

QUEBEC – WORKCARE, INC. PRIVACY NOTICE

This Privacy Notice is effective as of 01/01/22.

THIS PRIVACY NOTICE IS AVAILABLE IN THE FRENCH LANGUAGE AT OUR WEBSITE WWW.WORKCARE.COM

CET AVIS DE CONFIDENTIALITÉ EST DISPONIBLE EN LANGUE FRANÇAISE SUR NOTRE SITE WEB À WWW.WORKCARE.COM.

WorkCare Inc. (“**WorkCare**” or “**we**” or “**our**” or “**us**”) provides injury incident triage services (“**Services**”) on behalf of your employer organization (“**Employer**”). While most Personal Information that you provide to WorkCare is under the custody and control of your Employer, WorkCare and our medical professionals and agents (“**Health Information Custodians**”) as defined by *Personal Health Information Protection Act* (“**PHIPA**”) may collect, use or disclose Personal Information (as defined below), when you use Services.

By using Services, you consent to our WorkCare and our Health Information Custodian’s collection, use, and disclosure of Personal Information for the purposes set out in this Privacy Notice, including the Quebec Act Respecting the Protection of Personal Information in the Private Sector.

WorkCare recognizes the importance of privacy and the protection of Personal Information (as defined below). We are committed to collecting, using and disclosing your Personal Information responsibly. This Privacy Notice explains how we collect, use, disclose and protect your Personal Information when you use Services. This Privacy Notice is organized to follow ten interrelated principles.

DEFINITIONS

collection – the act of gathering, acquiring, receiving or obtaining Personal Information from any source, including third party sources, by any means.

disclosure – making Personal Information available, or releasing it, to others besides WorkCare and our Health Information Custodians.

Personal Information – information about a specific identifiable individual, regardless of form,

including, for example, name, date of birth, address and Personal Health Information.

Personal Health Information – identifying information about an individual in oral or written form, which includes but is not limited to information: relating to the physical or mental health of the individual, including information that consists of the health history of the individual’s family, and relating to the providing of health care to the individual, including the identification of a person as a provider of health care to the individual.

Privacy Impact Assessment (PIA) – an assessment of the privacy-related factors of our information system or electronic service delivery involving the collection, use, communication, keeping or destruction of Personal Information.

Purpose – the Purpose or Purposes for which the Personal Information is collected about you and defined more clearly in Principle 2 below.

Principle 1: Accountability

WorkCare and our Health Information Custodians oversee the day-to-day collection and processing of Personal Information relating to Services, responding to inquiries about our information practices and responding to requests for access to or correction of Personal Information in our custody or under our legal control.

WorkCare and our Health Information Custodians also manage information that has been transferred by WorkCare to a third party for processing. To provide you with Services, WorkCare and our Health Information Custodians use service providers to perform services on WorkCare’s or our Health Information Custodians’ behalf such as storing and processing Personal Information. We use contractual or other means to provide a comparable level of protection while the information is being accessed and/or processed by that third party.

We will conduct PIAs in order to assure that Personal Information will receive adequate protection and amend our practices accordingly in the event any shortcomings are discovered.

WorkCare and our Health Information Custodians have implemented policies and practices to give effect to the principles, including:

- Establishing procedures to receive and respond to complaints and inquiries;
- Establishing procedures to receive and respond to access and correction requests regarding health records; and
- Reviewing this Privacy Notice and other procedures regarding the protection of Personal Information on a regular basis, performing and reviewing the PIAs on a regular basis, providing a framework for the keeping and destruction of Personal Information and defining the roles and responsibilities of our personnel with respect to Personal Information.

Principle 2: Identifying Purposes for Collecting Information

WorkCare and our Health Information Custodians collect Personal Information when we provide you with Services. We collect the following Personal Information from you:

- Name and contact information (including address, telephone and email address);
- Date of birth;
- Place of employment; and
- Description of your injury and other Personal Health Information;

The Purposes for which Personal Information is collected by WorkCare and our Health Information Custodians will be identified before or at the time the information is collected. WorkCare and our Health Information Custodians collect Personal Information for the following Purposes:

- To provide you with Services;
- To identify and contact you when you request Services;
- To triage your injuries, and provide first aid services where applicable;
- To enable us to contact and maintain communication with you to distribute your Personal Health Information;
- To coordinate clinic visits;
- To facilitate the delivery of workplace accommodations and return to work processes through your Employer;
- To communicate with health care providers, including our Health

Information Custodians, physicians, nurses, physiotherapists and any other organizations if you provide your consent for and prior to the disclosure (or if consent is not required under law);

- To assist with your Employer's filings of claims to the Workers' Compensation for Quebec (CNESST);
- To respond to your access and/or correction requests;
- To plan, administer and manage the internal operations of WorkCare;
- To fulfill other purposes permitted or required by law; and
- To meet any legal or regulatory requirements.

By engaging WorkCare to provide Services you consent to WorkCare and our Health Information Custodian's collection, use, and disclosure of Personal Information for the Purposes listed above.

If we intend to collect, use, or disclose your Personal Information for a purpose not previously identified, we will identify the new purpose and will seek your consent prior to its collection, use or disclosure, subject to any exceptions permitted by applicable privacy laws.

We may use systems which automatically process your Personal Information for certain tasks and decisions in order to expedite processing of Personal Information for the Purposes.

Principle 3: Consent

WorkCare and our Health Information Custodians will seek knowledgeable consent for the collection, use and disclosure of your Personal Information, except where it might be inappropriate to obtain your consent, and subject to some exceptions set out in law. For instance, our Health Information Custodians may disclose your Personal Health Information without your consent to other third parties, such as:

- third party health care providers to facilitate the provision of health care;
- if the consent is required for the provision of health care and you are not reasonably able to provide timely consent; and
- the CNESST.

Once consent is obtained, we do not need to seek your consent again, unless the use, Purpose or disclosure changes.

You may give consent to the collection, use and disclosure of your Personal Information in a number of ways, such as:

- signed consent form;
- taken verbally and then charted;
- e-mail; or
- written correspondence.

You may withdraw consent upon reasonable notice to us writing. If you withdraw consent, that may affect our ability to provide Services to you, and your Personal Information may remain subject to other legal obligations, such as our legal obligations to your employer, obligations of the Health Information Custodians, obligations under Occupational Health and Safety legislation or Workers' Compensation legislation in the province where you are employed.

Principle 4: Limiting Collection, of Personal Information

WorkCare collects your Personal Information from your Employer regarding your workplace incidents (such as first aid reports). WorkCare and our Health Information Custodians also collect information from you if you contact us to discuss any workplace incident. WorkCare and our Health Information Custodians limit the collection of Personal Information to that which is necessary to fulfill the Purposes identified in this Privacy Notice. We may collect information from other sources if required to perform the Purposes and for your welfare. We may use technology which includes functions allowing you to be identified, located or profiled in order to fulfill the Purpose. In such case we will advise you of the means available to activate such functions. Profiling refers to the collection and use of Personal Information to assess certain characteristics of a nature person, in particular for the Purpose of your health.

Principle 5: Limiting Use, Disclosure and Retention of Personal Information

Personal Information shall not be used or disclosed for purposes other than those for which the information is collected, except with your express consent, or as permitted or required by law.

As part of the delivery of Services, WorkCare and our Health Information Custodians will disclose your Personal Information to your Employer as reasonably necessary to facilitate the delivery of Services, subject to any exceptions for disclosures without consent that are permitted by under applicable privacy laws.

WorkCare and our Health Information Custodians disclose your Personal Information to service providers that help with WorkCare's operations, such as providing accounting and financial, audit, legal, consulting, practice management and organizing and storing WorkCare's or our Health Information Custodians' practice data. Such service providers may only use your Personal Information for the purposes described in this Privacy Notice.

WorkCare and our Health Information Custodians have protocols in place for the retention of Personal Information. We retain Personal Information for as long as necessary to fulfill the purposes for which that Personal Information was collected and as permitted or required by law. WorkCare and our Health Information Custodians employ measures to securely destroy or anonymize your Personal Information in accordance with legal requirements.

Principle 6: Accuracy of Personal Information

WorkCare and our Health Information Custodians rely on you to ensure that all Personal Information provided by you is as accurate, complete, and as up-to-date as necessary for the Purposes that it is to be used and to minimize the possibility that inaccurate information is used to make a decision about you. If you believe that WorkCare's or our Health Information Custodians' records of your Personal Information that are in our custody and control are inaccurate or incomplete, you may request in writing that WorkCare or our Health Information Custodians correct the record as described below.

Principle 7: Safeguards for Personal Information

WorkCare and our Health Information Custodians have put in place organizational, technological and physical safeguards to protect your Personal Information against loss or theft, as well as unauthorized access, collection, disclosure, copying, use, modification, disposal or similar risks. WorkCare securely maintains and destroys Personal Information to prevent unauthorized access to the information even during disposal and destruction.

We will verify your identity before granting you access to your account regarding Services, however, you are solely responsible for maintaining the secrecy of your username, password and any other account information. Our employees and Health Information Custodians are aware of the importance of maintaining the confidentiality of Personal Information and that unauthorized persons

do not gain access to Personal Information that we have disposed of or destroyed.

Personal Information that we or our Health Information Custodians collect may be processed and stored on servers located in Canada, or outside of Canada, such as the United States of America. If Personal Information is processed and/or stored outside of Canada, it will be subject to the laws of the jurisdiction where it is processed and/or stored (as the case may be), which might be different from Canadian laws. As a result, Personal Information may be subject to access by governments, courts, regulatory agencies, or law enforcement in those jurisdictions according to the laws in those jurisdictions. For example, Personal Information may be disclosed in response to valid demands or requests from government authorities, courts and law enforcement officials in those countries. Subject to applicable laws in such other jurisdictions, we maintain security safeguards and protections for Personal Information that are reasonably equivalent to Provincial and Canadian Laws.

We will take measures to assess whether the Personal Information will receive an adequate protection in compliance with generally accepted data protection principals that are reasonably equivalent to those that apply in Canada and we will take measures to mitigate the risks identified in any PIA.

Principle 8: Openness about Privacy

WorkCare and our Health Information Custodians maintain internal practices relating to the management of Personal Information. This Privacy Notice provides you with a general description of our information practices, our contact information so that you may ask us questions regarding the use of your Personal Information, how you may access or correct your Personal Information in our custody and control and an explanation as to how WorkCare and our Health Information Custodians collect, use and disclose your Personal Information.

Principle 9: Access, Correction and Portability of Personal Health Information

Subject to restrictions and limitations imposed by law, you may request access to your Personal Information that is in our control and correction of your Personal Information under our control if you believe there is an error or omission in the Personal Information. With respect to Personal Health Information collected by our Health Information Custodians, you are entitled to require that a

statement of disagreement be attached to your information reflecting any correction that you requested but not made by our Health Information Custodians. You are also entitled to require that any person to whom the Personal Health Information has been disclosed within the year before your request be notified of the correction or statement of disagreement.

You must send a written request to access or correct your Personal Information. Your written request must contain sufficient detail to enable WorkCare or our Health Information Custodians to identify you and your Personal Information and the correction sought (if applicable). To access your Personal Information please contact us as set out below. WorkCare will contact you if your request is deficient or it needs to clarify the information you are requesting. WorkCare will also need to verify your identity before processing requests for your Personal Information.

Once the Purposes for which Personal Information was collected have been achieved, we will, at your request, destroy the Personal Information. In the event that we intend to use this Information for a serious and legitimate purpose in accordance with the legislation, we may anonymize the Information. You may request that we no longer disseminate your Personal Information and de-index any hyperlink attached to your name that provides access to the Information if the dissemination contravenes the law or the order of a court.

Portability – At your request we will confirm the existence of the Personal Information and communicate it to you and allow you to obtain a copy of it in the form of a written and intelligible transcript. Unless there are serious practical difficulties the Information will, at your request, be communicated to you in a structured commonly used technological format and will be communicated at your request to any person or body authorized by law to collect such Information.

If you are handicapped, reasonable accommodation will be provided upon request to enable you to exercise the rights of access provided for herein. We may charge you a reasonable amount for the transcription, reproduction or transmission of Personal Information, however, we will advise you of the cost prior to performing such service.

Note that no person of less than fourteen (14) years of age may demand to be informed of the existence of Information of a medical or social nature except through his attorney in the context of judicial

proceedings nor may such Information be provided in the event that an opinion of a healthcare professional consultation will result in serious harm to your health.

If we refuse to grant any requests hereunder, we shall give you the reasons therefore.

We may communicate Personal Information about you in the event of your decease to your spouse or a close relative if the Information would help the applicant in the grieving process and if you have not recorded in writing your refusal to grant such right of access.

WorkCare may decline to process an access request that is unreasonably repetitive, frivolous, vexatious or impracticable, or if WorkCare reasonably believes that the requested access would infringe or jeopardize the privacy of other persons, or violate any law or legal requirement, or for other reasons permitted by law.

Principle 10: Challenging Compliance

You can challenge WorkCare's or our Health Information Custodians' compliance with the principles set out in this Privacy Notice by sending a written complaint or inquiry to WorkCare's Privacy Officer at the contact details set out below. We have in place procedures to receive and respond to your

complaints or inquiries. WorkCare investigates written complaints made to WorkCare. If a complaint is found to be justified, WorkCare takes appropriate measures, including, as necessary, amending any of WorkCare's policies and practices.

CONTACT INFORMATION

If you have any questions, comments, or concerns about this Privacy Notice, please contact our Privacy Officer at: itsecurity@workcare.com.

or

WorkCare, Inc.
300 S. Harbor Blvd., Suite 600
Anaheim, CA 92805

Changes to this Privacy Notice

We reserve the right to change or replace this Privacy Notice at our sole discretion at any time. Please check back from time to time to ensure that you are aware of any updates or changes in this Privacy Notice. Your Employer will post the newest version of this Notice at your site. The date at the beginning of this Privacy Notice when it was last revised. Your continued access or use of Services after this Privacy Notice is revised confirms your acceptance of the Privacy Notice as revised.