



IMPORTANT INFORMATION ABOUT YOUR PRIVACY RIGHTS

Notice of Privacy Practices

Effective October 1, 2013

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

Oscar Insurance Corporation, Oscar Insurance Corporation of New Jersey, Oscar Insurance Company of Texas and Oscar Health Plan of California, (collectively, "Oscar") are licensed insurance companies or health plans respectively in New York, New Jersey, Texas and California.

In order to provide services, Oscar may provide information to other vendors, entities etc. in accordance with the Health Insurance Portability and Accountability Act ("HIPAA"). Oscar will comply with all applicable privacy laws and respect the confidentiality of your health information. The following notice, which is required by law, explains how Oscar uses information about you and when we can share that information with others. Oscar has the right to change our privacy practices and the terms of this notice. If we make a material change to our privacy practices, we will provide you with a revised notice by direct mail or electronically as permitted by applicable law. In all cases, Oscar will post the revised notice on our website.

The following notice informs you about your rights with respect to your health information and how you can exercise these rights.

Oscar collects and maintains oral, written and electronic information to administer our business and to provide products, services and information of importance to our members. Oscar uses security safeguards and techniques designed to protect your health information. We train our employees about our privacy policies and practices, and we limit access to your information to only those employees who need it in order to perform their business responsibilities. Oscar does not sell information about our customers or former customers.

HOW OSCAR USES OR DISCLOSES YOUR INFORMATION

Oscar may use or share information about you for purposes of payment, treatment and health care operations, including with our business associates. For example:

- **Payment:** Oscar may use your information to process and pay claims submitted to us by you or your doctors, hospitals and other health care providers in connection with medical services

provided to you.

- **Treatment:** Oscar may share your information with your doctors, hospitals, or other providers to help them provide medical care to you. For example, if you are in the hospital, we may give the hospital access to any medical records sent to us by your doctor(s).
- **Health Care Operations:** Oscar may use and share your information in connection with our health care operations. These include, but are not limited to:

performing coordination of care and case management, speaking with your provider to suggest a disease management or wellness program to improve your health, providing you with information about alternative medical treatments or health related services that may interest you, conducting medical reviews or audits, and/or performing general administrative activities such as customer service.

Oscar may use or disclose your health information for the following purposes under limited circumstances:

- **As Required by Law.** Oscar may disclose information when required to do so by law.
- **To Persons Involved With Your Care.** Oscar may use or disclose your health information to a person involved in your care or who helps pay for your care, such as a family member (when you are incapacitated or in an emergency), or when you agree or fail to object when given the opportunity. If you are unavailable or unable to object, we will use our best judgment to decide if the disclosure is in your best interest.
- **For Public Health Activities** such as reporting or preventing disease outbreaks.
- **For Reporting Victims of Abuse, Neglect or Domestic Violence** to government authorities that are authorized by law to receive such information, including a social service or protective service agency.
- **For Health Oversight Activities** to a health oversight agency for activities authorized by law, such as licensure, governmental audits and fraud and abuse investigations.
- **For Judicial or Administrative Proceedings** such as in response to a court order, search warrant or subpoena.
- **For Law Enforcement Purposes.** Oscar may disclose your health information to a law enforcement official for purposes such as providing limited information to locate a missing person or report a crime.
- **To Avoid a Serious Threat to Health or Safety** to you, another person, or the public, by, for example, disclosing information to public health agencies or law enforcement authorities, or in the event of an emergency or natural disaster.
- **For Specialized Government Functions** such as military and veteran activities, national security and intelligence activities, and the protective services for the President and others.
- **For Workers' Compensation** as authorized by, or to the extent necessary to comply with, state workers compensation laws that govern job-related injuries or illness.
- **For Research Purposes** such as research related to the evaluation of certain treatments or the prevention of disease or disability, if the research study meets privacy law requirements.
- **To Provide Information Regarding Decedents.** Oscar may disclose information to a coroner or medical examiner to identify a deceased person, determine a cause of death, or as authorized by law. We may also disclose information to funeral directors as necessary to carry out their duties.
- **For Organ Procurement Purposes.** Oscar may use or disclose information to entities that handle procurement, banking or transplantation of organs, eyes or tissue to facilitate donation and transplantation.
- **To Correctional Institutions or Law Enforcement Officials** if you are an inmate of a correctional institution or under the custody of a law enforcement official, but only if necessary (1) for the institution to provide you with health care; (2) to protect your health and safety or the health and safety of others; or (3) for the safety and security of the correctional institution.
- **To Business Associates** that perform functions on our behalf or provide us with services if the information is necessary for such functions or services. Oscar's business associates are required, under contract with us, to protect the privacy of your information and are not allowed to use or

disclose any information other than as specified in our contract.

- **For Data Breach Notification Purposes.** Oscar may use your contact information to provide legally-required notices of unauthorized acquisition, access, or disclosure of your health information to you or another party. We will notify you in the event your information is disclosed in a manner that does not comply with HIPAA.
- **Additional Restrictions on Use and Disclosure.** Certain federal and state laws may require special privacy protections that restrict the use and disclosure of certain health information, including highly confidential information about you. "Highly confidential information" may include confidential information under Federal laws governing alcohol and drug abuse information and genetic information as well as state laws that often protect the following types of information:
 - HIV/AIDS;
 - Mental health;
 - Genetic tests;
 - Alcohol and drug abuse;
 - Sexually transmitted diseases and reproductive health information; and
 - Child or adult abuse or neglect, including sexual assault.

If a use or disclosure of health information described above in this notice is prohibited or materially limited by other laws that apply to us, it is our intent to meet the requirements of the more stringent law. Except for uses and disclosures described and limited as set forth in this notice, Oscar will use and disclose your health information only with a written authorization from you. Once you give us authorization to release your health information, we cannot guarantee that the person to whom the information is provided will not disclose the information. You may take back or "revoke" your written authorization at anytime in writing, except if we have already acted based on your authorization. To find out where to mail your written authorization and how to revoke an authorization, you may call Oscar at 800-766-8746.

WHAT ARE YOUR RIGHTS

The following are your rights with respect to your health information:

- **You have the right to ask to restrict** uses or disclosures of your information for treatment, payment, or health care operations. You also have the right to ask to restrict disclosures to family members or to others who are involved in your health care or payment for your health care. We may also have policies on dependent access that authorize your dependents to request certain restrictions. Please note that while Oscar will try to honor your request and will permit requests consistent with our policies, we are not required to agree to any restriction.
- **You have the right to ask to receive confidential communications** of information in a different manner or at a different address. Oscar will accommodate reasonable requests where a disclosure of all or part of your health information otherwise could endanger you. Oscar will accept verbal requests to receive confidential communications, but requests to modify or cancel a previous confidential communication request must be made in writing. Mail your request to Oscar at 295 Lafayette Street, 6th Floor, NY, NY 10012.
- **You have the right to see and obtain a copy** of health information that may be used to make decisions about you such as claims and case or medical management records. You also may in some cases receive a summary of this health information. You must make a written request to inspect and copy your health information. Mail your request to Oscar's Privacy Office at 295 Lafayette Street, 6th Floor, NY, NY 10012. In certain limited circumstances, we may deny your request to inspect and copy your health information. We may charge a reasonable fee for any copies. If we deny your request, you have the right to have the denial reviewed. If we maintain an electronic health record containing your health information, you will have the right to request that we send a

copy of your health information in an electronic format to you or to a third party that you identify. We may charge a reasonable fee for sending the electronic copy of your health information.

- **You have the right to ask to amend** information Oscar maintains about you if you believe the health information about you is wrong or incomplete. Your request must be in writing and provide the reasons for the requested amendment. Mail your request to Oscar's Privacy Office at 295 Lafayette Street, 6th Floor, NY, NY 10012. If Oscar denies your request, you may have a statement of your disagreement added to your health information.
- **You have the right to receive an accounting** of certain disclosures of your information made by us during the six years prior to your request. This accounting will not include disclosures of information made: (i) prior to April 14, 2003; (ii) for treatment, payment, and health care operations purposes; (iii) to you or pursuant to your authorization; and (iv) to correctional institutions or law enforcement officials; and (v) other disclosures for which federal law does not require us to provide an accounting.
- **You have the right to a paper copy of this notice.** You may ask for a copy of this notice at any time. Even if you have agreed to receive this notice electronically, you are still entitled to a paper copy of this notice. You also may also obtain a copy of this notice at www.hioscar.com.

EXERCISING YOUR RIGHTS

- **Contacting Oscar.** If you have any questions about this notice or want to exercise any of your rights, you may contact Oscar at 800-766-8746.
- **Submitting a Written Request.** You can mail your written requests for modifying or cancelling a confidential communication, for copies of your records, or for amendments to your record, to: Oscar, 295 Lafayette Street, 6th Floor, NY, NY 10012.
- **Filing a Complaint.** If you believe your privacy rights have been violated, you may file a complaint

with us at Oscar's Privacy Office at 295 Lafayette Street, 6th Floor, NY, NY 10012. **You may also notify the Secretary of the U.S. Department of Health and Human Services of your complaint.** We will not take any action against you for filing a complaint.

FINANCIAL INFORMATION PRIVACY NOTICE

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

Effective October 1, 2013, Oscar is committed to maintaining the confidentiality of your personal financial information. For the purpose of this notice, "personal financial information" means information about an enrollee or an applicant for health care coverage that identifies the individual, is not generally publicly available, and is collected from the individual or is obtained in connection with providing health care coverage to the individual.

Information Oscar Collects

Oscar collects personal financial information about you from sources such as applications, claims forms, consumer reports and other transactional documents. These documents may contain information such as your name, address, age, medical information, and/or social security number.

Disclosure of Information - Restrictions

- Oscar does not disclose genetic information for underwriting purposes.
- Oscar does not sell any member information without the express written authorization of the member; this specifically includes for marketing purposes.
- Oscar does not disclose personal financial information about our members or former members to any third party, except as required or permitted by law. For example, in the course of our general business practices, Oscar may, as permitted by law, disclose any of the personal financial information that we collect about you, without your

authorization, to the following types of institutions:

- To Oscar's corporate affiliates, which include financial service providers, such as other insurers, and non-financial companies, such as data processors;
- To nonaffiliated companies for our everyday business purposes, such as to process your transactions, maintain your account(s), or

respond to court orders and legal investigations; and

- To nonaffiliated companies that perform services for us, including sending promotional communications on our behalf.

Questions About this Notice

If you have any questions about this notice, please contact Oscar at 855-OSCAR-55.