

**THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.**

**Asuragen's Protection of Protected Health Information**

Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Asuragen is required by law to maintain the privacy of health information that identifies you, called Protected Health Information, and to provide you with notice of our legal duties and privacy practices regarding Protected Health Information. Asuragen is committed to the protection of your Protected Health Information and will make reasonable efforts to ensure the confidentiality of your Protected Health Information, as required by statute and regulation. Asuragen takes this commitment seriously and will work with you to comply with your right to receive certain information under HIPAA.

**Asuragen's Use and Disclosure of Protected Health Information**

As permitted under HIPAA, Protected Health Information may be used and disclosed for treatment, payment, healthcare operations, and other purposes permitted or required by law. Asuragen may use and disclose your Protected Health Information for the following purposes:

- **For treatment** - Asuragen may use or disclose Protected Health Information for treatment purposes, including disclosure to physicians, nurses, medical students, pharmacies, and other health care professionals who provide you with health care services and/or are involved in the coordination of your care, such as providing your physician with your laboratory test results.
- **For payment** - Asuragen may use or disclose Protected Health Information to bill and collect payment for laboratory or genetic counseling services Asuragen provides. For example, Asuragen may provide Protected Health Information to your health plan to receive payment for the health care services provided to you.
- **For health care operations** - Asuragen may use and disclose your Protected Health Information for Asuragen's health care operations. These activities include, for example, monitoring the quality of Asuragen's testing services, reviewing the competence or qualifications of laboratory professionals, conducting training programs, performing accreditation, certification, licensing and credentialing activities, and other administrative functions.

- **Individuals involved in your care or payment for your care** - Asuragen may disclose Protected Health Information about you to your authorized personal representative, as defined by applicable law, or to an administrator, executor, or other authorized person responsible for your estate. As allowed by federal and state law, Asuragen may disclose the Protected Health Information of minors to their parents or legal guardians.
- **Business associates** - Asuragen may disclose your Protected Health Information to other companies or individuals, known as “business associates,” who need your information to provide services to us. For example, Asuragen may use another company to perform billing services on Asuragen’s behalf. Asuragen’s business associates are required to protect the privacy of your Protected Health Information.
- **Disclosure for judicial and administrative proceedings** - Under certain circumstances, Asuragen may disclose your Protected Health Information in the course of a judicial or administrative proceeding, including a response to a court or administrative order, subpoena, discovery request, or other lawful process.
- **Law enforcement** - Asuragen may disclose Protected Health Information for law enforcement purposes, including reporting of certain types of wounds or physical injuries or in response to a court order, warrant, subpoena or summons, or similar process authorized by law. Asuragen’s may also disclose Protected Health Information when the information is needed: 1) for identification or location of a suspect, fugitive, material witness, or missing person, 2) about a victim of a crime, 3) about an individual who has died, 4) in relation to criminal conduct on Asuragen premises, or 5) in emergency circumstances to report a crime, the location of the crime or victims, or the identity, description, or location of the person who committed the crime.
- **As required by law** - Asuragen must disclose your Protected Health Information if required to do so by international, federal, state, or local law.
- **Public health** - Asuragen may disclose your Protected Health Information for public health-related activities. Examples of these activities include: reporting diseases to authorized public health authorities; if authorized by law as part of a public health investigation, notifying individuals that they may be at risk of contracting a disease; and notifying a manufacturer of a product regulated by the U.S. Food and Drug Administration of a possible problem encountered when using the product in Asuragen’s testing process.
- **Disclosure about victims of abuse, neglect, or domestic violence** - Asuragen may disclose Protected Health Information about an individual to a government authority, including social services, if Asuragen reasonably believe that an individual is a victim of abuse, neglect, or domestic violence.

- **Health oversight activities** - Asuragen may disclose Protected Health Information to a health care oversight agency for activities authorized by law, such as audits, civil, administrative, or criminal investigations and proceedings/actions, inspections, licensure/disciplinary actions, or other activities necessary for appropriate oversight of the health care system, government benefit programs, and compliance with regulatory requirements and civil rights laws.
- **Coroners, medical examiners, and funeral directors** - Asuragen may disclose Protected Health Information to a coroner, medical examiner, or funeral director for the purpose of identifying a deceased person, determining cause of death, or for performing some other duty authorized by law.
- **Personal representative** - Asuragen may disclose Protected Health Information to your personal representative, as established under applicable law, or to an administrator, executor, or other authorized individual associated with your estate.
- **Correctional institution** - Asuragen may disclose the Protected Health Information of an inmate or other individual when requested by a correctional institution or law enforcement official for health, safety, and security purposes.
- **Serious threat to health or safety** - Asuragen may disclose Protected Health Information if necessary to prevent or lessen a serious and/or imminent threat to the health or safety of a person or the public or for law enforcement authorities to identify or apprehend an individual.
- **Research** - Under certain conditions, Asuragen may use or disclose Protected Health Information for research purposes. Asuragen may allow researchers to look at Protected Health Information to develop a study, identify prospective research participants, or for similar purposes provided that the information is not removed from Asuragen's premises. Asuragen will not allow Protected Health Information to be used or disclosed for any other research activity unless: (1) a special committee reviews the planned research and decides that the research poses little risk to privacy and that there is an adequate plan to safeguard the Protected Health Information; (2) the researcher will be given only information that does not directly identify individuals; or (3) where the information concerns deceased individuals, the researcher gives Asuragen assurances that the information is necessary for the research and will be used solely for the research.
- **Government functions** - Under certain circumstances, Asuragen may disclose your Protected Health Information to units of the government with special functions, such as the U.S. Military or the U.S. Department of State, in response to requests.

- **Workers' compensation** - As authorized by applicable laws, Asuragen may use or disclose Protected Health Information to comply with workers' compensation or other similar programs established to provide work-related injury or illness benefits.
- **De-identified information and limited data sets** - Asuragen may use and disclose health information that has been "de-identified" by removing certain identifiers, making it unlikely that you could be identified. Asuragen also may disclose limited health information contained in a "limited data set." The limited data set does not contain any information that can directly identify you. For example, a limited data set may include your city, county, and Zip code but not your name or street address.

### **Your Rights Regarding Protected Health Information**

Subject to certain exceptions, you have the following rights with respect to your Protected Health Information. To exercise any of these rights, please contact Asuragen using the contact information listed at the end of the Privacy Statement.

- **Right to receive a copy of the Asuragen Notice of Privacy Practices** - You have a right to receive a copy of the Asuragen Notice of Privacy Practices at any time.
- **Right to request limits on uses and disclosures of your Protected Health Information** - You have the right to request that Asuragen limit: 1) how Asuragen use and disclose your Protected Health Information for treatment, payment, and health care operations activities; or 2) Asuragen's disclosure of Protected Health Information to individuals involved in your care or payment for your care. Asuragen will consider your request, but Asuragen is not required to agree to it. If Asuragen agrees to it, Asuragen will state the agreed restrictions in writing and will abide by them, except in emergency situations when the disclosure is for purposes of treatment.
- **Right to request confidential communications** - You have the right to request that Asuragen communicate with you about your Protected Health Information at an alternative address or by an alternative means. Asuragen will accommodate reasonable requests.
- **Right to see and receive copies of Your Protected Health Information** - You have the right to access and receive a copy of Protected Health Information that may be used to make decisions about your care or payment for your care. Asuragen may deny access to certain information for specific reasons, for example, where state law prohibits such patient access. **PLEASE NOTE THAT FEDERAL AND STATE LAWS REGULATING LABORATORIES GENERALLY PROHIBIT ASURAGEN FROM DISCLOSING TEST RESULTS DIRECTLY TO A PATIENT.**
- **Right to receive an accounting of disclosures** - You have a right to receive a list of certain instances in which Asuragen disclosed your Protected Health Information. This list will not include

disclosures of Protected Health Information such as those made for treatment, payment, health care operations, or disclosures made based on your written authorization submitted for genetic counseling services. Unless a shorter period of time is requested, the list will include disclosures made in the past six years, but not prior to April 14, 2003.

- **Right to correct or update your Protected Health Information** - If you believe that your Protected Health Information contains a mistake, you may request, in writing, that Asuragen correct the information. If your request is denied, Asuragen will provide an explanation of the reasoning for Asuragen's denial.

### **How to Exercise Your Rights and How to Contact Asuragen or File a Complaint**

If you have questions or comments regarding the Asuragen Notice of Privacy Practices or to exercise any of your rights described in this notice or if you have a complaint about Asuragen's use or disclosure of your Protected Health Information or Asuragen's privacy practices, please contact:

[complianceofficer@Asuragen.com](mailto:complianceofficer@Asuragen.com), call us at 512-861-5200 and ask for the Asuragen Compliance Officer, or send a written request to:

Compliance Officer  
Asuragen, Inc.  
2150 Woodward Street, Suite 100  
Austin, Texas 78744

You also may file a complaint with the Secretary of the US Department of Health and Human Services. Asuragen will not take retaliatory action against you for filing a complaint about Asuragen's privacy practices.

### **Changes to the Asuragen Notice of Privacy Practices**

Asuragen reserves the right to make changes to this notice and Asuragen's privacy policies from time to time. Changes adopted will apply to any Protected Health Information Asuragen maintains about you. Asuragen is required to abide by the terms of Asuragen's notice currently in effect. When changes are made, Asuragen will promptly update this notice. Please review this site ([www.asuragen.com](http://www.asuragen.com)) periodically to ensure that you are aware of any updates.

Effective Date of Notice: January 1, 2009

Revised: January 1, 2009