

## PRIVACY POLICY

This Privacy Policy is effective as of January 1, 2018. Your prior activities with EyeCare Partners LLC and its affiliates and subsidiaries (“Eyecare Partners”) may have been governed by an earlier version of the Policy.

By sharing the Privacy Policy for EyeCare Partners, Clarkson Eyecare, eyecarecenter, EyeCare Associates, Rinkov Eyecare, Thoma & Sutton Eye Care, Quantum Vision Centers, The EyeDoctors, Eye Care Associates of Kentucky and Eye Elements (collectively, “we” or “us”), we hope to help you understand how information can create new opportunities for our customers, as well as to reassure you that we respect and honor customer requests to restrict and protect personal information.

By using our websites including, but not limited to, eyecare-partners.com, clarksoneyecare.com, eyecarecenter.com, webeca.com, rinkoveyecare.com, thomasutton.com, illinoiseye.com, ocstl.com, ecak.com, theeyedoctors.net and eyeelements.com, (collectively, “Websites”), coming to our stores, calling customer service, engaging with us on social media, interacting with us in any way, or utilizing any of our services, you consent to this Privacy Policy.

If you have questions or wish to contact us about the Policy, direct inquiries to:

Compliance Officer  
EyeCare Partners  
15933 Clayton Road, Suite 210  
Ballwin, Missouri 63011  
(636) 227-2600  
compliance@eyecare-partners.com

## WHAT INFORMATION DO WE COLLECT?

We do not collect personal information about you when you visit our stores or website unless you choose to provide such information to us.

We collect personally-identifying information you provide to us in connection with your purchases, requests for services, the creation of a personal user account, any material you may post to our Websites or social media pages, or your participation in surveys on any of our Websites. From time to time, we may provide you the opportunity to participate in contests or other voluntary activities through the Websites. We may request personal information from you, along with other information, in order for you to participate in these activities. Participation in these activities is completely voluntary; you may elect not to disclose your personal information by not participating in the activity.

In addition, for each visitor to our Websites, we automatically gather certain information and store it in log files. This information includes internet protocol (IP) addresses, browser type, internet service provider (ISP), referring/exit pages, operating system, date/time stamp, and clickstream data. We collect and store this information on an individual basis and in combined form. We also collect both user-specific and aggregate information on what pages visitors access or visit.

## HOW DO WE USE THIS INFORMATION?

We use the information we collect so we can provide better services and better information to our customers. We use home and email addresses to send information to our customers on eye care, exclusive offers, new products and services, and store events that we feel our customers would find valuable.

We use the information we collect to analyze trends, to administer the Websites, to track users' movements around the site, and to gather information about our customer and Website user base. We also use this information to improve the content of our Websites, and to customize the content and layout of our pages. All of this is done with the intention of making our Websites more useful and a better experience for our customers.

We do not rent or sell any personal information we collect to any third parties.

We use third-party tracking services to track non-personally-identifying information about visitors to our Websites in the aggregate. These third-party services may use JavaScript, pixels, transparent GIF files, and other means to enable us to learn which advertisements bring users to our website. Any information we track in this manner is anonymous, limited to usage and volume statistics, and is used to provide insight into the effectiveness of our online marketing initiatives and strategies.

## COLLECTION AND USE OF HEALTH INFORMATION

We are required by applicable law to maintain the privacy of your health information. Please see our **HIPAA Privacy Statement** for information on our privacy practices, our legal duties, and your rights concerning your health information. Any health information we collect from you on this site will be handled in accordance with the terms of our HIPAA Privacy Statement.

## CALIFORNIA RESIDENTS

If you are a California resident, you can request certain information about the sharing of your personal information with third parties for direct marketing purposes during the past year. Details concerning this process can be found **here**.

## OPT OUT PROCEDURES

If you do not wish to receive promotional emails from us, please let us know by using the opt-out response device that can be found at the bottom of every email we deliver or by contacting us at:

Compliance Officer  
EyeCare Partners  
15933 Clayton Road, Suite 210  
Ballwin, Missouri 63011  
(636) 227-2600  
compliance@eyecare-partners.com

To help us process your request, please include sufficient information for us to identify you in our records. Although you can opt not to receive promotional messages, we

reserve the right to send you informational email messages about any user account you establish on our Websites, or notices regarding the Websites, as permitted.

If you do not wish to receive any promotional information from us, please let us know by sending your request to:

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EyeCare Partners  
15933 Clayton Road, Suite 210  
Ballwin, Missouri 63011  
(636) 227-2600  
compliance@eyecare-partners.com

Please provide sufficient information to allow us to identify you in our records.

#### INFORMATION ACCESS

Upon request, we provide access to your own personally-identifying information (e.g., name, address, phone number) that we maintain. To access your information, send a written request to:

Compliance Officer  
EyeCare Partners  
15933 Clayton Road, Suite 210  
Ballwin, Missouri 63011  
(636) 227-2600  
compliance@eyecare-partners.com

Please provide sufficient information to allow us to identify you in our records.

We may ask for information verifying your identity prior to disclosing any information to you. If we do, the information you provide will only be used for purposes of identity verification, and this information will be destroyed when the process is complete.

#### INFORMATION SECURITY

We follow generally accepted industry standards to protect the personal information submitted to us, and to protect against loss, misuse or alteration of your information. When you provide personally-identifying information, we encrypt transmissions involving such information using secure protocols.

Please note, that while we use commercially-reasonable methods to protect your personal information, we cannot guarantee its absolute security.

#### CHANGES TO THIS POLICY

We may use customer information for new uses not previously disclosed in our Privacy Policy. If our Privacy Policy changes materially at some time in the future, we will post the changes to our Websites and revise our Privacy Policy accordingly. If we have

collected personally-identifying information from you, we will notify you about the changes and obtain your consent prior to making use of your information in new ways.

## HIPAA Privacy Statement

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED.**

**PLEASE REVIEW IT CAREFULLY**

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We are permitted under federal law to use and disclose your protected health information ("PHI"), without your written authorization, for certain routine uses and disclosures, such as those made for treatment, payment and the operation of our business. The following are examples of the types of routine uses and disclosures of PHI that we are permitted to make. While this list is not exhaustive, it should give you an idea of the routine uses and disclosures we are permitted to make.

**For Treatment:** We will use and disclose your PHI to provide, coordinate, or manage your treatment. For example, we may disclose your PHI to an optician, ophthalmologist or other healthcare provider providing treatment to you when necessary to provide a service you requested. The primary use of your PHI is coordinating the purchase of prescribed vision correction by your doctor. For example, we use both your information as well as your doctor's information to validate your prescription as necessary.

**For Payment:** Your PHI will be used, as needed, to obtain payment for the health care services we provide you. For example, we may disclose your PHI to your health insurance plan so it will pay for your services.

**For Health Care Operations:** We may use or disclose your PHI in order to support our business activities. These activities include, but are not limited to, using your PHI for quality assessment and improvement activities, reviewing the competence or qualifications of healthcare professionals, evaluating practitioner and provider performance, conducting training programs, accreditation, certification, licensing or credentialing activities.

It is unlikely that we will need to disclose your information other than during the course of regular business providing a service you requested. But we do reserve the right to use and disclose your PHI under the following circumstances.

- **Required By Law:** We may use or disclose your PHI to the extent required to comply with a current law.
- **Judicial and Administrative Proceedings:** We may disclose your PHI in response to a court order, discovery request, subpoena or other lawful process.
- **Required by the Secretary of Health and Human Services:** We may be required to disclose your PHI to the Secretary of Health and Human Services in response to a compliance investigation or review or enforcement action.
- **Public Health:** We may disclose your PHI for public health activities, such as disclosures to a public health authority or other government agency that is permitted by law to collect or receive the information (e.g., the Food and Drug Administration).

- **Health Oversight:** We may disclose PHI to a health oversight agency for activities authorized by law, such as audits, investigations, and inspections. Oversight agencies include government agencies that oversee the health care system, government benefit programs, other government regulatory programs and civil rights laws.
- **Abuse or Neglect:** If you have been a victim of abuse, neglect or domestic violence, we may disclose your PHI to a government agency authorized to receive such information. In addition, we may disclose your PHI to a public health authority that is authorized by law to receive reports of child abuse or neglect.
- **Law Enforcement:** We may disclose your PHI, so long as applicable legal requirements are met, for law enforcement purposes, such as providing information to the police about the victim of a crime.
- **Coroners and Funeral Directors:** We may disclose your PHI to a coroner, medical examiner or funeral director if it is needed to perform their legally authorized duties.
- **Organ Donation:** If you are an organ donor, we may disclose your PHI to organ procurement organizations as necessary to facilitate organ donation or transplantation.
- **Research:** Under certain circumstances, we may disclose your PHI to researchers when their research has been approved by an institutional review board that has reviewed the research proposal and established protocols to ensure the privacy of your PHI.
- **Serious Threat to Health or Safety:** We may disclose your PHI if we believe it is necessary to prevent a serious and imminent threat to the public health or safety and it is to someone we reasonably believe is able to prevent or lessen the threat.
- **Specialized Government Functions:** When the appropriate conditions apply, may disclose PHI for purposes related to military or national security concerns, such as for the purpose of a determination by the Department of Veterans Affairs of your eligibility for benefits.
- **National Security and Intelligence Activities:** We may disclose your PHI to authorized federal officials for intelligence, counterintelligence, protection of the President, other authorized persons or foreign heads of state, for purpose of determining your own security clearance and other national security activities authorized by law.
- **Inmates:** We may use or disclose your PHI if you are an inmate of a correctional facility and we created or received your PHI in the course of providing care to you.

- **Workers' Compensation:** We may disclose your PHI as necessary to comply with workers' compensation laws and other similar programs providing benefits for work-related injuries or illnesses.
- **Business Associates:** We may disclose your PHI to persons who perform functions, activities or services to us or on our behalf that require the use or disclosure of PHI. To protect your health information, we require the business associate to appropriately safeguard your information.

Unless you object, we may disclose to a member of your family, a relative, a close friend or any other person you identify, orally or in writing, your PHI that directly relates to that person's involvement in your health care. If you are unable to agree or object to such disclosure, we may disclose such information as necessary if we determine that it is in your best interest based on our professional judgment. We may use or disclose your PHI to notify or assist in notifying a family member, personal representative or any other person that is responsible for your care of your location or general condition.

**For Marketing:** Unless otherwise permitted, we must obtain your written authorization to use and disclose your PHI for most marketing purposes. However, we may conduct face to face communications between you and us, and we may offer a promotional gift of nominal value, without such authorization.

We may also provide you with information regarding products or services that we offer related to your health care needs provided that we are not paid or otherwise receive compensation for such communications.

We are also permitted to communicate with you regarding health-related products or services, your treatment, case management, or care coordination (including recommending alternative treatments, providers or settings for care). However, if we will receive compensation for making any such communications, we must first obtain your written authorization, unless the communication describes only a drug or biologic that is currently prescribed for you and any compensation we receive relates solely to the cost of making the communication. This requirement does not apply to any payment or compensation for providing treatment to you.

**Other uses:** Other uses and disclosures of your PHI, not described above, will be made only with your written authorization (unless otherwise permitted or required by law). You may revoke your authorization, at any time, in writing, except to the extent that we have taken action in reliance on the authorization.

### **Minimum Disclosure**

A central aspect of our Privacy Policy is to not disclose more PHI than necessary. We will make a reasonable effort to use, disclose, and request only the minimum amount of PHI needed to accomplish the intended purpose of the use, disclosure or request.

## **California Resident Privacy Policy**

This Policy describes how we handle information we learn about you from our website. If you have questions, direct inquiries to:

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EyeCare Partners  
15933 Clayton Road, Suite 210  
Ballwin, Missouri 63011  
(636) 227-2600  
compliance@eyecare-partners.com

If you are a California resident and an EyeCare Partners customer, you have the right to request information from we share or direct marketing purposes.

California law provides that you have the right to submit a request to us at [compliance@eyecare-partners.com](mailto:compliance@eyecare-partners.com) and receive the following information:

1) the covered categories of personal information disclosed by EyeCare Partners, if any, to affiliated brands for direct marketing purposes during the preceding calendar year, and

2) the names of the affiliated companies, if any, which received such information.

You are entitled to receive a copy of this information in a standardized format, and the information will not be specific to you individually.