

# Privacy Notice

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## **PRETORIAN LABS' RESPONSIBILITIES**

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Pretorian Labs ("Pretorian," "Lab," "we," "our," "us") is committed to protecting the privacy and confidentiality of a patient's personal information, health information, and laboratory test results. We are required by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) to keep a patient's Protected Health Information (PHI) confidential.

This Privacy Notice ("Notice") describes Pretorian Labs' legal duties and privacy practices and describes the privacy practices of the Lab, its employees and other personnel with respect to PHI. When Pretorian Labs uses or discloses a patient's PHI, the Lab is required to abide by the terms of this Notice.

This Notice applies only to the information collected by Pretorian Labs. The Lab is not responsible for the availability, content, or privacy practices of sites not associated with Pretorian Labs. These third-party sites are not bound by this privacy notice policy and may or may not have their own privacy policies.

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## **DISCLOSURE OF HEALTH INFORMATION**

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*Not every use of disclosure is listed in the Notice, but all the Lab's uses or disclosures of your PHI will fall into one of the categories below.*

Pretorian Labs may use PHI for treatment, payment or healthcare operation purposes and for other purposes permitted or required by law. Examples of documents that may contain PHI include laboratory test orders/ requisitions, test results/reports and billing invoices.

Pretorian Labs may use or disclose your PHI for one of more of the following:

- **Treatment:** Pretorian Labs may use or disclose your PHI for treatment purposes to perform the Labs' testing services and disclose your testing results to your physician and other providers involved in your care.
- **Payment:** Pretorian Labs may use or disclose your PHI to obtain payment for healthcare services the Lab provides by sending a bill to your insurance company or health plan to receive payment for the collection and/or testing services.
- **Health Care Operations:** Pretorian Labs may use and disclose your PHI for our healthcare operations, for instance, to monitor the quality of our testing services and review the competence and qualifications of our laboratory professionals.
- **Persons Involved in Your Care or Payment of Care:** Pretorian Labs may disclose your PHI to persons involved in your care or payment for your care, such as a family member, relative, or close friend, unless you object or ask us not to.
- **Personal Representatives:** Pretorian Labs may disclose PHI about you to your authorized personal representative, such as a lawyer, administrator, executor, or other authorized person.
- **Minors' PHI:** Pretorian Labs may disclose PHI about minors to their parents or legal guardians.
- **Disclosures to Business Associates:** Pretorian Labs may disclose your PHI to other companies or individuals, known as "Business Associates," who provide services to the Lab, such as a company to perform billing services on the Lab's behalf. Our Business Associates are required to protect the privacy and security of your PHI and notify the Lab of any improper disclosure of information.
- **As Required by Law:** Pretorian Labs must disclose your PHI when required to do so by any applicable U.S. federal, state, or local law.
- **Public Health Activities:** Pretorian Labs may disclose your PHI for public health-related activities, such as reporting infectious diseases to authorized

public health authorities, public health investigations, or notifying a manufacturer of a product regulated by the U.S. Food and Drug Administration of a possible problem encountered when using the product in our testing process.

- **Health Oversight Activities:** Pretorian Labs may disclose your PHI to a healthcare oversight agency for activities that are authorized by U.S. law, such as audits, investigations, inspections, and licensure activities. For instance, the Lab may disclose your PHI to agencies responsible for ensuring compliance with the rules of government health programs such as Medicare or Medicaid.
- **Judicial and Administrative Proceedings:** Under certain circumstances, Pretorian Labs may disclose your PHI during a judicial or administrative proceeding in response to a court order, subpoena, or other lawful process.
- **Law Enforcement:** Pretorian Labs may disclose your PHI to the police or other law enforcement officials as required by law or in compliance with a court order, warrant, subpoena, summons, or other legal process for locating a suspect, fugitive, witness, missing person, or victim of a crime.
- **Threats to Health or Safety:** Pretorian Labs may disclose PHI to prevent or reduce the risk of a serious and imminent threat to the health or safety of an individual or the general public.
- **Victims of Abuse, Neglect or Violence:** If required or authorized by law, the Lab may disclose PHI to a government agency, such as social services or a protective services agency, if we reasonably believe that an individual adult or child is the victim of abuse, neglect, or domestic violence.
- **Workers' Compensation:** Pretorian Labs may release medical information about you for workers' compensation or similar programs, including programs that provide benefits for work- related injuries or illness.
- **Decedents:** Pretorian Labs may release medical information about you to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death. We may also release

medical information about you to funeral directors. The Lab can release information to any individual known to us as a family member, personal friend of the family, or any other person identified, who was involved in your care or the payment for your care prior to your death, unless you had indicated otherwise.

- **Specialized Government Functions:** Pretorian Labs may disclose medical information about you to authorized federal officials for intelligence, counter intelligence, and other national security activities.
- **Information About Inmates or Those in Custody:** If you are an inmate or under the custody of a law enforcement official, Pretorian Labs may release medical information about you to the correctional institution or law enforcement official responsible for you, as authorized or required by law.
- **Information About Students or Employees:** If you are a student, employee, or member of an organization with which Pretorian Labs has a contractual testing arrangement, we may release medical information about you to your organization, as authorized or required by law.
- **All Other Uses and Disclosures of PHI:** Pretorian Labs will ask for your written authorization before using or disclosing your PHI for any purpose not described above. You may revoke your authorization, in writing, at any time, except for disclosures that the company has already acted upon. A revocation of authorization must be submitted in writing at the address listed in the Contact Information- General Inquiries section below.

*Note: When state law is more restrictive than federal law, Pretorian Labs is required to follow more restrictive state law.*

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## ***USER RIGHTS AND CONTROLS***

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A patient has rights with respect to their PHI. To exercise any of these rights, you may write or send an email to Pretorian Labs with the specific request and direct the

request as listed in the Contact Information- General Inquiries section at the end of this Notice.

You have the following rights as outlined below:

- **Access to PHI:** You, or your authorized or designated personal representative, have the right to inspect and receive a copy of the PHI maintained by Pretorian Labs. We may deny access to certain information for specific reasons, for example, where Federal and state laws regulating laboratories prohibit us from disclosing testing results directly to a patient.
- **Restrictions on Uses and Disclosures:** You have the right to request restrictions on Pretorian Labs' use and disclosure of your PHI. You also have the right to request a restriction on the PHI we disclose about you to someone who is involved in your care or payment for your care, such as a family member or friend. Except as described in this section, the Lab is not required to agree to your request. We must agree to your request if the disclosure has been made to a health plan for the purpose of payment or health care operations and the disclosure relates to an expense for which you have paid out of pocket.
- **Confidential Communications:** You have the right to request that Pretorian Labs communicates with you about your PHI by alternative means or to an alternative address. Your request must be in writing and must specify the alternative means or location. The Lab will accommodate reasonable requests for confidential communications.
- **Correct or Update Information:** If you believe the PHI Pretorian Labs maintains about you contains an error, you may request that we correct or update your information. Your request must be in writing and must explain why the information should be corrected or updated. The Lab may deny your request under certain circumstances and provide a written explanation.
- **Accounting of Disclosures:** You may request a list of certain disclosures of your PHI made by Pretorian Labs or the Labs' business associates for purposes other than treatment, payment, healthcare operations, and certain other activities. The request must be in writing, and the list will include disclosures made within the prior six years.

- **Copy of Notice:** Upon request, you may obtain a paper or electronic copy of this Notice.
- **Choose Someone to Act for You:** If you have given someone medical power of attorney or if someone is your legal guardian, that person can exercise your rights and make choices about your health information. Pretorian Labs will make sure the person has this authority and can act for you before we take any action.
- **File a Complaint:** You can file a complaint if you feel Pretorian Labs has violated your rights by referring to the Contact Information section below.

*For any request listed above, you must send a written request to  
[compliance@pretorianlabs.com](mailto:compliance@pretorianlabs.com)*

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### **HEALTH INFORMATION SECURITY & STORAGE**

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Pretorian Labs will retain your health information and data for the length of time necessary to provide appropriate lab testing services. The Lab will also retain your health information and data necessary to comply with our legal obligations, resolve disputes, and enforce our contracts & agreements. Pretorian Labs implements appropriate technical and organizational safeguards to protect against unauthorized or unlawful processing of personal health information and data as well as against the accidental loss, destruction or damage of personal health information and data.

Your personal information may be transferred to, stored, and processed in a country other than the one in which it was provided. By providing the Lab with your personal health information, you consent to the transfer of your information and data. Pretorian Labs adheres to all applicable laws in regards to the privacy and transmission of your healthcare data.

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### **BREACH NOTIFICATION**

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Pretorian Labs is required to notify you following the discovery of a breach of unsecured PHI, unless there is a demonstration, based on a risk assessment, that there is a “low probability” that the PHI has been compromised. You will be notified in a timely fashion, no later than 60 days after the discovery of the breach. Pretorian Labs is prohibited from requiring an individual to waive any right under the Breach Notification Rule as a condition of the provision of treatment, payment, enrollment in a health plan, or eligibility for benefits.

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### ***QUESTIONS & COMPLAINTS***

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If you have questions or concerns about Pretorian Labs’ privacy practices or would like a more detailed explanation about your privacy rights, please refer to the Contact Information- General Inquiries section below for contact information.

If you believe your privacy rights have been violated, you have the right to file a complaint with Pretorian Labs. To file a complaint with Pretorian Labs directly or should you have questions about this Notice, please write or email the Lab as listed in the Contact Information- Complaints section below.

You also have the right to file a complaint with the Secretary of the U.S. Department of Health and Human Services, Office for Civil Rights. Pretorian Labs will not retaliate against any individual for filing a complaint. Complaints can be submitted via website, mail or phone at:

Portal: <https://ocrportal.hhs.gov/ocr/portal/lobby.jsf>

Address: U.S. Department of Health and Human Services  
200 Independence Avenue, SW  
Room 509F, HHH Building  
Washington, D.C. 20201

Phone: (877) 696-6775

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### ***NOTICE OF NON-DISCRIMINATION & LANGUAGE ASSISTANCE***

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Pretorian Labs complies with applicable Federal civil rights laws and does not discriminate on the basis of race, color, national origin, age, disability, or sex (including pregnancy, sexual orientation, and gender identity). The Lab does not exclude people or treat them less favorably because of race, color, national origin, age, disability, or sex.

If needed, Pretorian Labs provides auxiliary aids and services without cost to the individual being served. Language assistance is a vital service that ensures individuals, regardless of their language proficiency, can understand and exercise their rights regarding their personal information.

Free aids include qualified sign language interpreters and qualified interpreters to people whose primary language is not English. If you need these services, please contact the Lab as listed under the Contact Information- General Inquiries section below.

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### ***CHANGES TO THE POLICY***

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Pretorian Labs reserves the right to change the Labs' privacy practices and the terms for this Notice at any time, provided such changes are permitted by applicable law. Any changes to this Notice will be posted with an updated effective date.

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### ***CONTACT INFORMATION***

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#### **Complaints:**

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

Phone: (440) 659-1980, Option 9

Address: Pretorian Labs  
Attn: Privacy Officer  
7650 Hub Pkwy  
Valley View, OH 44152



**General Inquiries:**

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

Phone: (440) 659-1980, Option 9

Address: Pretorian Labs  
Attn: Compliance  
7650 Hub Pkwy  
Valley View, OH 44152

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