











Privacy Statement

Welcome to the StayWell Online[®] website. Protecting your privacy is important, and we're committed to clearly explaining how we treat your information.

This Privacy Statement explains how we collect, use, share, and protect your personal information when you visit our site. Please read this privacy policy carefully and be aware that by accessing and using the site, you agree that you have read this policy and that you accept and consent to the privacy practices described.

We will not use or disclose your Personal Information without your authorization except as described in this Privacy Statement or as directed by your group health plan (your "Plan Sponsor") according to the notice of privacy practices that your Plan Sponsor provided to you.

Our commitment to privacy

StayWell respects and protects your privacy as a user of StayWell Online. This Privacy Statement describes our practices regarding the information you provide to us.

In particular, this Privacy Statement describes:

- What information StayWell may collect from you
- How we use your Personal Information
- Your rights and choices as a participant
- How we protect your Personal Information
- Changes to the Privacy Statement
- Questions about StayWell
- The intended audience for StayWell Online

The information we collect and how we collect it

- **Personal Information**. As part of registration, StayWell collects personally identifiable information ("Personal Information") about you that can be traced back to you. Examples include your name, your employee or unique identification number, and your date of birth.
- Personal Health Information. StayWell Online may ask you to provide Personal Information that contains details about your health or medical information ("Personal Health Information"), such as your answers to health assessment questions. You may choose not to provide certain information to us, but that may limit the usefulness of StayWell Online.

Cookies. StayWell uses passive tracking mechanisms called "cookies" to track visitors as they use our site. StayWell uses cookies to enhance your online experience, and to learn how you use our services so we can improve the quality of information and resources available on our site. Most Web browsers are set up to accept all cookies, but you can change this setting to disable cookies or to tell you when a website is sending you a cookie (although some of our features may not work if you disable them). Cookies are also used to facilitate your login and to manage your session time.

How we use your Personal Information

- StayWell services. We use your Personal Information to provide health management services like StayWell Online and telephonic coaching. These programs use your Personal Information to offer additional StayWell health improvement programs or to offer you programs from another contractor engaged by StayWell or your employer or Plan Sponsor.
- Disclosure to your employer and plan. As part of StayWell Online, we gather your selfreported Personal Health Information and use it as instructed by the Plan Sponsor and by the terms of this Privacy Statement. In addition, the Plan Sponsor may request that we receive, store and display Personal Health Information provided by third-party vendors that offer services on behalf of the Plan Sponsor, such as disease management vendors and health insurance carriers. Your Plan Sponsor may direct us to disclose Personal Health Information that has been given to us by you, your employer, the Plan Sponsor or any third party providing services on behalf of the Plan Sponsor, so they may respond to your inquiries or provide you with other health-related services. For example, your Plan Sponsor may direct us to disclose your Personal Health Information to a data warehouse for data analysis as part of the Plan Sponsor's health care operations. In order to distribute program incentives to you and to provide program participation information to your employer and your Plan Sponsor, we may provide your name, date of birth, and/or employee identification number to your employer or its designated representative to notify them of whether you have completed your health assessment or a follow-up program, and whether you are eligible for your incentive. In no event, however, will we disclose your Personal Health Information to your employer without your written consent.
- Data warehouse. When directed by your Plan Sponsor, we may send your Personal Health Information in a form that cannot be used to personally identify you to a data warehouse to analyze health trends and effectiveness of health programs that your Plan Sponsor offers.
- Aggregate data. We may combine your personal information with other users to create non-identifiable aggregate data such as reports that may be disclosed to your employer/program sponsor and to third parties. StayWell may also use your Personal Information as part of group statistical research and analysis and the research and analysis will not contain any information that could be used to contact or identify you.
- Contractors. StayWell contracts with a variety of third parties to provide the services available through StayWell Online. These parties sometimes have limited access to your information in the course of providing products or services. Specifically, StayWell teams with specialized contractors to provide some of the services, technology, programs, and content that appear on StayWell Online and which are included as part of StayWell's programs. Contractors' access to your information is limited only to what is reasonably necessary to perform their limited function. We also require that our contractors not use or disclose your information for any purpose other than providing us with products and services or as required by law.
- Linked sites. For your reference, this site contains links to websites that are not operated by, affiliated with or endorsed by StayWell. Because these third-party sites are not under our control, we cannot be responsible for them, and this Privacy Statement does not apply to the privacy or security practices of those sites. Information you disclose once you access these

other sites is not subject to this Privacy Statement. Please review the linked sites' privacy statements for an explanation of how they may use your information.

Your rights and choices as a participant

- You have the right to be treated with respect. As a participant, you have the right to be treated courteously and respectfully by StayWell and to receive services that (1) respect your privacy and dignity, (2) help you develop a wellness plan that helps you achieve your goals, and (3) do not discriminate against you, regardless of your ethnicity, religion, disability, gender, age, marital status, or sexual orientation.
- No marketing or advertising. StayWell does not accept any advertising on StayWell Online, and StayWell does not receive income from marketing sponsors or advertisers. Any mention of a particular service is not an endorsement, but rather mentioned to you so that you will be aware of programs for which you are eligible.
- E-mail and unsubscribing. StayWell uses e-mail to notify you of programs and incentives for which you may be eligible. By accepting the terms of this Privacy Statement, you are opting in to receiving these e-mails from StayWell at the e-mail address you provided in your StayWell Online profile. In addition to general program e-mails, StayWell Online offers you the option of receiving targeted e-mails. For example, if you indicate an interest in learning more about stress management, you may opt to receive stress management-related e-mails from StayWell. At any time you may ask StayWell to stop using your e-mail address to send you correspondences. Please note that unsubscribing from StayWell e-mails will not affect e-mails you receive from your employer/Plan Sponsor regarding StayWell's programs.
- Opt out of requests for information. At any time during your use of StayWell Online, you can decide not to provide us with your Personal Information. You should understand that withholding that information will affect our ability to provide you relevant information.
- Declining participation or disenrolling from a program. Contact the StayWell HelpLine to decline participation, to disenroll from StayWell programs or to request that we stop using or disclosing your Personal Information. After we verify the authenticity of your request, we will remove your Personal Information so that it will no longer be displayed to you or be available on other readily searchable media. We may, however, continue to store, use, and disclose this information in a de-identified form as described in this Privacy Policy, and we will continue to protect the security and confidentiality of the information.

How StayWell protects your Personal Information

- Security measures. In order to protect your Personal Information, we have the following security measures:
 - A confidential subscriber identifier and unique user password limit access to this site and the Personal Information of the users. Users of StayWell Online should not share their passwords.
 - Whenever information is transmitted to or from StayWell's systems, it is encrypted using Secure Sockets Layer (SSL) technology, the standard for secure communication over the Internet.
 - Personal Information is stored on StayWell's servers behind a firewall, a device that prevents unauthorized users from accessing data on our servers.
 - The Personal Information that users submit through StayWell Online is maintained and backed up to tape weekly. Data remains in an off-site storage location for seven years. After that time, the back-up tapes are destroyed. However, data may remain on the server

for an infinite amount of time and would be erased only in the event of a hardware failure, policy change or discontinuance of service.

Despite our precautions there is always some risk that an unauthorized third party may find a way to thwart security systems or that transmissions of Personal Information over the Internet will be intercepted.

In certain limited circumstances, we may release your Personal Information or Personal Health Information to third parties: (1) in response to subpoenas, court orders, or legal process, or to establish or exercise our legal rights or defend against legal claims; (2) when we believe it is necessary to share information in order to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, violations of our terms of use, or as otherwise required by law; or (3) in connection with a transfer of StayWell services to another service provider or if we are acquired or merged with another company. If we are legally compelled to disclose Personal Health Information or Personal Information to a third party, we will attempt to notify you unless doing so would violate the law or court order.

Safe Harbor Privacy Principles. For all Personal Information received by StayWell from participants located in the European Union, StayWell adheres to the Safe Harbor Privacy Principles issued by the U.S. Department of Commerce for compliance with the European Commission's Directive on Data Protection ("Safe Harbor Principles"). StayWell has agreed to collect, process, and retain personal information from participants in the European Union in accordance with the Safe Harbor Principles. For more information about the Safe Harbor Privacy Principles, visit the U.S. Department of Commerce's Safe Harbor web site at http://export.gov/safeharbor. Please contact StayWell if you have any questions regarding StayWell's privacy policy or Safe Harbor adherence. In the event a complaint cannot be resolved through StayWell's internal process, StayWell agrees to refer EU participant disputes to The Better Business Bureau's EU Safe Harbor Dispute Resolution Procedure.

Changes to the Privacy Statement

From time to time, StayWell may change this Privacy Statement and our privacy practices because of changes in legal or regulatory requirements, in our business practices, or to provide you with better services. When we do, we will post a revised privacy policy on the site. When the change involves how we handle your Personal Health Information, we will bring it to your attention when you log in or notify you by e-mail.

Changes not involving Personal Health Information will be effective immediately upon posting. Your continued use of StayWell Online after the posting will be subject to the new terms and indicates your acceptance of the changes. If you do not accept the changes to the Privacy Statement, you should stop using StayWell Online.

Changes involving Personal Health Information will require your authorization and acceptance of the modified Privacy Statement. If you reject the modifications by clicking the "I Decline" button, your access to the StayWell Online site will end.

Please note that StayWell Online and this Privacy Statement are not used to communicate with you about changes to The Plan Sponsor's privacy practices, The Plan Sponsor's notice of privacy practices, or the Plan Sponsor's disclosure of your Personal Health Information.

Complaints, questions, and information about StayWell

If you have questions about this Privacy Statement, complaints about StayWell's services, or if you would like to receive information about StayWell or its staff qualifications, please contact:

StayWell Health Management Attention: Privacy Department 3000 Ames Crossing Road, Suite 100 St. Paul, MN 55121

StayWell will use its best effort to make an initial response to any complaints, questions, or requests as quickly as we can.

StayWell Online is intended for adults

Dependents under age 18 should not use StayWell Online because the site is not designed for minors. You are responsible for your underage dependents' use of the site.