

("Technology North Corporation", "TN", "TN ActiveCare/TN ActiveFamily" or "we", "us", "our", etc.)

## GENERAL PRIVACY POLICY

TN is committed to maintaining the privacy of individuals and protecting personal information in its custody or control in accordance with privacy legislation applicable to TN. This Policy is intended to comply with the requirements of Alberta's Personal Information Protection Act ("PIPA") and Health Insurance and Portability and Accountability (HIPAA). However, in certain circumstances, other legislation may be applicable.

### Application

This Policy describes and summarizes the practices of TN ActiveCare, a cloud based Software as Service (SaaS) application and its affiliates with respect to our collection, use and/or disclosure of personal information related to all individuals other than employees and individual contractors of TN; those individuals are subject to a separate policy. Employees of TN dealing with personal information are expected to be familiar with this Policy. The same policy applies to TN business in general and applicable to TN's general practice regarding client personal information privacy.

### Definitions

In this Policy, the following terms have the meanings below:

- **Personal information** means information about an identifiable individual, which does not include information of an aggregate or anonymous nature where a specific individual or individuals cannot be identified. Personal Information also does not include **business contact information**, as long as business contact information is used to contact an individual in their capacity as an employee or official of an organization, and for no other purpose. Information about a corporation, firm, trust, union or other non-individual entity is not personal information.
- **Business contact information** means an individual's name and position or title as an official or employee of an organization, as well as their business telephone number, business address, business e-mail, business fax number and other business contact information.
- **TN's Customer** (customer) means the service provider/school/special care facility/family utilizes TNAC/TNAF product for individual with special needs.

### Privacy and our Website

We do not collect any personal information from individuals who simply visit our website. However, individuals should be aware that most web servers do collect some information about visitors, such as the browser and version being used, the operating system, and the "IP" or internet address of the visitor, which may identify the individual's Internet Service Provider or computer but not necessarily the individual using it.

TN and TN ActiveCare's website server also use cookies, which are small text files containing information sent to the computer of a visitor to our website. Cookies are used to help our web server track such things as user preferences that the user may submit in order to make the website more interactive with the user and more responsive to their preferences. Information stored in cookies is used to pre-populate form fields and to remember user preference. This is done for user convenience as well as to provide us

with information on which parts of our website are being viewed and by how many visitors. The tracking process is anonymous and no personal information is used.

### ***E-mail***

If you voluntarily submit personal information to us by e-mail for purposes of obtaining information, we will consider that you have done so with your consent for purposes reasonably related to your providing the information. If reasonable to do so, after our initial response, we may send further information to you with information that may be useful, but we will include instructions on how to terminate receiving such further information. Please be advised that the Internet and e-mail are inherently insecure media, and we cannot take responsibility for the security or privacy of personal information in transit over the Internet.

### ***Third Party Websites***

Please note that our website may contain links to other websites which are provided as a convenience for visitors to our website only. Any third party websites will have their own privacy policies and practices, and we cannot be responsible for such third parties, their websites, or their privacy practices.

### ***Sources of Personal Information***

TN ActiveCare generally collects, uses and discloses personal information about the following types of individuals:

- Patient, client or individual, their guardians, employees (including contractors ) and organizations subscribe TN ActiveCare application;
- Prospective or potential customers or their employees;
- Subscribers to our newsletters, white papers or similar types of information;
- Employees and independent contractors (where such contractors are individuals) of TN for the purposes of establishing, managing and terminating employment and contractor relationships;
- Other individuals who may voluntarily choose to provide TN with personal information.
- Shareholders and investors in TN; and,
- Directors and advisory board of TN.

### ***Notification and consent***

Subject to this Policy and applicable legislation, TN will identify the purposes for collection, use and disclosure in advance of collection, and will notify the individual of the purposes for collection, use or disclosure at or before the time of collection.

There are a number of exceptions to the above provisions in that in some circumstances, such as with certain personal information related to employees, TN does not require consent to collect, use or disclose personal information but is required to provide notification in advance.

In other circumstances, specifically those set out in applicable legislation, the law does not require that TN obtain consent or provide notification. TN reserves all its rights to rely on any available statutory exemptions and exceptions.

### ***Exceptions to the requirement for consent***

TN may collect personal information without consent in circumstances that include but are not limited to the following:

- Where a reasonable person would consider that the collection of the information is clearly in the interests of the individual and consent of the individual cannot be obtained in a timely way or the individual would not reasonably be expected to withhold consent;
- Where the collection of the information is pursuant to a statute or regulation of either Alberta, Canada or USA that authorizes or requires the collection;
- Where the collection of the information is from a public body and that public body is authorized or required by an enactment of Alberta, Canada or USA to disclose the personal information to TN;
- Where the collection of the information is reasonable for the purposes of an investigation or a legal proceeding;
- Where the information is publicly available;
- Where the collection of the information is necessary in order to collect a debt owed to TN or for TN to repay to an individual money owed by TN.

In addition to the above, the law generally provides that an individual is deemed to consent to the collection, use or disclosure of personal information about that individual for a particular purpose if the individual voluntarily provides the information for that purpose, and it is reasonable that a person would voluntarily provide that information. If an individual provides personal information to us voluntarily, we will rely on deemed consent and consider that the individual consents to our collection, use or disclosure of their personal information as necessary to carry out the purposes for which they provided the information.

Where a new purpose for the use or disclosure of personal information previously collected arises, TN will contact the individual in question to obtain any required consent or to provide any required notification for use and/or disclosure for such new purpose or purposes.

Where practical, TN will try to collect personal information directly from the individual. Where necessary, TN will collect personal information from other sources. When TN collects personal information about individuals directly from them, except when their consent to the collection is deemed or has otherwise been previously and lawfully obtained, or is not required, we will tell them the purpose for which the information is collected, and, if reasonable to do so, the name of a person who can answer questions about the collection.

### **Why we collect, use and disclose personal information**

TN generally collects, uses and discloses personal information for the following purposes:

- Customers, employees of and contractors to customers: to establish, maintain, manage and terminate a relationship with a customer, or to establish, maintain, manage or terminate an individual's care plan with TN's customer
- Prospective or potential customers or their employees: to attempt to establish a relationship with a customer.
- Subscribers to TN newsletters, white papers or similar types of information: to provide services, information or documentation and to solicit business.
- Suppliers (including non-individual contractors to TN), employees of and contractors to suppliers: to establish, maintain, manage and terminate a supplier relationship.

- Individuals who may voluntarily choose to provide TN with personal information: To fulfill the purposes for which such information was provided.
- TN employees and individual contractors: to recruit, establish, maintain, manage and terminate an employment or individual contractor relationship.
- Shareholders and investors: to manage our relationship with and our obligations to investors and shareholders. TN is required by applicable laws and regulatory authorities to collect, as well as use and disclose certain information with respect to its shareholders.
- Directors and officers: To manage our relationship with and our obligations to directors and officers. TN is required by applicable laws and regulatory authorities to collect, as well as to use and disclose, certain information with respect to its directors and officers.
- Other individuals: Personal information from other individuals may be collected, used or disclosed when such individuals contact TN for a variety of reasons personal to them. For example, if an individual contacts us with an inquiry, we will use the information provided to assist us in responding to that individual and communicating with them. Generally, such information is used to contact or reply to individuals who have contacted us where such contact or reply is reasonable in the circumstances, or is subject to deemed consent, or is legally required.
- To fulfill our legal obligations.

### **Use of Personal Information**

As with collection, there are exceptions to the requirement of consent with respect to use. For example, TN may use personal information without consent in circumstances that include but are not limited to the following:

- Where a reasonable person would consider that the use of the information is clearly in the interests of the individual and consent of the individual cannot be obtained in a timely way or the individual would not reasonably be expected to withhold consent;
- Where the use of the information is pursuant to a statute or regulation of Alberta or Canada that authorizes or requires the use;
- Where the information in question was collected is from a public body and that public body is authorized or required by an enactment of Alberta or Canada to disclose the personal information to TN;
- Where the use of the information is reasonable for the purposes of an investigation or a legal proceeding;
- Where the information is publicly available;
- Where the collection of the information is necessary in order to collect a debt owed to TN or for TN to repay to the individual money owed by TN;
- In certain circumstances, where the information may be disclosed without consent, it may also be used without consent.

TN will in all cases use personal information as permitted or required by applicable law.

## Disclosure of personal information

It is the general policy of TN to not disclose personal information in its custody or control except with the consent of the individual and then only for identified purposes. However, individuals should be aware that there are exceptions to the above.

Alberta law permits us to collect, use or disclose personal information about an individual in some circumstances without the individual's consent and/or knowledge. Such circumstances include (but are not limited) to where:

- the collection, use or disclosure is clearly in the interests of the individual and consent cannot be obtained in a timely way;
- collection, use, or disclosure is reasonable for the purposes of an investigation or proceeding;
- the personal information is available to the public from a prescribed source; or
- the collection, use, or disclosure is required or authorized by a statute or regulation of Alberta or Canada.

TN will in all cases disclose personal information as required or permitted by applicable law. This provision also applies to other Canadian Province and USA where law permits such disclose.

TN does not disclose, trade or sell its customer or contact lists.

## Telephone Calls

All incoming and outgoing telephone calls using TN's telephone systems are subject to automated recording and archiving. Recording is a function of certain technology and cannot be turned off by individual TN employees or contractors for particular cases. Recording is carried out for the following purposes:

- To ensure accuracy of communication. This includes ensuring accuracy of our understanding of customer requirements, orders and agreements made with customers, and, if necessary, to accurately document such agreements in the event of a misunderstanding or dispute to protect both TN and the customer;
- To ensure quality of service provided by TN representatives.

Recordings of telephone calls are initially not reviewed or overheard in any manner, but are archived in digital format on a secure server without review. Such recordings may be subsequently reviewed by TN at any time for any one or more of the stated purposes and, in particular, may be used without notification or consent as evidence in the event of an investigation or legal proceeding related to such telephone conversation, or to review the quality of service provided in situations where TN has a basis to believe that such quality may not be adequate and generally only with respect to those TN representatives who interact with customers.

Callers from outside TN are advised that their call may be recorded and potentially used on the foregoing basis by posting a notice to that effect on TN's web site. Callers have the option at their request of opting out of such recording by asking their TN representative to call them back on a cell phone, which is not subject to automated recording. Individuals may also communicate with TN via e-mail, fax or mail.

Recordings, including recordings that are not reviewed, are retained on the same basis as other personal information pursuant to this Policy. Where required or permitted by law, TN may use or disclose personal information contained in recordings. TN does not use information contained in recordings for

marketing or solicitation purposes. Access to such recordings is restricted to particular individuals within TN who have obligations of confidentiality to TN and who have a need to review such recordings as part of their obligations to TN.

### **Computer Interaction**

There are occasions where TN representatives may remotely access a computer of a TN customer in order to provide services, including technical support or product support. Such access may include an exchange of information of a conversational nature and, while not intended to do so, such access may result in the collection of personal information incidental to our providing services. The activities carried out during such access are recorded and archived so that the recording of such activities may later be viewed or reviewed for the purposes of providing services to the customer in question. The recording is a video file without sound and is subsequently used only for the purposes of assisting the customer. In all cases where a computer becomes subject to access by TN, such access will be with the customer's knowledge and consent, or in the service level agreement signed and executed by the customers.

### **Safeguard Personal Information – Security and Access Control**

We recognize our legal obligations to protect the personal information we have gathered about individuals. We have therefore TN's security policy and practice in place to compliant with HIA and HIPAA requirement and against unauthorized access, collection, use, disclosure, copying, modification, disposal or destruction of personal information.

Our security practice and policy include TN human resource background check, security administrative control, logical control and physical control to protect personal information, all personal information is set for minimum access on a need to know basis. We have policy and practice in place to monitor the control, in the case of security breach; we have notification policy in place to inform effected customers

### **Business Associates Relationship**

TN will provide written statement for business association required by HIPAA and applied laws, in the case that TN uses external party for data hosting, TN will provide assistance or chain business associates agreement upon request.

### **Notice of Privacy Practices (NPP)**

TN will provide an NPP on our website for general privacy practice. In the case of TN ActiveCare, we are obligate to provide our NPP to our service provider as we are the data hosting provider and custodian of the data. We will not provide separated NPP to individual client servicing by our client.

### **Whistleblower provision**

TN will not intimidate, threaten, coerce, discriminate against, or take other retaliatory action against individuals who exercise any right under the HIPAA privacy rule, including filing a complaint.

### **Notification of Breach**

Following a breach of unsecured protected health information TN will provide timely notification of the breach to affected individuals, customers and business associates by law and regulation requirement. The notification will include information including a description of the breach, a description of the types of information that were involved in the breach, the steps affected individuals should take to protect themselves from potential harm, a brief description of what the TN is doing to investigate the breach, mitigate the harm, and prevent further breaches, as well as contact information for the incident.

- Individual Notice – TN will notify affected individuals following the discovery of a breach of unsecured protected health information. TN will provide this individual notice in written form

by first-class or registered postal mail, or alternatively, by e-mail if the affected individual has agreed to receive such notices electronically. TN has the rights to publish such notification on its website if deemed required, or by other means such as telephone, written, etc.

- Notice to the Government entity – In additions to notifying affected individuals, TN will notify the Government of breaches of unsecured protected health information where law is applicable.
- Notification by a Business Associate – In the TNAC hosting situation, TN will provide notification to business associates timely required by applicable law and regulations, including the nature of the breach, affect individuals.

### **Privacy Policy or Statement Publishing**

TN will publish this statement on its website, or provide this statement to TN's customer by email. In the case of TNAC hosting situation, TN will provide this statement to the customer direct as TN is the data custodian and hosting provider.

### **Requests for Access**

Alberta law permits individuals to submit written requests to us to provide them with:

- access to their personal information under the custody or control of TN;
- information about the purposes for which their personal information under the custody or control of TN has been and is being used; and
- the names of organizations or persons to whom and the circumstances in which personal information has been and is being disclosed by TN.

Requests for access are subject to the following:

- Any requests must be in writing.
- We do not accept such requests or respond to such requests via e-mail.
- In order to receive a response to such a request, the individual must provide us with sufficient information to locate their record, if any, and to respond to them.
- We will respond to requests in the time allowed by Alberta law, which is generally 45 days. In certain circumstances, we may have a right to extend this period of time and will advise in writing if we are doing so.
- We will make a reasonable effort to assist applicants and to respond as accurately and completely as reasonably possible.
- All requests may be subject to any fees and disbursements the law permits us to charge.
- Where appropriate to do so, we may require advance payment of a deposit or the entire costs of responding to a request for access to personal information.
- In the case that TN is the software hosting provider and a custodian of the information, TN will only accept the request from our customer, not an individual client or patient.

Please note that an individual's ability to access his or her personal information under our control is not an absolute right. Alberta law provides that TN must not disclose personal information where:

- the disclosure could reasonably be expected to threaten the safety or physical or mental health of an individual other than the individual who made the request;

- the disclosure would reveal personal information about another individual; or
- the disclosure would reveal the identity of an individual who has in confidence provided us with an opinion about another individual and the individual providing the opinion does not consent to the disclosure of his or her identity.

Where law applicable also provides that TN may choose not to disclose personal information where:

- the personal information is protected by any legal privilege;
- the disclosure of the information would reveal confidential commercial information and it is not unreasonable to withhold that information;
- the personal information was collected by TN for an investigation or legal proceeding;
- the disclosure of the personal information might result in similar information no longer being provided to us when it is reasonable that it would be provided;
- the personal information was collected or created by a mediator or arbitrator in the conduct of a mediation or arbitration for which he or she was appointed to act
  - under an agreement,
  - under an enactment, or
  - by a court; or
- the personal information relates to and may be used in the exercise of prosecutorial discretion.

TN reserves all its rights under the above.

### Responses to Requests

Our responses to requests for access to personal information will be in writing, and will confirm:

- whether we are providing all or part of the requested information,
- whether or not we are allowing access or providing copies, and,
- if access is being provided, when and how that will be given.

If access to information or copies are refused by us, we will provide written reasons for such refusal and the section of PIPA (the Personal Information Protection Act, Alberta) on which that refusal is based. We will also provide the name of an individual at TN who can answer questions about the refusal, and particulars of how the requesting individual can ask the Information and Privacy Commissioner of Alberta to review our decision. In order to receive a response to such a request, the individual must provide us with sufficient information to locate their record, if any, and to respond to them.

### Requests for Correction

Where law applicable permits individuals to submit written requests to us to correct errors or omissions in their personal information that is in our custody or control. If an individual alleges errors or omissions in the personal information in our custody or control, we will either:

- correct the personal information and, if reasonable to do so, and if not contrary to law, send correction notifications to any other organizations to whom we disclosed the incorrect information; or
- decide not to correct the personal information but annotate the personal information that a correction was requested but not made.

Corrections or amendments will not be made to opinions as opposed to factual information, although we reserve the right to modify opinions where changes in the facts on which those opinions are based occur.

### **Employee Training and San**

TN will provide continuous training to staff members regarding our privacy and security policy. Staff who violate policy will receive a graduated approach for incident, to the maximum of termination and prosecution by law.

### **Amendment**

TN may amend this Policy from time to time as required and without notice, in order to better meet our obligations under the law.

### **TN's Privacy Officer**

TN has designated a privacy officer on staff, please contact Rui Teixeira, PMP, TN's Privacy officer at [Rui.Teixeira@technologynorth.net](mailto:Rui.Teixeira@technologynorth.net)  
Or telephone 1-877-498-1880, ext 265, fax 780-421-1850

### **Contacting TN**

If you have any questions with respect to our policies concerning the collection, use, disclosure or handling of your personal information, or if you wish to request access to, or correction of, your personal information under our care and control, or if you are dissatisfied with how we handle your personal information, please contact our Privacy Officer, Rui Teixeira, at:

[privacy@technologynorth.net](mailto:privacy@technologynorth.net) or [privacy@tnactivecare.com](mailto:privacy@tnactivecare.com)  
OR telephone 780-421-1878, ext 265.

To reach administration, please contact:

[office@technologynorth.net](mailto:office@technologynorth.net)  
Telephone 1-877-498-1880, or fax 780-421-1850

If you remain dissatisfied after our Privacy Contact has reviewed and responded to your concern, or have other concerns or questions, you have the right at any time to contact the Office of the Information and Privacy Commissioner at:

410, 9925 - 109 Street  
Edmonton, AB T5K 2J8  
Telephone (780) 422-6860  
Fax (780) 422-5682