



## PRIVACY POLICY (the "Privacy Policy")

LAST UPDATED: June 7, 2024.

1. **Introduction.** We at Michelle Weil, M.D. PLLC ("MWMD," "we," "us," "our") respect your privacy. This Privacy Policy is meant to help you the website user ("user," "customer," "you," or "your") understand what data we collect, why we collect it, and what we do with it. Please take the time to read it carefully. IF YOU DO NOT AGREE TO THIS PRIVACY POLICY, PLEASE DO NOT USE OUR SITE. By interacting with the Site, you agree with and consent to this Privacy Policy.
  - (a) **Site Owner.** MWMD owns this website (the "Site"). We can be contacted at [the contact information on this Site](#).
  - (b) **Personal Information.** This online privacy notice discloses MWMD's information practices for the Site, including what type of personal identifiable information is requested in order to make a purchase, how the information is used, and with whom the information is shared.
  - (c) **NPP.** You may access a copy of our Notice of Privacy Practices as governed under the Health Insurance Portability and Accountability Act ("HIPAA") [here](#).
  - (d) **Anonymous Site Visits.** In general, and subject to this Privacy Policy, you can visit the Site without disclosing any personal information. MWMD does not actively keep track of the domains from which people visit us.
  - (e) **Site Transactions.** At times, MWMD will need personal information regarding a customer or a prospect. For example, to process an order or add you to a newsletter with your permission MWMD may need to know your name, mailing address, email address or credit card details, as applicable. For some transactions, including those that involve professional, insurance, healthcare, or prescription information, we may need your social security number, driver's license number, or other identification information. It is our intent to inform you now before we collect personal information, such as your name or Internet address. If you tell us that you do not wish to have this information used as a basis for further contact with you, we will respect your wishes, although in certain circumstances your objection to providing us requested information may limit or preclude your use of our services and offerings.
  - (f) **No Professional Relationship.** THE USE OF THIS SITE IS IN NO WAY INTENDED TO, NOR DOES IT, CREATE A PROFESSIONAL RELATIONSHIP BETWEEN YOU AND US. Unless subject to a separate physician-patient relationship, none of the communications, information, or content you receive through the Site should be considered medical or other professional advice. All such health and health-related information contained within this Site is intended to be general, marketing, or educational in nature and should not be considered or used as a substitute for a visit with an appropriate healthcare professional. Subject to any specific client contractual language to the contrary, we do not assume any responsibility for how you use any information obtained through our Site or services. Any actual professional relationship between you and a provider at MWMD will be established via separate engagement and through your separate intake paperwork and patient agreement.
  - (g) **Good Faith Estimate.** All patients of MWMD have a right to receive a "Good Faith Estimate" ("GFE") explaining how much their medical care will cost. Please see [our GFE page](#) for more info.
  - (h) **EHR.** We use Osmind for maintaining our electronic health records ("EHR"). Please see [Osmind's privacy policy](#) for information on how they store, use and protect information.
2. **Personal Information That May Be Collected.**
  - (a) **Identifying Information.** In order to make a purchase or to access certain areas within the Site, MWMD or its affiliated third parties may request a user to provide certain personally identifying information, which may include your legal name, postal address, email address, a screen name, password, telephone number, method of payment, and, if applicable, credit card

number. MWMD may request additional information necessary to establish and maintain customer accounts. The type of information we collect from you will depend on the manner in which you use the Site and our services, and the amount and scope of information you choose to provide to us. You acknowledge and agree your personal information may be transferred from your current location to the offices and servers of MWMD and to any authorized third parties, including but not limited to Wix, Osmind, Cognito Forms, and our other advertising, storage, digital, billing, payment and management partners, as they may change from time-to-time. Each of these third-party providers maintains its own privacy policy and terms of service. We do not control and are not responsible for those privacy policies or terms of service. Please visit those sites to review their individual policies and terms.

- (b) **Information We Collect as You Use Our Services.** The information we collect and process about you depends on how you use our services. The information we collect may include unique identifiers, browser type and settings, device type and settings, operating system, mobile network information including carrier name and phone number, routine card (fraud) checks, protected health information ("PHI") in accord with our NPP, and information from sponsors and marketing partners. We also collect information about the interaction of your apps, browsers, and devices with our services, including IP address, crash reports, system activity, and the date, time, and referrer URL of your request. If we request you to perform a medical screen, the screening process may require you to disclose your name, DOB, phone, email, psych history (including medications), and information about hospitalizations and disability status, among other information. All screenings are HIPAA-compliant.
- (c) **Service Quality Monitoring.** Some Site transactions may require a user to telephone MWMD, or for MWMD to call a customer or patient. MWMD will generally only contact you by telephone with your consent, except to confirm an order or service appointment placed or to inform a customer/patient or confirm the status of such order or appointment.
- (d) **Information from Children.** MWMD does not knowingly collect personal information from children under the age of 16 without permission and does not knowingly collect any personal information from persons under 13. If you are under the age of 16, please do not submit any personal information through the Site, or our services without first providing us permission. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce this Privacy Policy by instructing their children never to provide personal information on the Site without their permission. If you are a minor under the age of 16, or a parent or legal guardian and have reason to believe a child under the age of 16 has provided us personal information without consent, or a child under 13 has provided us any personal information through the Site or our services, please contact us [at the contact information on this Site](#) and we will endeavor to delete that information from our databases.
- (e) **Lost or Stolen Information.** If your credit card or Site password (if applicable) is lost or stolen, you should promptly notify MWMD in order to enable MWMD to cancel the lost or stolen information and to update its records with changed information.
- (f) **Links to Other Websites.** The Site may contain links to other websites ("Linked Sites"). MWMD is not responsible for the privacy practices or the content of Linked Sites. Please refer to those websites and their governing privacy practices for more information.

### 3. **Uses Made of Information.**

- (a) **Limited Uses Identified.** Without your prior consent, MWMD will not use your personally identifiable information for any purpose other than that for which it is submitted. MWMD uses personally identifiable information to reply to inquiries, to schedule appointments and other administrative tasks, to handle complaints, provide operational notices, for record-keeping, and billing and other typical business matters.
- (b) **Marketing Uses.** Unless you opt out by contacting us directly or through the option provided in an email newsletter, we reserve the right to provide you with information about our Site, our



affiliated products and services, and related information in which you have indicated an interest.

- (c) **Stored Information Uses.** MWMD stores and retains information provided by customers and patients. We generally maintain such information for as long as reasonably necessary to perform the conduct detailed in this Privacy Policy, and retention periods for certain customers or users will vary depending on their interaction with MWMD. MWMD will maintain all patient records in accordance with applicable federal and state laws.

#### 4. **Disclosure of the Information.**

- (a) **Within MWMD.** MWMD may share your personal information within its organization for the following internal purposes:
  - (i) Auditing (advertising analytics, legal and regulatory compliance).
  - (ii) Security (detecting security breaches, protecting against fraud and malicious activity, and acting against wrongdoers (e.g., fraudsters and hackers).
  - (iii) Debugging (identifying and fixing technical errors).
  - (iv) Short-term uses (contextual ad customization that does not involve or contribute to profiling).
  - (v) Performing services, including professional services.
  - (vi) Internal research to develop or demonstrate and improve technology.
  - (vii) Testing or improvement of any service or device we own, manufacture, own, or that is manufactured for us.
- (b) **Mergers and Acquisitions.** Circumstances may arise where for business reasons, MWMD decides to sell, buy, merge, or otherwise reorganize its business. Such a transaction may involve the disclosure of personally identifying information or PHI to prospective or actual purchasers or receiving such information from sellers. MWMD will seek appropriate protections within the requirements of federal and state laws for information in these types of transactions.
- (c) **Agents.** MWMD employs or engages other companies and individuals to perform business functions on behalf of MWMD. These persons are provided with personally identifying information required to perform their functions but are prohibited from using the information for other purposes. These persons engage in a variety of functions which include, but are not limited to, fulfilling orders, removing repetitive information from customer/patient lists, analyzing data, providing marketing assistance, processing credit card payments, and providing services.
- (d) **Affiliated Businesses.** MWMD may work closely with affiliated businesses. These businesses identify themselves to customers. Customer information related to a transaction with an affiliated business is shared with that affiliated business, subject to applicable state and federal laws.
- (e) **Marketing Analysis by Third Parties.** We may use third-party web analytics services (such as those of Google) to collect and analyze usage information through cookies and similar tools; engage in auditing, research, or reporting; assist with fraud prevention; try to locate the same unique users across multiple browsers or devices to better tailor services and features; and provide certain features to Site users and customers. Any information disclosed will be in the form of aggregate data that does not describe or identify an individual customer.
- (f) **Disclosure to Governmental Authorities.** Under certain circumstances, personal information may be subject to disclosure pursuant to judicial or other government subpoenas, warrants or orders.

## 5. **Use of Computer Tracking Technologies.**

- (a) **No Tracking of Personal Information.** MWMD's Site is not set up to track, collect, or distribute personal information not entered by visitors. Through website access logs and third-party affiliates, MWMD collects clickstream data and HTTP protocol elements, which generate certain kinds of non-identifying site usage data, such as the number of hits and visits to our Site. This information is used for internal purposes for research and development, user analysis, and business decision making, all of which allows us to provide a better Site and better services. The statistics gathered, which contain no personal information and cannot be used to gather such information, may also be provided to third parties.
- (b) **Use of Cookies.** MWMD, or its third-party vendors, collect non-identifiable and personal information through various technologies, including "cookies." A cookie is an alphanumeric identifier that a website can transfer to a user's hard drive through the user's browser. The cookie is then stored on the user's computer as an anonymous tag that identifies the customer's computer, but not the customer. Cookies may be sent by MWMD or its third-party vendors. You can set your browser to notify you before a cookie is received, giving you an opportunity to decide whether to accept the cookie. You may also set your browser to turn off cookies; however, some websites may not then work properly. Please see the following for more information about tailoring browser advertising and how you can generally control cookies related to it:

[Network Advertising Initiative's Consumer Opt-Out link](#)  
[Digital Advertising Alliance's Consumer Opt-Out link](#)  
[Your Online Choices](#)

We neither have access to, nor does this Privacy Policy relate to, the use of cookies or other tracking technologies that may be placed on the device you use to access the Site or our services by non-affiliated third-party advertising network services. We are not responsible for any choices you make using these mechanisms or the continued availability or accuracy of these mechanisms.

- (c) **Use of Web Beacon Technologies.** MWMD may also use Web beacon or other technologies to better tailor its Site to provide better customer service. If these technologies are in use, when a visitor accesses these pages of the Site, a non-identifiable notice of that visit is generated which may be processed by MWMD or by its suppliers. Web beacons usually work in conjunction with cookies. If you do not want cookie information to be associated with your visits to these pages, you can set your browser to turn off cookies. Web beacon and other technologies will still detect visits to these pages, but the notices they generate cannot be associated with other non-identifiable cookie information and are disregarded.
- (d) **Collection of Non-Identifiable Information.** MWMD may collect non-identifiable information from user visits to the Site to provide better customer service. Examples of such collecting include traffic analysis, such as anonymous tracking of the domains from which users visit or tracking numbers of visitors; measuring visitor activity on the Site; Site and system administration; user analysis; and business decision making. Such information is sometimes known as "clickstream data." MWMD or its contractors may use this data to analyze trends and statistics.
- (e) **Collection of Personal Information.** We collect personally identifying information from a customer during a transaction as detailed herein. We may extract some personally identifying information about that transaction in a non-identifiable format and combine it with other non-identifiable information, such as clickstream data. This information is used and analyzed only at an aggregate level (not at an individual level) to help us understand trends and patterns. This information is not reviewed at an individual level.
- (f) **Notice Concerning Do Not Track.** "Do Not Track" ("DNT") is a privacy preference that users can set in certain web browsers. We are committed to providing you with meaningful choices



about the information collected on our Site for third-party purposes. We therefore provide a variety of opt-out mechanisms listed herein. However, we do not currently recognize or respond to browser initiated DNT signals. Please visit the [Future of Privacy Forum's website](#) for more information on DNT.

## 6. **Information Security.**

- (a) **Commitment to Online Security.** MWMD employs physical, electronic, and managerial procedures to safeguard the security and integrity of personal information and PHI. Billing and payment data is encrypted whenever transmitted or received online.
- (b) **No Liability for Acts of Third Parties.** MWMD will exercise all reasonable efforts to safeguard the confidentiality of customer personal information, including as required under applicable federal and state laws. However, transmissions protected by industry standard security technology and implemented by human beings cannot be made absolutely secure. Consequently, MWMD shall not be liable for unauthorized disclosure of personal information due to no fault of MWMD including, but not limited to, errors in transmission and unauthorized acts of MWMD staff or third parties.

## 7. **Privacy Policy Changes and Opt-Out Rights.**

- (a) **Changes to Privacy Policy.** MWMD reserves the right to change its Privacy Policy at any time and without prior notice to you. Please review this policy periodically and especially before you provide any personal information. This Privacy Policy was last updated on the date indicated at the top of it. Your continued use of the Site and our services after any changes or revisions to this Privacy Policy indicates and constitutes your agreement with the terms of such revised Privacy Policy.
- (b) **Opt-Out Right.** You have the right at any time to cease permitting personal information to be collected, used or disclosed through the Site or by any third parties with whom MWMD has shared or transferred such personal information, subject to any separate patient agreement with MWMD or its providers. The right of cancellation may be exercised by contacting MWMD directly. After processing the cancellation, MWMD will delete customer or prospective customer's personal information from its database.

## 8. **Access Rights to Data.**

- (a) **Information Maintained by MWMD.** Upon your request, MWMD will provide a reasonable description of your personally identifiable information that MWMD maintains.
- (b) **Corrections and Changes to Personal Information.** Please help MWMD keep your personal information accurate. If your personal information changes, or if you note an error upon review of your information that MWMD has on file, please promptly notify us to provide the new or correct information.

## 9. **Your Choices**

- (a) **Your Choices, Generally.** You may instruct us not to use your contact information to contact you by email, mail, or phone regarding products, services, promotions, and special events that might appeal to your interests by contacting us at [the contact information on this Site](#). In commercial email messages, you can also opt out by following the instructions located at the bottom of each email. Please note, regardless of your request, we may still use and share certain information as permitted by this Privacy Policy, as governed under a separate patient agreement, or as required by applicable law. For example, you may not opt out of certain operational emails, such as those reflecting our relationship or transactions with you.



10. **Exclusions.** This Privacy Policy only applies to personal data we collect through our Site. This Privacy Policy does not apply to any unsolicited information you provide to us or to your PHI. All unsolicited information is deemed to be non-confidential, and we are free to reproduce, use, disclose, and distribute such information to others without royalty, limitation, or attribution, subject to applicable federal and state laws. The use and disclosure of all PHI is governed under [our NPP](#).
11. **Accountability: Questions, Problems, and Complaints.** If you have a question about this Privacy Policy, or a complaint about MWMD compliance with it, you may contact MWMD at the [contact information on this Site](#).