

## EPK & Associates Privacy Policy

*Effective:* May 13, 2016

EPK & Associates, Inc. (“EPK”, “we,” “us,” “our”) is committed to letting you know how we will collect and use personally identifiable information and protected health information. This Privacy Policy applies to EPK’s Benefits Portal located at:

<https://ecommerce.issisystems.com/iremit273/eremit.dll/27301/logine.asp>

For the purposes of this Privacy Policy, “you” and “your” refers to the Employer, as defined in the Terms and Conditions ([link](#)). We have established this Privacy Policy to let you know the kinds of information we may gather, why we gather the information, what we use the information for, when we might disclose the information, and how you can manage the information.

This Privacy Policy does not apply to third-party websites and mobile applications that may be linked to on the Portal. We are not responsible for the actions and privacy policies of these third-party websites and applications.

**By visiting our Portal, you are accepting the practices described in this Privacy Policy. If you do not agree to the terms of this Privacy Policy, then please do not use the Portal. We reserve the right to modify the terms of this Privacy Policy from time to time without notice. Your continued use of our Portal following the posting of changes will mean you accept those changes.**

**If you have any questions about this Privacy Policy, then please contact us by email at [admin@epkbenefits.com](mailto:admin@epkbenefits.com).**

### **What Information About You Is Collected and Stored?**

We collect four basic types of information from you: (a) personally identifiable information (“PII”) about your employees and the participants in the group health plan you sponsor, (b) PII about Authorized Users (as defined in the Terms and Conditions), (c) a limited amount of protected health information (“PHI”) about the group health plan’s participants, and (d) non-personally identifiable information (“non-PII”). PII is any information that we receive from you or your Authorized Users, or from third parties on your behalf, that can individually identify your employees and the group health plan’s participants. PII may include, among other things, names, contact information (*e.g.*, email address, postal address, and telephone number), and social security number. PHI is information maintained by or on behalf of the group health plan relating to participants and may include contact information, health status, provision of health care, or payment for health care services. Non-PII is information that does not personally identify your employees, group health plan participants, or Authorized Users. Non-PII may

include, among other things, demographic data and information about your use of the Portal, such as the date and time of access.

### **Personally Identifiable Information/Protected Health Information**

There are a number of circumstances in which you may supply us with PII about your employees and Authorized Users or PII and PHI about the group health plan participants. The following lists the more common ways in which we may collect this PII and PHI:

- Submission of employees and group health plan participants' records and information to EPK for processing;
- Registration for an Authorized User's account; and
- Any other place on the Portal where you or Authorized Users knowingly volunteer information.

### **Non-Personally Identifiable Information**

As stated, we also collect non-PII when Authorized Users interact with the Portal. Non-PII does not personally identify Authorized Users, employees, or group health plan participants. Generally, we collect and store the following categories of non-PII:

- Demographic data such as age, gender, and five-digit ZIP code;
- Portal "traffic data" including date and time of access.

### **Collection of Information from Other Sources**

We also may collect information about employees, group health plan participants, and Authorized Users that we may receive from other sources or from our offline interactions with you to, among other things, provide the services you have requested, enable us to verify or update information contained in our records, and better customize the Portal for you and your Authorized Users.

### **How Do We Use Information?**

We use the information we collect to help us provide services to you and to personalize and continually improve your experience on the Portal. For example, we may use PII, PHI, and non-PII to:

- Provide requested services;
- Communicate with Authorized Users about your and their account or transactions;
- Send Authorized Users information about features and enhancements on the Portal;
- Communicate about changes to our policies;
- Personalize content;

- Optimize or improve our services and operations; and
- Detect, investigate, and prevent activities that may violate our policies or be illegal.

### **Combination of Personally Identifiable Information**

We may use or combine information that we collect offline or we collect or receive from third-party sources to enhance, expand, and check the accuracy of your records. We also may use the information from one portion of the Portal on other portions of the Portal, and we may combine information gathered from multiple portions of the Portal and from other sources into a single record.

### **To Whom Do We Provide Information?**

We may disclose the PII and PHI collected on the Portal to our agents, affiliates, partners, and other third parties as described below.

#### **Third-Party Agents**

We have third-party agents, affiliates, and service providers that perform functions on our behalf, including, but not limited to hosting, content management, auditing, technical integration, analytics, customer service, and fraud protection.

These entities may have access to PII and PHI if needed to perform their functions, in which case they will be contractually obligated to maintain the confidentiality and security of that information.

#### **Business Partners and Other Third Parties**

To provide the services you have requested, we will need to share PII and/or PHI about your employees, group health plan participants, and/or Authorized Users, in a manner permissible by relevant laws, with third parties such as relevant insurance carriers and broker partners.

#### **Assignment**

We may change our ownership or corporate organization while providing the Portal. We also may sell some of our assets, which may be associated with the Portal. In this event, we may transfer some or all of the information about you, your employees, group health plan participants, and/or Authorized Users to an entity acquiring all or part of our assets or to another entity with which we have merged. Under these circumstances, we would request the acquiring party to follow the practices described in this Privacy Policy. Nevertheless, we cannot promise that an acquiring party or the merged entity will have the same privacy practices or treat the information the same as described in this Privacy Policy.

#### **Law Enforcement, Legal Process, and Emergency Situations**

We may use or disclose the PII or PHI collected through the Portal if required to do so by law or, as permitted by law, on the good-faith belief that this action is necessary to: (a) conform to applicable law or comply with legal process served on us or the Portal; (b) protect and defend our rights or property, the Portal, or our users; or (c) act to protect the personal safety of us, users of the Portal, or the public.

### **Use of Non-Personally Identifiable Information**

We may disclose non-PII in any other manner that we deem appropriate. Among other things, we may disclose non-PII to third parties to help us determine how people use parts of the Portal and how we can improve our Portal. We also may disclose non-PII to our service providers and other third parties about how our users collectively use the Portal.

### **What Steps Are Taken to Secure Personally Identifiable Information and Protected Health Information?**

We are committed to protecting the PII and PHI obtained through and accessible on the Portal, and we take certain security measures to help protect this information. Our security procedures mean that we occasionally may request proof of identity before we disclose PII or PHI to you. Please understand, however, that although we try to safeguard information once we receive it, no transmission of data over the Internet or any other public network can be guaranteed to be 100% secure.

You need to help protect the privacy and security of your own information. You must take precautions to protect the security of any PII or PHI that you transmit over any public or untrusted network by using encryption and other techniques to prevent unauthorized interception of PII or PHI. You are responsible for the privacy and security of information you or your Authorized Users transmit to us when using unencrypted, public, or otherwise unsecured networks.

### **How Long Do We Keep Personally Identifiable Information and Protected Health Information?**

The time period for which we keep information varies according to what the information is used for. In some cases, there are legal requirements to keep data for a minimum period. Unless there is a specific legal requirement for us to keep the information, we will retain it for no longer than is necessary for the purposes for which the data was collected or for which it is to be further processed.

### **Children's Information?**

The Portal is not intended for children under 13 years of age. Unless otherwise disclosed during collection and with parent or guardian consent, EPK does not knowingly collect PII from children under 13 years of age. Those under 13 years of age should not provide PII to EPK.

## **Governing Law**

This Portal is published in the United States. Our Portal is located and directed to individuals located in United States, and our policies are directed at compliance with those laws. If you are uncertain whether this Privacy Policy conflicts with the applicable local privacy laws where you are located, then you should not submit employees' or Authorized Users' PII or your group health plan participants' PII or PHI to EPK.

## **Accessing and Correcting Information**

With respect to your Authorized Users accounts with EPK for access to the Portal, you may review and change information about you by logging into these accounts and editing the profiles. With respect to information about your employees and group health plan participants stored on the Portal, you may request changes or deletions be made to the records by contacting EPK at [admin@epkbenefits.com](mailto:admin@epkbenefits.com) to request the changes or deletions. Please be advised that you may be required to provide us with PII to verify your identity prior to accessing any records containing information about you or your employees and group health plan participants. We may not accommodate a request to change or delete PII if we believe doing so would violate any law or legal requirement, or cause the information to be incorrect.