uses Google Analytics, a web analysis service of Google Inc. (“Google”). Google Analytics uses Cookies, which collect information about your use of the Website (including your IP address), which is sent to a server of Google in the United States and stored there. Google will use this information to evaluate your use of the Website, to prepare reports on the Website activities for us, and to perform additional services involving use of the Website and the Internet. Google will provide this information to third parties, insofar as such is legally stipulated. Google may not connect your IP address with other data by Google. By using our Website, you declare that you agree to the processing of data obtained about you by Google in the manner described above, and for the purpose as stated.

#### *Cookies Set by Third Party Sites*

To enhance our content and to deliver a better online experience for our users, we sometimes embed images and videos from other websites on the Website. We currently use and may in future use content from websites such as Facebook, LinkedIn and Twitter. You may be presented with Cookies from these third-party websites. Please note that we do not control these Cookies. The privacy practices of these third parties will be governed by the third parties’ own privacy statements or policies. We are not responsible for the

security or privacy of any information collected by these third parties, using cookies or other means. You should consult and review the relevant third-party privacy statement or policy for information on how these cookies are used and how you can control them.

### *Other Similar Technologies*

Paradigm web pages may use other technologies such as web beacons to help deliver cookies on the Website and count users who have visited those websites. We also may include web beacons in our promotional email messages or newsletters to determine whether you open and act on them as well as for statistical purposes.

In addition to standard cookies and web beacons, the Website can also use other similar technologies to store and read data files on your computer. This is typically done to maintain your preferences or to improve speed and performance by storing certain files locally.

### *How to Control and Delete Cookies*

You have the ability to accept or decline Cookies, though doing so may result in some features of the Website not working as designed. For more information on Cookies and how to disable them, you can consult the information provided by the Interactive Advertising Bureau at [www.allaboutcookies.org](http://www.allaboutcookies.org).

Our Website also uses third-party cookies for web security protection. These cookies are necessary cookies that cannot be disabled and are required in order to use our website.

*Do Not Track:* Some web browsers (including Safari, Internet Explorer, Firefox and Chrome) incorporate a “Do Not Track” (“DNT”) or similar feature that signals to websites that a user does not want to have his or her online activity and behavior tracked. If a website that responds to a particular DNT signal receives the DNT signal, the browser can block that website from collecting certain information about the browser’s user. Not all browsers offer

a DNT option and DNT signals are not yet uniform. For this reason, many website operators, including Paradigm, do not respond to DNT signals.

#### 4. Children's Privacy

Our Website is not directed to children under the age of 13, and we do not knowingly collect Personal Information from children under 13 years old. If you are under 13 years old, you should not use this Website, and under no circumstances should you send information about yourself to us without providing us with consent from your parents or legal guardian. If we become aware that we have received personal information from a visitor under the age of 13 on the site and we do not have parental consent or legal guardian consent, we will delete the information from our records.

*California Minors:* If you are a California resident who is under the age of 18 and you are unable to remove publicly-available content that you have submitted to us, you may request removal by contacting us at: [compliance@paradigmcorp.com](mailto:compliance@paradigmcorp.com). When requesting removal, you must be specific about the information you want removed and provide us with specific information, such as the URL for each page where the information was entered, so that we can find it. We are not required to remove any content or information that: (1) federal or state law requires us or a third party to maintain; (2) was not posted by you; (3) is anonymized so that you cannot be identified; (4) you don't follow our instructions for removing or requesting removal; or (5) you received compensation or other consideration for providing the content or information. Removal of your content or information from the Service does not ensure complete or comprehensive removal of that content or information from our systems or the systems of our service providers. We are not required to delete the content or information posted by you; our obligations under California law are satisfied so long as we anonymize the content or information or render it invisible to other users and the public.

#### 5. How We Use Information

We will only use Personal Information when the law allows us to. Most commonly, we will use Personal Information in the following circumstances.



- To provide you case management services, or any of our services, which may require us to provide your information to your healthcare providers, employers, insurers, or other parties or vendors that are involved in your worker's compensation claim or your medical care.
- To provide your employer or insurer with our services in connection with your worker's compensation claim or medical care.
- Where we need to perform the contract we are about to enter into or have entered into with you or your insurer.
- Where it is necessary for our legitimate interests (or those of a third party), and your interests and fundamental rights do not override those interests.
- Where we need to comply with a legal or regulatory obligation.

We will only use Personal Information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use Personal Information about you for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so. Please note that we may process Personal Information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Paradigm uses information collected for the following purposes based on our legitimate interests:

- To provide our services to you or your employer or insurer in connection with your worker's compensation claim or medical care;
- To communicate with you;

- To administer and protect our business and the Website including troubleshooting, data analysis, security, testing, system maintenance, support, reporting, technical functionality, hosting of data, and in the context of a business reorganization or group restructuring exercise;
- To prevent and investigate fraud and other misuses;
- To deliver relevant website content to you and measure or understand the effectiveness of the advertising we serve to you;
- To use data analytics to improve our Website, products/services, marketing, client relationships and experiences;
- To perform statistical, demographic, and marketing analyses of users of the Website; or
- To make suggestions and recommendations to you about products or Website that may be of interest to you.

We also use Personal Information when necessary for the performance of a contract in the following contexts:

- To provide you with services requested by you or your insurer or your employer, including the Website;
- To set up and maintain your account with us;
- To manage our relationship with you which will include:
  - Notifying you about changes to our terms or privacy policy
  - Asking you to leave a review or take a survey
  - Responding to your questions and inquiries

We may also use Personal Information when necessary to comply with legal obligations.

## 6. How we Share Information

Except as disclosed in this Privacy Policy, we will not share Personal Information with third-party companies for their own commercial or marketing use without your prior consent, and we will disclose Personal Information to third parties if (a) you provide written or electronic consent in advance, or (b) we are permitted or required under federal or applicable state law. Federal law allows us to disclose Personal Information to third parties when necessary to provide our services or conduct our business activities, when required by law or legal process, or for mailing list or other purposes (unless you object to such use in advance).

To provide services and carry out our business activities, certain authorized people have access to your information, including our employees, entities affiliated through common ownership or control with Paradigm, and third parties that provide and/or support our provision of services. The frequency of disclosures varies according to business needs, and may involve access on a regular basis.

We may share personal information by disclosing it to a third-party for a business purpose, including the following:

- To provide case management or other services to you;
- To provide services to your insurer or your employer in connection with your worker's compensation claim or medical care;
- To audit our interactions with you to measure the effectiveness of our products, services, and Website;
- To identify issues and repair our Website;
- To provide the Website, such as customer service, which we either conduct or engage service providers to conduct on our behalf;

- For research and development;
- To further our business goals, including to advertise our products and Website; and
- For quality assurance.

As part of its business activities, if Paradigm enters into a merger, acquisition, or sale of all or a portion of our assets, Paradigm may transfer Personal Information as part of the transaction.

We may also use or disclose Personal Information if required to do so by law or in the good-faith belief that such action is necessary to (a) conform to applicable law or comply with legal process served on us or the Website; (b) protect and defend our rights or property, the Website or our users; (c) detect, prevent, and prosecute harmful, fraudulent, or illegal activity; and (d) act under emergency circumstances to protect the personal safety of us, our affiliates, agents, or the users of the Website or the public. Law enforcement agencies may, by federal or state court order and without notice to you, obtain the right to install a device that monitors your internet and email use.

If you access Paradigm with or through a social networking service or while logged in to such social media platform, Paradigm and that service share certain information about you and your activities, including your IP Address and that you have visited our Website. We will share information about your activities, including what you view on the Website, with that social media platform and its users.

## 7. Security and Retention of Personal Information

Personal Information provided within the context of our service offerings are protected by technical security systems. While we use reasonable efforts to safeguard the confidentiality of your information, we are not liable for disclosure of any information due to errors in transmission or the unauthorized acts of third parties. No data storage system or transmission

method is guaranteed to be 100% secure, and as a result, we cannot guarantee the security of any information you may supply. If Paradigm learns of a security breach, we may attempt to notify you so that you can take appropriate protective steps.

We retain Personal Information in identifiable form only for as long as necessary to fulfill the purposes for which the Personal Information was provided to Paradigm or, if longer, to comply with legal obligations, to resolve disputes, to enforce agreements and similar essential purposes. To determine the appropriate retention period for Personal Information, we consider the amount, nature, and sensitivity of the Personal Information, the potential risk of harm from unauthorized use or disclosure of Personal Information, the purposes for which we process Personal Information and whether we can achieve those purposes through other means, and the applicable legal requirements.

#### 8. Your Obligation to Keep Access Rights Secure

You promise to provide true, accurate, current and complete information about yourself when you correspond with Paradigm or our agents. If you provide any information that is untrue, inaccurate, not current or incomplete, or Paradigm has reasonable grounds to suspect that such information is untrue, inaccurate, not current or incomplete, Paradigm has the right to refuse any and all current or future use of the Website (or any portion thereof).

#### 9. How to Opt-Out of Sharing Personal Information; How to Correct Personal Information

You always may opt-out of receiving future e-mail messages and newsletters. Paradigm provides you with the opportunity to opt out of receiving communications from us at the point where we request information about you. To remove Personal Information about you from our database, to not receive future communications or to no longer receive services from us, send an email to [compliance@paradigmcorp.com](mailto:compliance@paradigmcorp.com) with the word “remove” in the subject line.

Paradigm also permits you to access correct, or update Personal Information that you have previously provided to us. To do so, send email to [compliance@paradigmcorp.com](mailto:compliance@paradigmcorp.com) indicating the information that you wish to access, correct, or update. Residents of certain jurisdictions may have additional rights concerning Personal Information (see Section 10 below).

## 10. Additional State Rights and Disclosures for California Residents (Your California Privacy Rights)

The following section applies to individuals who reside specific jurisdictions that provide additional privacy rights.

### Data Collection – Right to Know

In the last twelve (12) months we may have collected the categories of personal information as described in the Section 1 – “Information We Collect” above.

### Use of Personal Information

We may use or disclose the personal information we collect for one or more of the business purposes indicated in Section 5 – “How We Use Information” above.

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 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. We share personal information with the categories of third parties listed in Section 6 – “How We Share Information” above.

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

- Identifiers and Contact information
- Personal Information Categories
- Commercial Information and Related Transaction Information
- Contact preference information
- Protected Classification Characteristics and Account Profile Information
- Sensory Data and Information You Share During Communications and Interactions With Us
- Location or Geolocation Data
- Internet or Other Similar Network, Browsing, and Device Activity
- Inferences

We do not sell personal information. In the event that we do sell any personal information, we will update this Privacy Policy to list the categories of consumers' personal information sold.

### Your Rights and Choices

Certain state laws, including the California Consumer Privacy Act (CCPA), may provide residents with specific rights regarding their personal information in addition to those addressed above. This section describes the rights you may have and explains how to exercise those rights.

*Right to Access Specific Information and Data Portability Right.* You have the right to request that we disclose certain information to you about our collection and use of personal information over the past twelve (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 disclosed personal information for a business purpose, the business purpose for which personal information was disclosed, and the personal information categories that each category of recipient obtained.

*Right to Correct Information.* You have the right to request we update Personal Information about you that is incorrect in our systems.

*Right to Delete.* You have the right to request that we delete any personal information about you 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) the personal information from our records, unless an exception applies.

*Right to Opt-out of sharing Personal Information for Cross-Contextual Behavioral Advertising.* Paradigm does not share Personal Information for cross-contextual behavioral advertising.

*Right to Limit Sensitive Personal Information Use.* You have the right to limit the use of sensitive Personal Information regarding you.



*Non-Discrimination.* We will not discriminate against you for exercising any of your rights.

### *Exercising Your Rights*

To exercise the access, data portability and deletion rights described above, please complete and email us a copy of this [Verifiable Consumer Request Form](#) to [compliance@paradigmcorp.com](mailto:compliance@paradigmcorp.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 personal information about you. You may also make a verifiable consumer request on behalf of your minor child.

You may only make such a 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, and 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.

We endeavor to respond to a verifiable consumer request within forty-five (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. We will deliver our written response electronically. Any disclosures we provide will only cover the 12-month period preceding the receipt of the verifiable consumer request. 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 the 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.

## 11. Contact Us

If you wish to exercise any of your rights, please send an email to [compliance@paradigmcorp.com](mailto:compliance@paradigmcorp.com), or write to us at:

Paradigm

Attn: Legal & Privacy

1277 Treat Blvd., Suite 800

Walnut Creek, CA 94597

To further protect your privacy we may request additional information in response to your request in order to verify your identity.