



## WEBSITE PRIVACY POLICY

John Muir Health is a not-for-profit integrated healthcare system that includes hospital and other inpatient and outpatient services. John Muir Health is committed to providing patients and users of this Service with authoritative and reliable health information.

The John Muir Health website, [www.johnmuirhealth.com](http://www.johnmuirhealth.com) (the “**Site**”) , including all of its content, look and feel, functions, databases, domain name (collectively the “**Service**”) is owned and maintained by or for John Muir Health, a California non-profit public benefit corporation, on behalf of itself and its affiliated hospitals, research institutes, clinics, outreach programs, wellness education programs, and home health agencies, all of which are hereinafter collectively referred to as “**John Muir Health**,” “**we**,” “**us**,” “**our**,” or similar terms. “**You**” or “**your**” or similar terms refer to you as a user of our Service.

THIS PRIVACY POLICY IS BOTH AN AGREEMENT ENTERED INTO BY YOU AND JOHN MUIR HEALTH, AND ALSO THE POLICY OF JOHN MUIR HEALTH IN MAKING THE SERVICE (AS DEFINED ABOVE) AVAILABLE TO YOU. BY ACCESSING THE SERVICE, INCLUDING WITHOUT LIMITATION BY CLICKING TO ACCEPT COOKIES ON THE COOKIE BANNER OR BY REGISTERING, YOU ACCEPT, WITHOUT LIMITATION OR QUALIFICATION, THIS SITE’S TERMS OF USE, FOUND [HERE](#) AND THIS WEBSITE PRIVACY POLICY.

Please note that for information on how we disclose and use your protected health information that is defined by and governed by the Health Insurance Portability and Accountability Act (“**HIPAA**”), refer to our Joint Notice of Privacy Practices, available [here](#). That Notice will give you further information on how we collect and use your protected health information, including how you can access this information, and your other rights under HIPAA.

The Site is designed to provide useful information about our organization and to connect users with general information on affiliated physicians, facilities, services and employment opportunities within John Muir Health.

We are providing this Privacy Policy to inform you of our policies and procedures regarding the collection, use, and disclosure of the information that we collect and receive from users of the Service at and through the Site.

This Privacy Policy applies only to information that you provide to us through the Service, as well as to information that you authorize other individuals – such as your physician or a family member – to provide to us through the Service. Unless otherwise defined in this Privacy Policy, terms used in this Privacy Policy have the same meanings as in our [Terms of Use](#) (the “**Terms**”).

By registering, or by using the Service, or by clicking accept on the pop-up banner, you (a) expressly consent to our collection, use, and disclosure of information in accordance with this Website Privacy Policy, and (b) expressly acknowledge that you have read and understood our Website Privacy Policy and, for protected health information, our Joint Notice of Privacy Practices.

As used in this Privacy Policy, the terms “**gathering**,” “**gather**,” “**using**,” “**use**,” “**process**,” and “**processing**” information include data or information that is inputted by you or automatically recorded, or derived from using cookies, web beacons, pixels, scripts or other technologies, subjecting the information to statistical or other analysis, and using or handling information in any way, including, without limitation, collecting, storing, evaluating, modifying, deleting, using, combining, disclosing, sharing, as well as transferring information within our organization or among our affiliates within the United States or internationally.

### **Website visitor data**

We may gather data concerning Site and/or mobile application activity, such as how many people use the Service, the web pages they visit, device data, where they come from, how long they stay, what action they took, etc. This data helps us improve our content, public outreach, marketing, and user experience.

### **Collection and Use of Information – In General**

When using our Service, we may collect and receive certain personally identifiable information. This refers to information about you that can be used to contact or identify you, and information on your use or potential use of the Service and related services (collectively, “**Personal Information**”). Personal Information that we might collect would include things like your name; phone number; credit card or other billing information; your email address and the email address of your contacts; home and business postal addresses; the URLs of other websites visited; activity on the Site, including webpage visited or searches or appointments; your computer’s IP address, device information, and other information or data that you provide or that is created or obtained when using the Service.

The main reason we collect Personal Information from you is to provide you a safe, smooth, efficient, and customized user experience. This information helps us improve the utility of the Site and Service and as well as allocate resources

more effectively. We also collect Personal Information to see if our efforts to advise you of available resources, such as by public health campaigns or advertisements, are effective so we can appropriately allocate resources.

### **How We Use Your Non-Medical Personal Information**

Some of the Personal Information we collect from you is unrelated to your receipt of medical care. We use such non-medical Personal Information to provide, administer, and improve the Service, including to:

- To contact you
- Communicate with you, including to follow up on requests or questions that you may submit
- Track and analyze use of our Service
- Enhance and maintain the Service
- Enable users to easily navigate the Service
- To complete a transaction
- Resolve service problems
- Troubleshoot technical problems
- Better understand users' needs and interests
- Personalize your experience
- Detect and protect us against error, fraud, and other criminal activity
- Enforce our Terms
- Provide you with system or administrative messages, and as otherwise described to you at the time of collection
- To see if our efforts to advise individuals or entities of available resources, such as by public health campaigns or advertisements, are effective
- For any lawful, legitimate business purpose
- As otherwise necessary to perform the services John Muir Health provides

If you decide at any time that you no longer wish to receive such communications from us, please follow the unsubscribe instructions provided in any of the communications or select the appropriate option in your user profile. (See **"Changing or Deleting Your Information,"** below.)

## How We Use Your Protected Health Information

We are dedicated to maintaining the privacy and integrity of your protected health information (“**PHI**”). PHI is information about you that may be used to identify you (such as your name, social security number, or address), and that relates to (a) your past, present, or future physical or mental health or condition, (b) the provision of health care to you, or (c) your past, present, or future payment for the provision of health care. We may receive and create records containing your PHI. We are required by law to maintain the privacy and confidentiality of your PHI, and we operate consistent with applicable federal and state laws governing patient information privacy and security.

This Website Privacy Policy describes how we use information from a general user of the Service, not as a patient receiving medical care from John Muir Health affiliated personnel or facilities. If you are a patient receiving medical care from John Muir Health affiliated personnel or facilities, you have other rights with respect to the access, use, and disclosure of PHI. For a more complete description of a patient’s rights under HIPAA, please refer to our Joint Notice of Privacy Practices, which provides important information to you about how we may use and disclose your PHI. Our Joint Notice of Privacy Practices is available [here](#).

If you access MyChart using a user name and password, note that you are solely responsible for keeping those pieces of information strictly confidential.

## Log Data

When you visit the Service, our servers automatically record information that your browser sends whenever you visit the Site (“**Log Data**”). This is not dependent on the presence or use of cookies and is unaffected by your opt-in or opt-out election concerning cookies. This Log Data may include information such as your computer’s Internet Protocol (“**IP**”) address; browser type; operating system; the Internet domain from which you access the Service; the webpage you were visiting before you came to our Service, if any; the areas of the Service you visited , and time spent on those pages; information you search for on our Service; access times and dates, searches and other statistics; and the webpage addresses requested by or sent to you.

Log data information helps us design the Site’s appearance and enhance the visitor’s experience by identifying popular features, resolving user hardware and software problems, providing analytics, and making the Service more useful . Additionally, addressing information sent from or sent to you—as one example, the webpage addresses requested by or sent to you—can be used for a variety of purposes and may be shared with third parties via cookies or other means for a variety of reasons, including but not limited to: helping design the look of

websites, operations and attributes of the sites; identifying popular features; detecting error, fraud and criminal activity; resolving visitor hardware and software problems; analytics; tailoring website content and advertising; and helping enhance the visitor's experience.

## **Cookies**

We also use “**cookies**” to collect information. A cookie is a small data file that we transfer to your computer's hard disk for record-keeping purposes. The cookies are used to ensure that the Service works properly and to improve the user's experience. Depending on how you opt, we may use cookies or other techniques to analyze our traffic and determine the effectiveness of our public health campaigns and advertisements. Depending on how you opt, we may also share certain information about your use of our site with third parties, including without limitation, for public health campaigns, advertisements, and/or analytics. The third parties may combine such information with other information that you've provided to them or that they've collected or obtained. Those recipients include, but are not limited to, Adobe , Epic Systems, Tealium, Google, New Relic, Qualtrics, and Optum. Please also refer to our Cookie Consent Manager Platform in which you can manage the cookies used on your device. The Site uses the following cookies:

*Strictly Necessary Cookies:* These cookies are necessary for the Site to function and cannot be switched off in our systems. They are usually only set in response to actions made by you, such as setting your privacy preferences or logging in. You can set your browser to block or alert you about these cookies, but some parts of the Site will or may not then work.

*Performance Cookies:* Where you have permitted the use of performance cookies, we collect analytics, including without limitation, statistical information about how our website is used. These cookies allow us to count visits and traffic sources so we can measure and improve the performance of our Site and Service, and the performance of our public health campaigns and advertisements. They help us to know which pages are the most and least popular and see how visitors arrived at and move around the Site.

## **Web Beacons**

We may also occasionally use “**web beacons**” (also known as “**clear gifs**,” “**web bugs**,” “**1-pixel gifs**,” etc.), which are small image files on a web page that may be used to collect certain information from your device for the purpose of keeping track of user behavior, web traffic, and site conversions. This information may include the IP address, time of access, browser, and identification of cookies. We, or our vendors, may utilize web beacons to track visitor statistics to the Site

and manage cookies, as well as help inform advertisements on third-party platforms based on the activity tracked from the visitor's browser or device to identify return traffic from third-party platforms such as social media applications, and for analytics that allow us to collect information about your response to our email communications, and for other purposes. Such information may include the IP address, time of access, browser and identification of cookies. Web beacons are tiny images, placed on a Web page or e-mail, that can tell us if you have visited a particular area of the Service. For example, if you have given us permission to send you emails, we may send you an email urging you to use a certain feature of the Service. If you do respond to that email and use that feature, the web beacon will tell us that our email communication with you has been successful. cookies **that are not** deleted from your computer when you log off from the Service and then close your browser), if you set your browser to decline or deactivate cookies, web beacons may not function. Web beacons are used to track visitors' actions, for analytics, and to manage cookies. This information is used to improve user experience, customize your experience, and to determine the effectiveness of public health campaigns and advertisements. They are also used to inform when an advertisement run on another website has been clicked on by visitors to judge which advertisements are more appealing to users.

### **How We Respond to “Do Not Track” Signals**

Some web browsers have “Do Not Track” or similar features that allow you to tell each website you visit that you do not want your activities on that website tracked. At present, the Site does not respond to such “Do Not Track” or similar features and consequently, the Site will continue to collect information about you even if such “Do Not Track” feature is activated.

### **Emails**

We may use a third-party vendor to help us manage some of our email communications with you. While we may supply this vendor with email addresses of those we wish them to contact, your email address is never used for any purpose other than to communicate with you on our behalf. When you click on a link in an email, you may temporarily be redirected through one of the vendor's servers (although this process will be invisible to you) which will register that you have clicked on that link and have visited our Service. Our third-party email vendor, which may only share information with its authorized subcontractors, may only use the email for purposes of facilitating communications between you and us. Even if you have given us permission to send emails to you outside of MyChart you may revoke that permission at any time by choosing the “unsubscribe” option within the email. Such revocation may not apply if an email communication is required by law, including, but not limited to, local, state or federal public health authorities. .

Please note that it may take up to ten (10) business days to remove you from our distribution list.

### **Service Enhancement**

We will periodically ask users to complete surveys asking about their experiences with features of the Site. Our surveys may ask visitors for demographic information such as age, gender, and education, but we will not request in such surveys that users provide specific information about any medical condition. We use survey information for research and quality improvement purposes, including helping John Muir Health to improve information and services offered through the Service. In addition, users giving feedback who agree to permit us to contact them with further questions may be individually contacted for follow-up due to concerns raised during the course of such evaluation. Demographic information and web log data may be stored for future research and evaluation.

### **Messages and Transactions**

Comments or questions sent to us using email or secure messaging forms will be shared with our staff and health professionals who are most able to address your concerns. We will archive your messages once we have made our best effort to provide you with a complete and satisfactory response. However, other than as described below, these communications will not become part of your medical record or a designated record set unless and until, in each instance, you are seen and examined in person by a John Muir Health healthcare professional.

When you use a service on the secure section of the Service to interact directly with John Muir Health staff and health professionals, some information you provide may be documented in your medical record, and available for their use to guide your treatment as a patient.

### **Information Sharing and Disclosure**

We will not rent, sell, or share Personal Information about you with other people or non-affiliated companies except to provide the Service, when we otherwise have your permission, or under the following circumstances:

**Service Providers.** We may employ third-party companies and individuals to process your payments, facilitate our Service, to provide the Service on our behalf, to perform Service-related services (including, without limitation, maintenance services, security services and database management by Optum, [\(OOJ\)](#)). These third parties have access to your Personal Information only to perform these tasks on our behalf and are obligated not to disclose or use it for any other purpose.

- **Business Partners and Other Trusted Entities.** To the extent permitted by applicable laws, we may also provide Personal Information to our

business partners or other trusted entities for the purpose of providing you with information on services.

- **Compliance with Laws and Law Enforcement.** We cooperate with government and law enforcement officials and private parties to enforce and comply with the law. We will disclose any information about you to government or law enforcement officials or private parties as we, in our sole discretion, believe necessary or appropriate to respond to claims and legal process (including but not limited to subpoenas), to protect the property and rights of John Muir Health or a third party, to protect the safety of the public or any person, or to prevent or stop activity we may consider to be, or to pose a risk of being, any illegal, unethical or legally actionable activity.
- **Business Transfers.** We may sell, transfer or otherwise share some or all of our assets to a third party in connection with a merger, acquisition, reorganization or sale of assets, or in the event of bankruptcy. In such event, your Personal Information may be transferred to that third party.

## Security

We employ administrative, physical, and technical measures designed to safeguard and protect information under our control from unauthorized access, use, and disclosure. These measures include encrypting your communications by utilizing Secure Sockets Layer (“**SSL**”) software and using a secured messaging service when we send your Personal Information electronically. In addition, when we collect, maintain, access, use, or disclose your Personal Information, we will do so using systems and processes consistent with information privacy and security requirements under applicable federal and state laws, including, without limitation, HIPAA. All electronic PHI will be encrypted when we store it or transmit it, and we will use secure servers that we will back up daily.

We will make any legally required disclosures of any breach of the security, confidentiality, or integrity of your Personal Information, including, without limitation, breaches of your unencrypted electronically stored “personal information” or “medical information” (as defined in applicable state laws on security breach notification). To the extent permitted by applicable laws, we will make such disclosures to you via email or conspicuous posting on the Service in the most expedient time possible and without unreasonable delay, insofar as consistent with (i) the legitimate needs of law enforcement or (ii) any measures necessary to determine the scope of the breach and restore the reasonable integrity of the data system.

Despite these measures, the confidentiality of any communication or material transmitted to or from us via the Service by Internet or email cannot be

guaranteed. At your discretion, you may contact us at the mailing address or telephone number listed at the end of this document. In addition, if you have privacy or data security related questions, please feel free to contact the office identified at the end of this document.

### **Our Employees**

Every one of our employees, contractors, and consultants whose job might allow them to come into contact with your PHI has completed HIPAA training and job-specific training on how to protect and respect your PHI. We have clear policies in place in the event of a privacy or security concern regarding your PHI, so we can react quickly and resolve the issue appropriately. We will limit access to your PHI to personnel who have a need to know it. All of our personnel must comply with our restrictions on access, use, and disclosure of PHI or face disciplinary action, up to and including termination.

### **International Transfer**

Your information may be transferred to and maintained on computers located outside of your state, province, country or other governmental jurisdiction where the privacy laws may not be as protective as those in your jurisdiction. If you are located outside the United States and choose to provide information to us, we may transfer your information to the United States and process it there. Your submission of such information represents your agreement to that transfer.

### **Links to Other Sites**

We may offer you the opportunity to access third-party content, services, or products by linking to a third party's website. If you choose to visit a third party by clicking on a link, you will be directed to that third party's website. The fact that we may link to a website is not an endorsement, authorization, or representation of any affiliation by us with that third party, nor is it an endorsement of their privacy or information security policies or practices. We do not exercise control over third-party websites. These other websites may place their own cookies or other files on your computer, collect data or solicit personal information from you. Other services follow different rules regarding the use or disclosure of the information. Our Website Privacy Policy only applies to the Service and we are not responsible for the privacy practices or the content of other websites. You should check and understand the privacy policies of those websites.

### **Children**

In accordance with the Federal Children's Online Privacy Protection Act of 1998 ("**COPPA**"), John Muir Health will never knowingly request personally identifiable information from anyone under the age of 13 without verified parental consent.

When we do receive information (with verified parental consent) from users under the age of 13, we will not share their personally identifiable information with third parties, regardless of their stated preference given at registration. If we become aware that a user of the Service is under the age of 13 and has provided us with Personal Information without verifiable parental consent, we will delete such information from our files.

### **Data Retention**

We retain your data as long as necessary for the purpose for which it was collected. We may retain data until the set retention period for the data expires. In some instances, such as to comply with a legal or tax obligation, we may be required to maintain data for a longer period.

### **Agreement and Changes**

BY ACCESSING THE SERVICE, INCLUDING WITHOUT LIMITATION BY CLICKING TO ACCEPT COOKIES ON THE COOKIE BANNER OR BY REGISTERING, YOU ACCEPT WITHOUT LIMITATION OR QUALIFICATION THE CURRENT WEBSITE PRIVACY POLICY AND OUR TERMS OF USE, into which this Website Privacy Policy is incorporated. We reserve the right, in our sole discretion, to modify, discontinue, or terminate the Service or to modify this Privacy Policy at any time. If we modify this Privacy Policy, we will notify you of such changes by posting them on the Service. We will also indicate when such terms are effective below. By continuing to access or use the Service after we have posted a modification or have provided you with notice of a modification, you are indicating that you agree to be bound by the modified Privacy Policy. If the modified Privacy Policy is not acceptable to you, your only recourse is to cease using the Service.

### **Contacting Us**

We encourage you to contact us if you have any questions concerning our Privacy Policy or if you have any questions or concerns about our access, use, or disclosure of your Personal Information. You may write us at John Muir Health, 1400 Treat Boulevard, Walnut Creek, CA 94597, Re: Privacy Policy or reach us by phone at (844) 915-1230. You can also reach us for help by emailing us at

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