

# ICON Eyecare Privacy Policy

ICON Eyecare of Colorado (“ICON,” “we,” “our,” and/or “us”) values the privacy of individuals who use our websites (including <https://iconeyecare.com/>, <https://grandjunctioneyecare.com/>, <https://rottmaneyecare.com/>, <https://may-eye-care.com/>, and <https://www.coloradocataractandlaser.com/>) and our related services (collectively, our “Services”). This privacy policy (the “Privacy Policy”) explains how we collect, use, and disclose information from users of our Services (“Users”). By using our Services, you agree to the collection, use, disclosure, and procedures this Privacy Policy describes. Beyond the Privacy Policy, your use of our Services is also subject to our Terms of Service.

ICON provides ophthalmology services to patients throughout Colorado and is subject to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) as a health care provider. When ICON collects, uses, and discloses personal information in its role as a health care provider, ICON does so in its capacity as a HIPAA “covered entity.” Such personal information is subject to ICON’s [Notice of Privacy Practices](#) and not this Privacy Policy. Please see below for more information.

## A. Information We Collect

We may collect a variety of information from or about you or your devices from various sources, as described below.

## B. Information You Provide to Our Health Care Providers, or to Us on Behalf of Our Health Care Providers.

Below, we describe the personal information that ICON collects, uses, and discloses as a “covered entity” under HIPAA. Such personal information is subject to ICON’s Notice of Privacy Practices.

**Request an Appointment, Exam, or Consultation.** If you or your referring doctor submit an appointment request form on our website, we may ask for any of the following types of information: your name, date of birth, email address, physical address, phone number, life insurance information, appointment type, preferred clinic location, referring doctor’s name, how you heard about us, and your communication preference.

**Online Scheduling Service.** If you would like to schedule an appointment through our online scheduling service, we will ask you for information about yourself, such as your name, date of birth, address, email address, phone number and the medical condition for which you want to schedule an appointment. In certain situations, we may also ask for your health insurance information.

**Patient Portal.** The Patient Portal linked to our website is hosted and operated by Medfusion, Inc. Please review Medfusion, Inc.'s Notice of Privacy Policy (available on the Patient Portal landing page) to learn how Medfusion, Inc. collects, uses, and discloses your information on the Patient Portal.

**Refer a Patient.** If you are a physician and would like to refer a patient to us, we ask you to provide your name, address, e-mail address, phone number and fax, as well as the patient's name, e-mail address, phone, insurance information, reason for appointment request (such as medical eye condition), relevant medical records, and other information you may choose to provide.

**Call and Text Information.** We work with a third-party technology partner to facilitate phone calls and text messages between Users and our ophthalmologist care providers, for example to schedule a consultation. We receive information about these communications, such as the date and time of the call or SMS message, the parties' phone numbers, and the content of any SMS messages. For security purposes, we may also monitor and/or record the contents of phone calls made on our services. You will be given notice that your call may be recorded, and by proceeding you agree to allow us to monitor and/or record your call.

**Payment Information.** If you make a payment through a third-party linked from our website, your payment-related information, such as credit card or other financial information, is collected by our third-party payment processor on our behalf.

### **C. Information We Collect When You Use Our Services.**

**Device Information.** We receive information about the device and software you use to access our Services, including IP address (which provides us with your general location).

**Usage Information.** To help us understand how you use our Services and to help us improve them, we automatically receive information about your interactions with our Services, like the pages or other content you view, the searches you conduct, your comments, any content you post, and the dates and times of your visits.

**Information from Cookies and Similar Technologies.** We and our third-party partners collect information using cookies, pixel tags, or similar technologies. Our third-party partners, such as analytics and advertising partners, may use these technologies to collect information about your online activities over time and across different services. Cookies are small text files containing a string of alphanumeric characters. We may use both session cookies and persistent cookies. A session cookie disappears after you close your browser. A persistent cookie remains after you close your browser and may be used by your browser on subsequent visits to our Services.

Please review your web browser's "Help" file to learn how you may modify your cookie settings. Please note that if you delete or choose not to accept cookies from the Service, you may not be able to utilize the features of the Service to their fullest potential.

**Online Ratings and Patient Surveys.** Users may rate our services, providers and facilities and provide written reviews which we publish on our website. We solicit surveys and online reviews from Users so that we can continue to improve our Services. We receive information about online ratings and reviews and they are made publicly available on third-party review sites (such as Google Business and WebMD) and pushed to our website from these third-party sites. Identifying information about you is removed before being made publicly available.

### **How We Use the Information We Collect**

We use the information we collect:

- To provide, maintain, improve, and enhance our Services;
- To personalize your experience with our Services such as by providing tailored content and recommendations;
- To understand and analyze how you use our Services and develop new services, products, features, and functionality;
- To communicate with you, provide you with updates and other information relating to our Services, provide information that you request, respond to comments and questions, and otherwise provide customer support;
- For marketing and advertising purposes, such as developing and providing promotional and advertising materials that may be relevant, valuable or otherwise of interest to you;
- To generate anonymized, aggregate data containing only de-identified, non-personal information that we may use for purposes such as internal reporting;
- To send you text messages;
- To facilitate transactions and payments;
- To find and prevent fraud and abuse, and respond to trust and safety issues that may arise;
- For compliance purposes, including enforcing our Terms of Service or other legal rights, or as may be required by applicable laws and regulations or requested by any judicial process or governmental agency; and
- For other purposes for which we provide specific notice at the time the information is collected.

### **How We Share the Information We Collect**

- **Affiliates.** We may share any information we receive with our affiliates for any of the purposes described in this Privacy Policy.
- **Vendors and Service Providers.** We may share any information we receive with vendors and service providers retained in connection with the provision of our Services.
- **Marketing.** We do not rent, sell, or share information about you with nonaffiliated companies for their direct marketing purposes, unless we have your permission.

- **Analytics Partners.** We use analytics services such as Google Analytics and Google Search Console to collect and process certain analytics data. These services may also collect information about your use of other websites, apps, and online resources. You can learn more about Google’s practices by visiting <https://www.google.com/policies/privacy/partners/>.
- **Advertising Partners.** We work with third-party advertising partners – such as Google Ads and Meta -- to show you ads that we think may interest you. Some of our advertising partners are members of the Network Advertising Initiative (<https://optout.networkadvertising.org>) or the Digital Advertising Alliance (<https://optout.aboutads.info>). If you do not wish to receive personalized ads, please visit their opt-out pages to learn about how you may opt out of receiving web-based personalized ads from member companies. You can access any settings offered by your mobile operating system to limit ad tracking, or you can install the AppChoices mobile app to learn more about how you may opt out of personalized ads in mobile apps.
- **Online Ratings and Patient Surveys.** If you rate our services and/or provide written reviews about any services, locations, or Providers, such ratings and reviews are publicly available for other Users to view.
- **As Required by Law and Similar Disclosures.** We may access, preserve, and disclose your information if we believe doing so is required or appropriate to: (a) comply with law enforcement requests and legal process, such as a court order or subpoena; (b) respond to your requests; or (c) protect your, our, or others’ rights, property, or safety. For the avoidance of doubt, the disclosure of your information may occur if you post any objectionable content on or through our Services.
- **Merger, Sale, or Other Asset Transfers.** We may transfer your information to service providers, advisors, potential transactional partners, or other third parties in connection with the consideration, negotiation, or completion of a corporate transaction in which we are acquired by or merged with another company or we sell, liquidate, or transfer all or a portion of our assets. The use of your information following any of these events will be governed by the provisions of this Privacy Policy in effect at the time the applicable information was collected.
- **Consent.** We may also disclose your information with your permission.

### Your Choices

- **Marketing Communications.** You can unsubscribe from our promotional emails via the link provided in the emails. Even if you opt out of receiving promotional messages from us, you will continue to receive administrative messages from us.
- **Do Not Track.** There is no accepted standard on how to respond to Do Not Track signals, and we do not respond to such signals.

### Third Parties

- Our Services may contain links to other websites, products, or services that we do not own or operate. We are not responsible for the privacy practices of these third parties. Please be aware that this Privacy Policy does not apply to your activities on these third-party services or any information you disclose to these third parties. We encourage you to read their privacy policies before providing any information to them.

## **Security**

We make reasonable efforts to protect your information by using physical and electronic safeguards designed to improve the security of the information we maintain. However, because no electronic transmission or storage of information can be entirely secure, we can make no guarantees as to the security or privacy of your information.

## **Children's Privacy**

We do not knowingly collect, maintain, or use personal information from children under 13 years of age, and no part of our Services is directed to children. If you learn that a child has provided us with personal information in violation of this Privacy Policy, then you may alert us at [privacypolicies@evpeyecare.com](mailto:privacypolicies@evpeyecare.com).

## **International Visitors**

Our Services are hosted in the United States and intended for visitors located within the United States. If you choose to use our Services from the European Union or other regions of the world with laws governing data collection and use that may differ from U.S. law, then please note that you are transferring your personal information outside of those regions to the United States for storage and processing. Also, we may transfer your data from the U.S. to other countries or regions in connection with storage and processing of data, fulfilling your requests, and operating our Services. By providing any information, including personal information, on or to our Services, you consent to such transfer, storage, and processing.

## **Changes to this Privacy Policy**

We will post any adjustments to the Privacy Policy on this page, and the revised version will be effective when it is posted. If we materially change the ways in which we use or disclose personal information previously collected from you through our Services, we will notify you through our Services, by email, or other communication.

## **Contact Information**

If you have any questions, comments, or concerns about our processing activities, please email us at [privacypolicies@evpeyecare.com](mailto:privacypolicies@evpeyecare.com), or write us at EVP Eyecare / Marketing, 3900 East Mexico Avenue, Suite 220, Denver, CO 80210.

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