

WEBSITE PRIVACY POLICY

BioReference Health, LLC (“BioReference” or “We”) provides this Website Privacy Policy to inform you of our policies and practices regarding our collection, use, and disclosure of the information you submit to us and that we collect from you through the www.bioreference.com website (the “Website”) and wherever not covered by the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) as Protected Health Information (“PHI”). Where we refer to “Personal Information” (as defined below) in this Website Privacy Policy, this does not include PHI.

Job applicants/candidates, independent contractors and employees receive separate disclosures describing our practices in relation to their information.

Personal Information We Collect

We may collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular person or device (“Personal Information”).

In the 12 months preceding the effective date of this Website Privacy Policy, we may have collected the following categories of Personal Information from You: name, address, telephone number, internet protocol address, email address, or other similar identifiers, Internet or other similar network activity, browsing history, information regarding a consumer's interaction with our Website, form submissions, email unsubscribes and subscribes, email engagement, information from cookies or other technologies used on our Website. Please also see our [Cookie Policy](#) for more details.

We may have collected the categories of Personal Information listed above from the following categories of sources:

- from individuals who voluntarily provided it
- online, automatically, through use of cookies or other technologies, as further described in our Cookie Policy
- from our subsidiaries and affiliated companies

Please note that the following types of information are not considered Personal Information:

- publicly available information from government records
- de-identified or aggregated consumer information
- information excluded from the scope of various statutory and regulatory schemes, for example, the California Consumer Privacy Act of 2018, including but not limited to PHI covered by HIPAA and information derived from PHI that is de-identified in accordance with HIPAA.

Our Use of Personal Information

In the 12 months preceding the effective date of this Website Privacy Policy, we may have used Personal Information for the following purposes:

- as reasonably necessary and proportionate to fulfill the purposes for which the information was provided
- as directed by you or consented to by you when you provided the information
- to provide information, products or services
- to audit and measure user interaction with our websites, so we can improve the relevancy or effectiveness of our content and messaging
- to develop and carry out marketing and advertising analytics
- to provide texts or emails containing information about our products or services, or events or news, that may be of interest to recipients, as permitted by law
- to deliver content and products or services relevant to your interests
- to detect security incidents or monitor for fraudulent or illegal activities
- to identify and repair computer hardware or software errors
- to comply with laws, regulations or other legal processes
- to protect and defend our rights or property
- to prevent or investigate possible wrongdoing in connection with the goods or service
- to protect the personal safety of our patients, employees or the public
- to protect against legal liability

Our Sharing of Personal Information

In the 12 months preceding the effective date of this Website Privacy Policy, we may have shared the Personal Information with the following categories of recipients for some or all of the use purposes described above:

- subsidiaries and affiliated companies
- service providers, which are prohibited from selling the Personal Information or retaining, using or disclosing it for any purpose except performing the business purpose they were retained to provide, such as providers that store, host or transmit information or provide analytics regarding our website usage or functionality
- recipients of information from the placement of third party cookies or other technologies on our websites, as set forth in our Cookie Policy
- acquirers of all or a portion of BioReference's assets, whether by sale, transfer, merger, consolidation or reorganization of the company

Personal information may also be disclosed as required or allowed by law, to protect our rights, protect your safety or that safety of others, investigate fraud or respond to government inquiries.

Security of Your Personal Information

The security of your Personal Information is important to us, but remember that no method of transmission over the Internet, or method of electronic storage is 100% secure. While we strive to maintain administrative, technical, and physical safeguards designed to protect against unauthorized disclosure, access to, or loss of your Personal Information, we cannot guarantee its absolute security, and we expressly disclaim any such obligation.

Children's Information

This website is not directed at children, and we will not knowingly accept, request, or collect Personal Information from individuals under the age of 18. If we learn that we have collected Personal Information from an individual under the age of 18, we will delete this information from our databases in accordance with our deletion procedures. Should you suspect that a child of whom you are the parent or legal guardian has provided us with Personal Information, please contact us at privacy@bioreference.com or our Privacy Office at 800-229-5227 Ext. 8222 and we will work with you to address this issue.

NOTICE TO CALIFORNIA RESIDENTS

If you are a California resident, you have certain rights regarding your Personal Information under the California Consumer Privacy Act of 2018 (CCPA), as amended by the California Privacy Rights Act of 2020 (CPRA) relating to Personal Information that is collected or disclosed.

Limits of the CCPA's Applicability

As a healthcare organization and leader in clinical laboratory testing, we are regulated by The Health Insurance Portability and Accountability Act of 1996, commonly referred to as HIPAA. HIPAA has strict rules that govern the access, use and disclosure of Personal Information related to healthcare, which HIPAA defines as Protected Health Information or PHI.

The CCPA does not apply to PHI accessed, used or disclosed by us, or to Personal Information that we already handle in the same way as we handle PHI. For example, our laboratory testing (the tests we perform that are ordered by your healthcare provider) are protected under HIPAA. This means that the Personal Information or PHI that we access, use and disclose in connection with laboratory testing falls outside the scope of the CCPA. Likewise, the CCPA does not apply to de-identified information derived from PHI, if it is de-identified in compliance with HIPAA standards. We have implemented technical and procedural safeguards to ensure any de-identified PHI data is specifically prohibited from being re-identified.

If you are a California resident seeking information about your PHI, please refer to our [HIPAA Notice of Privacy Practices](#). Our Notice of Privacy Practices describes how we use and disclose your PHI, our legal duties with respect to your PHI and your rights with respect to your PHI and how you may exercise them. You may access our HIPAA Notice of Privacy Practices from the Privacy section of our website at www.bioreference.com.

Right to Know

You have the right to request that we provide you with access to the following information about our collection and use of Personal Information:

- the categories of your Personal Information we have collected
- the specific pieces of Personal Information we have collected
- the categories of sources of such information

- the categories of third parties with whom we share Personal Information
- the categories of Personal Information we may disclose for business purposes, and
- the business or commercial purpose for our collection or sharing of Personal Information

You also have the right to receive your Personal Information in a structured and commonly used format so that it can be transferred to another entity (“data portability”).

Right to Delete

You have the right to request that we delete your Personal Information, subject to certain exceptions. Specifically, we are not obligated to delete the information if we must retain it for one of the following purposes:

- to complete a transaction for which we collected the Personal Information
- to provide a good or service that you requested or take actions reasonably anticipated within the context of our ongoing business relationship
- otherwise perform a contract with you
- to detect security incidents
- to protect against malicious, deceptive, fraudulent, or illegal activity or prosecute those responsible for that activity
- to debug to identify and repair errors that impair existing intended functionality
- to exercise free speech, ensure the right of another consumer to exercise their right of free speech, or exercise another right provided for by law
- to comply with the California Electronic Communications Privacy Act (Cal. Penal Code 1546 et seq.)
- to engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when deletion of the information is likely to render impossible or seriously impair the research, if you have provided informed consent
- to enable solely internal uses of the Personal Information that are reasonably aligned with your expectations based on your relationship with us
- to comply with a legal obligation
- otherwise use your Personal Information, internally, in a lawful manner that is compatible with the context in which you provided the information

Right to Correct

If we maintain inaccurate Personal Information about you, you have the right to request the correction of that Personal Information. Upon receipt of a verifiable request from you, we will use commercially reasonable efforts to correct the inaccurate Personal Information.

You can submit a Request to Know, Correct or Delete by making a request to privacy@bioreference.com or calling our Privacy Office at 800-229-5227 Ext. 8222.

Right to Limit Sensitive Personal Information

We do not collect or process Sensitive Personal Information, as that term is defined under the CCPA, for the purpose of inferring characteristics or for any purposes that would require we offer a "right to limit" such use or disclosure. We also do not knowingly collect, sell or share the personal information of consumers under 16 years of age.

DO NOT SELL OR SHARE Rights

The CCPA also gives California residents the right to request that businesses opt them out of the "sale" or share of their Personal Information to third parties. However, we do not sell or share your Personal Information. Like most websites, our Websites use cookies and other technologies to interact with third parties and service providers for things like website analytics. Some of this website interaction with third parties may be viewed as a "sale" under the CCPA, which defines "sale" very broadly.

Our Cookie Policy describes how you can control cookies and other tracking technologies on our websites. You must take the actions described in our Cookie Policy to exercise this control, as we are not able to do it for you.

As explained above, our access, use and disclosure of your PHI is governed by HIPAA and various other state privacy and security laws. HIPAA already prohibits the sale of your PHI without your express authorization. Our Notice of Privacy Practices describes how we use and disclose your PHI, our legal duties with respect to your PHI, and your rights with respect to your PHI and how you may exercise them. You may access our HIPAA Notice of Privacy Practices from the Privacy section of our Website, by calling our Privacy Office at 800-229-5227 Ext. 8222, or by emailing us at privacy@bioreference.com.

Right of Non-Discrimination

You have the right to not be discriminated against for exercising any of your rights under the CCPA. Unless permitted by the CCPA, we cannot:

- deny you goods or services
- charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties
- provide you a different level or quality of goods or services
- suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services

More Information about Your CCPA Rights

You may submit a Request to Know, Correct or Delete or express your opt-out preferences for yourself, or authorize an agent to make the request on your behalf. You may also make a request on behalf of your minor child. We may ask that you submit proof of your identity, and that you and/or your authorized agent demonstrate that you authorized them to submit the request on your behalf.

We may not be able to honor your request if we are unable to verify your identity or your agent's authority to act on your behalf. Likewise, we will not be able to honor your request if we cannot associate the information you or your agent submits to us with covered Personal Information in our possession. Therefore, please take care to accurately submit your request, and provide any additional information we may seek to assist us in evaluating and responding to it. We may not be able to honor your request if the Personal Information we maintain about you is not subject to the CCPA's access, deletion or opt-out requirements.

We will acknowledge a Request to Know, Correct or Delete within 10 days of receipt, and will make efforts to respond within 45 days. If we are unable to fulfill the request within 45 days, we will inform you or your authorized agent within that period, and may take up to an additional 45 days to fulfill the request. If you exercise an opt-out preference, we will acknowledge receipt and take any required action on it within 15 days from the date we receive it.

We will not require you to create an account with us to exercise your rights, and we will only use Personal Information provided with a request to verify your identity or your agent's authority to act on your behalf.

We may require additional information to verify your identity or your agent's authority. If we cannot comply with a request, we will tell you why.

Retention of Your Personal Information

We will retain your Personal Information for as long as required to provide the services or complete the transactions for which your Personal Information was collected. We will also retain data for as long as legally required or allowed to do so for compliance obligations, dispute resolutions and under the relevant schedule in our record retention policies and procedures.

If you have any questions about this Website Privacy Policy or would like additional information, please contact our Privacy Office at 800-229-5227 Ext. 8222.

Please address any written request to:

Privacy Officer
Privacy Office
BioReference Health, LLC
481 Edward H. Ross Drive
Elmwood Park, NJ, 07407
Fax: (201) 663-6585
Email: Privacy@bioreference.com

We will review this Website Privacy Policy on at least an annual basis, and may update this Website Privacy Policy at any time. We encourage you to review this Website Privacy Policy periodically. All changes will become effective as of the Last Updated date below.

Last Updated: March 22, 2023