



## **HIPAA NOTICE OF PRIVACY PRACTICES**

Release Date: December 2022

Aroa Biosurgery Limited and its subsidiaries (together "AROA") are committed to maintaining and protecting the confidentiality of the individual's protected health information ("PHI") in accordance with United States of America state and federal and state law, including the Health Insurance Portability and Accountability Act ("HIPAA").

As AROA does not collect PHI directly from individuals and will only receive PHI from Covered Entities (such as health care providers, health plans or health clearing houses), AROA cannot provide individuals with this Notice of Privacy Practice at the time of authorization by individuals to the Covered Entity. However, AROA will publish this Notice of Privacy Practices on its website and on request from an individual, provide a copy of this Notice of Privacy Practices free of charge.

AROA will only ever use or disclose an individual's PHI, in accordance with the basis on which the information was disclosed to it by the Covered Entity (including in accordance with the terms of any Business Associate Agreement) and the terms of this Notice of Privacy Practices, or any future revised notice of Privacy Practices, if applicable.

### **AROA's obligations:**

AROA is required by law to:

- Maintain the privacy of PHI (with certain exceptions).
- Follow the terms of AROA's Notice of Privacy Practice that is currently in effect.
- Comply with HIPAA and the terms of any Business Associate Agreement when AROA receives PHI from a Covered Entity.
- When disclosing PHI to its Business Associate Subcontractors, require that they comply with HIPAA and the terms of their Business Associate Agreement with AROA.

### **How AROA may use and disclose PHI:**

AROA will not collect or gather PHI directly from any individual. AROA will only receive PHI of individuals from a Covered Entity when such PHI is necessary for AROA to provide services or functions to the Covered Entity (in accordance with the terms of the Business Associate Agreement). For example, AROA may perform reimbursement coding services to a Covered Entity. In this event, AROA is obligated to protect the privacy of the PHI and will not use or disclose any information other than as specified in the Business Associate Agreement.

In some instances, AROA may need to disclose PHI it has received in order to have a Business Associate Subcontractor perform services or functions on AROA's behalf, for AROA to provide services to the Covered Entity. For example, AROA may use a Business Associate Subcontractor to perform reimbursement coding services. In this event, AROA's Business Associate Subcontractor is obligated to protect the privacy of the PHI and are not allowed to use or disclose any information other than as specified in the Business Associate Subcontractors Agreement between AROA and themselves.

### **Special conditions where AROA can disclose PHI**



Other than as specified above, AROA may not use or disclose PHI other than in the following circumstances:

- As required by law- AROA will disclose PHI when required to do so by international, federal, state or local law.
- Lawsuits and disputes- AROA may disclose PHI in a judicial or administrative proceeding if the request for the information is through an order from a court or administrative tribunal. Such information may also be disclosed in response to a subpoena or other lawful process if certain assurances regarding notice to the individual or a protective order are provided.

#### **Individual's rights regarding PHI:**

AROA will not use or disclose individual's PHI other than as specified in this Notice of Privacy Practice or any applicable law. AROA is committed to ensuring that individual's rights regarding PHI is maintained. While AROA does not collect any PHI directly from individuals, AROA will ensure that it will adhere to any individual's requests regarding their PHI specified below, or as otherwise requested via a Covered Entity.

Any requests to AROA from individuals can be made to AROA's Privacy Officer via email ([privacy@aroabio.com](mailto:privacy@aroabio.com)).

*Right to Inspect and Copy-* Individuals have a right to inspect and copy PHI that may be used to make decisions about the individual's care or payment for the individual's care. This includes medical and billing records, other than psychotherapy notes. To inspect and copy the individual's PHI that AROA is in possession of, the individual must make their request, in writing, to AROA's Privacy Officer.

AROA has up to 30 days to make the individual's PHI available to them and AROA may charge the individual a reasonable fee for the costs of copying, mailing or other supplies associated with the individual's request. AROA may not charge the individual a fee if the individual needs the information for a claim for benefits under the Social Security Act or any other state or federal needs-based benefit program. AROA may deny the individual's request in certain limited circumstances. If AROA does deny the individual's request, the individual has the right to have the denial reviewed by a licensed healthcare professional that was not directly involved in the denial of the individual's request, and the AROA will comply with the outcome of the review.

*Right to Get Notice of a Breach-* AROA is committed to safeguarding the individual's PHI. If a breach of an individual's PHI occurs which requires notification, AROA will notify the disclosing Covered Entity in accordance with the terms of the Business Associate Agreement. AROA will contact the Covered Entity to ensure the individual is notified in accordance with its state and federal law obligations.

*Right to Amend, Correct or Add an Addendum-* If an individual feels that the PHI AROA has in its possession is incorrect, incomplete, or the individual wishes to add an addendum to the individual's records, the individual has the right to make such request for as long as the information is kept by AROA. The individual must make their request in writing to AROA. In the case of claims that the information is incorrect, incomplete, or if the record was not



created by AROA, AROA may deny the individual's request. However, if AROA denies any part of an individual's request, AROA will provide the individual with a written explanation of the reasons for doing so within 60 days of the individual's request.

*Right to an Accounting of Disclosures-* Individuals have the right to request a list of certain disclosures AROA has made of an individual's PHI for purposes other than treatment, payment, health care operations, and certain other purposes consistent with law, or for which the individual provided written authorization. To request an accounting of disclosure, individuals must make their request, in writing. The individual may request an accounting of disclosures for up to the previous six (6) years of services provided before the date of the individual's request. If more than one request is made during a 12 month period, AROA may charge a cost based fee.

*Right to Request Restrictions-* Individuals have the right to request a restriction or limitation on the PHI AROA uses or disclose for treatment, payment, or health care operations. Individuals also have the right to request a limit on the PHI disclosed to someone involved in the individual's care or the payment for the individual's care, like a family member or friend. To request a restriction or limitation of PHI, individuals must make their request, in writing to AROA,

*Right to Request Confidential Communications-* Individuals have the right to request that AROA communicate with them about medical matters in a certain way or at a certain location. For example, an individual can ask that AROA only contact them by mail or at work. To request confidential communications, individuals must make their request, in writing to AROA, and must specify how or where the individual wishes to be contacted. AROA will accommodate reasonable requests.

*Right to Choose Someone to Act for the Individual-* If an individual gives someone medical power of attorney or if someone is the individual's legal guardian, that person can exercise the individual's rights and make choices about the individual's PHI. AROA will use our best efforts to verify that person has authority to act for the individual before AROA takes any action.

*Right to a Paper Copy of This Notice of Privacy Practices-* Individuals have the right to a paper copy of this Notice of Privacy Practices. Individuals may ask AROA to give the individual a copy of this Notice of Privacy Practices at any time in in writing and AROA will provide a paper copy free of charge.

## **Complaints**

In the event that an individual feels that their rights have been violated by AROA they can make a complaint to the Privacy Officer by emailing [privacy@aroabio.com](mailto:privacy@aroabio.com).

Individuals can also file a complaint with the U.S. Department of Health and Human Services Office for Civil Rights by:

- sending a letter to 200 Independence Avenue, S.W., Washington, D.C. 20201;
- calling 1-877-696-6775; or



- or visiting [www.hhs.gov/ocr/privacy/hipaa/complaints/](http://www.hhs.gov/ocr/privacy/hipaa/complaints/).

ARO A will never retaliate against individuals for filing a complaint.

**CHANGES TO THIS NOTICE OF PRIVACY PRACTICES:**

ARO A reserves the right to change this Notice of Privacy Practices and make the new Notice of Privacy Practices apply to PHI ARO A already has in its possession as well as any information ARO A receives in the future. ARO A will post a copy of the ARO A current Notice of Privacy Practice on our website and will be effective from the date specified on the page. Individuals will not be notified regarding changes to this Notice of Privacy and can check ARO A's website to confirm if any changes have been made.