

# GATEWAY PROFESSIONAL NETWORK

## PRIVACY POLICY

Last updated on April 10, 2017

**This website is operated by Gateway Professional Network**

Gateway Professional Network ("GPN", "we" or "us") provides software as a service and practice management analytics for eye care practices. The service provided includes the software, data collection, storage, analysis and reporting tools, functions and related services, which are collectively referred to in this Privacy Policy as the *Service*.

This Privacy Policy covers how GPN collects, receives, uses, retains, and discloses Personally Identifiable Information ("PII") and Protected Health Information ("PHI") through the Service and on its website [www.gatewaypn.com](http://www.gatewaypn.com) (the "Website" or "Site"). PII includes information about your patients that is personally identifying such as their name, email address, and phone number and which is not otherwise publicly available. PHI includes information relating to the health of your patients ~~health~~, for example medical history, test and laboratory results, insurance information and other data that a healthcare professional collects to identify an individual and determine appropriate care. PII and PHI may include other types of information depending on the legal definition that applies in your physical location. Only the definitions of PII and PHI that apply in your location will apply to you under this Privacy Policy. PII and PHI are referred to collectively in this Privacy Policy as "*Personal Data*."

This Site and the Service are available only to clinical practices, including clinicians and their staff (**also "you" or "user"**) who have purchased the Service.

### Agreement

**By using this Site or the Service, and/or by providing Personal Data to GPN, you accept and hereby expressly consent to our collection, use, retention, and disclosure of your Personal Data in accordance with the terms of this Privacy Policy. If you choose not to provide the requested information you will not be able to access the Service.**

This Privacy Policy may change from time to time, so please check back periodically to check the most recent modification date to ensure that you are aware of any changes in our processing of your Personal Data. Your continued use of the Site or the Service after any changes signifies your express, explicit, voluntary and unambiguous consent to any such changes. If you do not agree to such changes, you must immediately stop using the Site. This Privacy Policy was last modified on August 2, 2016.

### Information Collection and Use; Choice and Consent

#### *User Registration*

We collect Personal Data when you register with GPN or through its Site, or when you use GPN products or services. When registering with GPN, we will ask you to provide us with your name, address, e-mail address, phone number, address, and other related information that GPN may ask of you from time to time, and you may submit additional information and comments through the Site. It is always your choice whether or not to provide us with such information. If you choose not to provide the requested information you may not be able to use certain features or functions of this Site, or GPN's products or services. Whenever you visit our Site, GPN also receives and records information on our server logs from

your browser, including your IP address, GPN's cookie information, and the pages you request, and relates it to the Personal Data you provide.

GPN collects and uses information you provide to:

- a. provide GPN's products and services to you;
- b. communicate with you about our products and services or to reply to your request for information or comments;
- c. with your consent, provide information to you about developments, announcements, promotions or new products or services;
- d. conduct research and improve our products and services;
- e. provide de-identified reporting (i.e. reporting that does not contain any PHI) for internal and external clients and associated partners.

If you email us for information or support, we collect your email address so we can respond to you. If you sign up for our newsletter, we collect your email address so we can email the newsletter to you. You can unsubscribe from our emails by clicking “unsubscribe” on the emails you receive from us.

If you apply for a job with us, we collect your name and email address and other information you choose to provide on your resume or C.V. We use this information to assess your qualifications for employment and to contact you for further information if we deem necessary.

#### *Withdrawing Consent*

You may withdraw your consent to further use of your Personal Data by emailing a request to us at [info@gatewaypn.com](mailto:info@gatewaypn.com). We will respond to your request in accordance with the law that applies to you. Your Personal Data which we processed prior to your request may not be deleted from our Site system records but will be blocked from further processing without your permission. A request to withdraw consent may not apply to information collected by tracking technologies or used internally to recognize you and/or facilitate your visits to the Site, or information we may keep to comply with legal requirements. Any such requests that relate to Protected Health Information or similarly protected health information will be addressed consistent with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rules or other applicable laws.

#### **Cookies and Other Tracking Technologies**

We use cookies to collect geographic location data, browser or device type, operating system, time of day, identification of Site page views and your use of particular Service features (such as report requests or viewing or responding to queries from Clinicians). We also collect and track your use of messaging related to the Service. We add this information to your user profile and we use it to provide the Service, to monitor the use of the Site and Service, to improve their functionality, and to analyze user trends and behaviors. We use de-identified analytics to market and promote GPN and the Service.

If you wish to prevent cookies from being used as you navigate our Site, you can reset your browser to refuse all cookies and/or indicate when a cookie is being sent. Users who disable their web browsers' ability to accept cookies will be able to browse the Site, but will not be able to access or take advantage of all of the features and services on the Site. We therefore recommend you do not block or disable these cookies. To find out more about cookies, including how to see what cookies have been sent and how to manage, as well as delete them, visit [www.allaboutcookies.org](http://www.allaboutcookies.org).

### *Google Analytics*

The Web Site uses Google Analytics and other third party tools to collect anonymous aggregate information about our visitors, users and the use and operation of Site. For more information about Google analytic cookies, please see Google's help pages and privacy policy:

- [Google's Privacy Policy](#)
- [Google Analytics Help pages](#)

<https://developers.google.com/analytics/resources/concepts/gaConceptsCookies>

Google has developed the Google Analytics opt-out browser add-on for the Google Analytics JavaScript (ga.js, analytics.js, dc.js). If you want to opt out of Google Analytics, you can download and install the add-on for your web browser [here](#).

### **Protection of Your Information**

GPN uses secure server software (SSL) and firewalls to protect your Personal Data from unauthorized access, use, disclosure, alteration, or destruction. All Personal Data is transmitted, stored, and processed in a secure environment in accordance with the Privacy and Security Rules under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and related guidance. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, we cannot guarantee its absolute security.

We will retain Personal Data for as long as necessary to provide our services. We will retain and use Personal Data as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements.

### **Information Sharing and Disclosure**

We disclose your Personal Data and non-Personal data to third party vendors who help us operate the Site. These third parties are contractually obligated to maintain the confidentiality of your Personal Data consistent with the terms of this Policy and to comply with the applicable data protection laws.

We will disclose your information in response to valid legal process, for example, in response to a court order, a subpoena or other legal request for information, and/or to comply with applicable legal and regulatory reporting requirements. We also may disclose your information in response to a law enforcement agency's request or other request for information from the U.S. or other government entities, or where we believe it is necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, or to verify or enforce compliance with the policies governing our products and/or services and with applicable laws, or as otherwise required or permitted by law or consistent with legal requirements. In addition, we may transfer your information to an entity or individual that acquires, buys, or merges with GPN, or our other business units.

We share demographic, profile and other general information about users with our partners on an aggregated, de-identified basis. This means that we tell our partners or researchers general information about the characteristics of our customer base such as how many visitors and registered users we have within a certain postal code, but we do not specifically identify a particular visitor or provide his or her contact information to our partners.

## **Links to Other Sites; Third Party Apps; Transactions with Third Parties**

The Site may contain links to other sites that are not owned or controlled by GPN. Please be aware that we are not responsible for the privacy practices of these other sites. We encourage you to review the privacy policies and statements of other sites to understand their information practices. Our Privacy Policy applies only to information collected by our Site and Services.

You may be able to access the Service and/or communicate with the Service from, and you may be able to link or communicate from the Service to, applications, devices, distribution platforms and websites owned and operated by Apple, Google or other third party distribution platform operators (“*Channel Partners*”). These other applications, devices, platforms and websites belong to third parties and are not operated or controlled by GPN. Our Privacy Policy does not apply to any information collected, received, used, processed, transferred or disclosed by such third parties. Additional or different terms and conditions (including without limitation, privacy and security practices) apply when you access and use third party applications, devices, platforms and websites, which are not the responsibility of GPN.

GPN is not responsible for and will not be a party to any transactions between you and a third party provider of products, information or services. GPN does not monitor such transactions or ensure the confidentiality of your Personal Data, including credit card information, for any third party transaction. Any separate charges or obligations you incur in your dealings with these third parties linked to GPN’s Site are solely your responsibility.

## **Children**

Our Site is directed to individuals who are over age 13. If we become aware that a person under the age of 13 has uploaded Personal Data, GPN will take steps to remove such Personal Data. If you believe a user who is younger than 13 has provided Personal Data or used the Service without consent from a parent/guardian, please contact us using the information provided below.

## **Your California Privacy Rights; California Do Not Track Disclosures**

If you are a California resident, California Civil Code Section 1798.83 permits you to request information regarding the disclosure of your Personal Information by GPN or its subsidiaries to a third party for the third party’s direct marketing purposes. Since we do not make such disclosures, we are exempt from these reporting requirements.

Your browser may offer you a “Do Not Track” option, which allows you to signal to operators of websites and web applications and services (including behavioral advertising services) that you do not wish such operators to track certain of your online activities, over time and across different websites. We do not honor “Do Not Track” signals.

## **Accessing Your Information**

You may access, review, change, or update your account information, including your Personal Data, by contacting us at [info@gatewaypn.com](mailto:info@gatewaypn.com). However, you cannot delete your Personal Data after it has been uploaded. You can help us maintain the accuracy of your information by notifying us of any changes to your information.

## **Contact Us About Complaints, Questions or Notices relating to this Privacy Policy**

GPN commits to resolving complaints about your privacy and our collection or use of your Personal Data.

If you believe your privacy rights have been violated or you disagree with any action GPN has taken with regard to your Personal Data you may file a complaint with GPN by emailing us at [info@gatewaypn.com](mailto:info@gatewaypn.com). If you feel GPN has violated your health information privacy rights, you may also file a complaint under HIPAA with the U.S. Department of Health and Human Services.

If you have questions or suggestions, or wish to correct your Personal Data, please email us at [info@gatewaypn.com](mailto:info@gatewaypn.com).

You may contact us at:

Privacy Officer  
Gateway Professional Network  
303 Smith Street  
Suite 6  
Farmingdale, NY 11735  
631-626-9783

Email: [info@gatewaypn.com](mailto:info@gatewaypn.com)

**Terms of Service**

Please also visit our Terms of Service section establishing the use, disclaimers, and limitations of liability governing the use of our website and Service at [www.gatewaypn.com/Terms](http://www.gatewaypn.com/Terms).