

# Privacy Policy

## Plain Language Summary

We are your agent. When you sign our Authorized Representative form(s), you give us the authority to act on your behalf to get and keep you covered on health insurance. Everything we do with your information flows from that relationship.

We only share your information to help you. When we submit your Medicaid application or coordinate your Medicare or Marketplace enrollment, we are acting for you, in your interest. We do not voluntarily share your information for any other reason or with anyone else, whether that is immigration authorities, law enforcement, the IRS, or others. Short of a court order or other legally enforceable demand, we will not hand over anything that is not in your interest to disclose.

If we are ever legally compelled to share your information, we will work to limit what is disclosed and notify you where the law permits.

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Pointcare, LLC ("Pointcare," "we," "us," or "our") is committed to protecting your privacy and the security of your personal and health information. This Privacy & Security Policy ("Policy") describes how we collect, use, share, and protect information when you use Pointcare and its related services (collectively, the "Services"). "You" and "your" in this document refer to you and, where applicable, the members of your household whose information you provide.

By using the Services, you agree to this Policy. If you do not agree, please do not use the Services.

## 1. Information We Collect

To determine your eligibility for and enroll you in public coverage programs, we collect personally identifiable information (PII) such as your name, date of birth, contact information, Social Security Number (SSN), immigration or citizenship status, and government-issued identifiers, as well as protected health information (PHI) related to your health status and insurance coverage, and financial data necessary to process your application.

We automatically collect certain technical data when you use the Services, including IP address, device type, and usage information such as pages or screens visited and session data. We also use third-party analytics providers and may use cookies or similar

technologies to support functionality and understand how users interact with the Services. You may be able to control certain tracking technologies through your browser or device settings, though doing so may affect functionality.

## **2. How We Use Your Information**

We use your information to process and submit applications for public health coverage programs (including Medicaid, Medicare, and Marketplace health insurance) and, where supported, benefit programs administered through state human services agencies, on your behalf. When you sign our Authorized Representative consent form, you authorize Pointcare to act on your behalf in submitting and managing your Medicaid application with the applicable state agency. For Medicare and Marketplace (ACA) enrollment, we collect your enrollment information and coordinate with licensed insurance brokers or agents who assist with plan selection and enrollment on your behalf. We also use your information to verify program eligibility, communicate with you about your application status, and comply with applicable legal obligations including the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"). Aggregated and anonymized data may be used to improve the Services.

## **3. How We Share Your Information**

We do not sell your personal or health information. We act as your agent, and we share your information only as necessary to act on your behalf to secure and maintain your coverage. Permitted disclosures are limited to the following: with clinical sites and healthcare partners who have signed a Business Associate Agreement (BAA) with Pointcare; with Medicaid agencies and other government programs as part of your application submission; with licensed insurance brokers or agents who assist with your Medicare or Marketplace enrollment, who are bound by their own regulatory and confidentiality obligations; and with third-party service providers such as cloud storage, eligibility verification, and analytics vendors, who are contractually prohibited from using your data for any other purpose. We do not share your information for any other reason or with any other party, whether immigration authorities, law enforcement, tax authorities, or anyone else, unless we are legally compelled to do so by a court order or equivalent enforceable legal demand. If that occurs, we will work to limit what is disclosed and notify you where the law permits.

## **4. HIPAA and Your Health Information**

Pointcare operates as a Business Associate under HIPAA and implements the administrative, technical, and physical safeguards required by the HIPAA Security Rule (45 CFR Part 164, Subpart C). All employees who access PHI complete role-appropriate HIPAA training in accordance with 45 CFR §164.530(b). Your PHI will only be used or disclosed as permitted by HIPAA or with your written authorization.

## **5. Data Security**

We use HIPAA-compliant software and infrastructure, including encryption, access controls, and secure cloud storage, to protect your information. Only authorized, trained employees may access your data. While we take reasonable precautions, no method of electronic transmission or storage is completely secure, and we cannot guarantee absolute security. You are responsible for maintaining the confidentiality of your account credentials and for all activity that occurs under your account. You agree to notify Pointcare immediately of any unauthorized use of your account or any other security breach you become aware of.

## **6. Data Retention**

We retain your information for as long as necessary to provide the Services and meet our legal obligations. HIPAA requires retention of policies and records for a minimum of six (6) years. If you stop using the Services, we will archive your information in accordance with our retention obligations. You may request deletion of your data at any time by contacting us at the address below, subject to any legal retention requirements.

## **7. Privacy Rights**

Pointcare collects two categories of information subject to different privacy frameworks. Your health and coverage information is protected health information (PHI) under federal HIPAA law, which has its own patient rights and preempts most state privacy requirements. Information we collect automatically when you use the Services, such as device and usage data, is not PHI and is governed by state privacy law, including the California Consumer Privacy Act (CCPA) and California Privacy Rights Act (CPRA). Your rights depend on which category applies, as described below. Pointcare is a California-based company subject to the CCPA and CPRA. Users in other states may have additional rights under applicable state law. Contact us at the address in §11 with any privacy inquiries and we will respond in accordance with the law governing your information.

## **8. Your Health and Coverage Information**

PHI is largely exempt from state privacy laws. Under HIPAA, you have the right to access your records and request corrections. Because HIPAA requires retention of certain records for a minimum of six years, a deletion request may only be partially fulfilled where retention is legally required.

## **9. Your Technical and Usage Information**

Device, usage, and other non-PHI data is fully subject to the CCPA, CPRA, and applicable state privacy laws. You have the right to know what we have collected and how it is used; to correct inaccurate information; to request deletion; to data portability; to opt out of the sale or sharing of your information; to limit our use of sensitive personal information; and to not be discriminated against for exercising any of these rights.

## **10. Eligibility**

The Services are intended for use by adults 18 years of age or older. A parent, legal guardian, or other authorized adult representative may use the Services to manage health coverage for minor dependents. We collect information about minors only as provided by an authorized adult representative for the purpose of coverage enrollment and management. We do not knowingly collect personal information directly from anyone under 18. If we become aware that a minor has provided information through the Services without consent from an authorized adult representative, we will take steps to delete it.

## **11. Contact Us**

For questions about this Policy or your information, contact us at:

Pointcare, LLC

1212 Broadway Plaza

Walnut Creek, CA 94596

support@pointcare.com

## **12. Changes to This Policy**

Pointcare reserves the right to make changes to this Policy at any time. Any changes will be posted and the 'Last Updated' date will be updated accordingly. We encourage you to review this Policy periodically. For material changes, we will make reasonable efforts to provide notice through the Services.