



TriWest may collect Personal Information from the following sources: (i) directly from You or Your Authorized Agent, for example, if You (or Your Authorized Agent) contact TriWest, provide information to TriWest or register or apply for TriWest services; (ii) from Your device or browser; (iii) from Our business partners, service providers and affiliates (if any); (iv) from Your activity on the TriWest Websites and related platforms and applications; (v) from service providers and health care providers; (vi) from publically available information; (vii) from organizations with which You are employed or affiliated; (viii) marketing vendors and advertising networks; (ix) social media; (x) the U.S. Department of Veterans Affairs (VA); and/or (xi) other third parties as required by applicable law or as permitted or required under the programs, policies, procedures, rules and regulations established by the VA from time to time. The collection of Personal Information from the above-referenced sources may occur online, in person, via paper or electronic means.

3. Disclosure of the Categories of Third Parties with Whom TriWest Shares Personal Information.

TriWest may share Your Personal Information and other information We collect about You with the following: (i) TriWest and its affiliates and subsidiaries (if any); (ii) Our vendors, service providers and subcontractors; (iii) other entities or personnel with Your consent; (iv) the U.S. Department of Veterans Affairs; (v) legal regulatory and law enforcement authorities; (vi) other entities in the event of any change in control; and (vii) as required or permitted in accordance with applicable local, state and federal laws. TriWest may also share personal information with other third party companies that We collaborate with or hire to perform certain services on Our behalf. For instance, We may hire companies to host or provide hosting services in connection with TriWest Websites, related computers and software applications.

Additionally, TriWest uses the services of companies like Google Analytics™, which is a web analysis service provided by Google that collects and tracks information such as how often users visits websites, what pages they visit and what other sites they used prior to visiting the TriWest Websites. TriWest uses Google Analytics™ to better understand how visitors and Veterans use the TriWest Websites and in order to improve the browsing experience for Our visitors and Veterans. Google’s ability to use and share information collected by Google Analytics™ about your visits to the TriWest Websites is set forth in the [Google Analytics Terms of Use](#) and the [Google Privacy Policy](#). For more information about Google Analytics™, including the option to opt-out, please review the Google Analytics™ terms and conditions located at: <https://www.google.com/analytics/terms/us.html>.

4. Information That is Not Subject to the CCPA and is Not Considered Personal Information.

Certain Personal Information is exempt from the CCPA and will not be subject to the requirements set forth in the CCPA. The data that is exempt, will not be deemed “Personal Information” and that is excluded from the CCPA requirements includes all of the following: (a) publically available information from government records (including federal, state, or local government records); (b) pseudonymized, de-identified and/or aggregated consumer information that cannot be reasonably linked to an individual; (c) health or medical information covered by the Health Insurance Portability and Accountability Act of 1996



(HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data; and (d) Personal Information covered or included in other privacy laws, including, but not limited to, HIPAA, the Fair Credit Reporting Act (FRCA), the California Financial Information Privacy Act (FIPA), the California Electronic Communications Privacy Act, the Driver’s Privacy Protection Act of 1994; (e) certain professional or employment-related information is exempt from the CCPA to the extent that such Personal Information was collected and used within the context of (i) any employment relationship, (ii) having an emergency contact on file; or (iii) administering benefits; and/or (f) certain Business to Business (“B2B”) personal information is exempt from the CCPA because such information involves the requester acting on behalf of a business and the communications or transactions solely relate to providing or receiving a product or service to or from another business.

5. Business Purpose(s) for Which Personal Information is Collected.

A. TriWest General Business Purpose - Personal Information is Collected by TriWest in Order to Assist in the Provision of Health Care Services to Veterans in Accordance with the Regulations and Programs Established by the U.S. Department of Veterans Affairs.

As set forth in TriWest’s IPS, TriWest is a third party administrator for the U.S. Department of Veterans Affairs (VA) and uses Your Personal Information as necessary to fulfill and comply with Our duties as a prime contractor to the VA for the Community Care Network (“CCN”) program and other programs established by the VA from time to time. TriWest Services include, but are not limited to, creating and establishing credentialed community providers that partner with the VA to provide health care to Veterans in their local communities in accordance with the VA’s programs, policies and applicable federal regulations.

B. TriWest Specific Business Purpose(s) – Personal Information Is Collected by TriWest to Perform Business Operations.

The CCPA permits the collection and use of certain Personal Information for a “Business Purpose”. TriWest uses the Personal Information collected or provided for the Business Purposes set forth below. The CCPA defines a Business Purpose as the “use of the personal information for the business’s or a service provider’s operational purposes or other noted purpose”. In the last twelve (12) months, TriWest may have collected and disclosed the Personal Information relating California residents for the below Business Purposes, which include, but are not limited to, the following:

- (i) To assist Veteran beneficiaries with health care services in accordance with the programs, procedures, directives, policies, rules and regulations established by the U.S Department of Veterans Affairs;
- (ii) To respond to or reply to a particular inquiry or email;
- (iii) To personalize the TriWest Websites and certain applications;



- (iv) To process or review an application or other documentation related to health care services for a Veteran beneficiary;
- (v) To communicate about an account or a transaction and/or to provide customer service (e.g., to resolve disputes, problems with an account/profile or the services rendered);
- (vi) To allow or permit use of Our online technologies;
- (vii) To provide certain surveys and/or promotions;
- (viii) To provide information that TriWest believes may be useful or necessary, including, but not limited to, a welcoming email, user name and password, verification emails, special updates and/or newsletters, services announcements regarding programs, information about programs, health care services and information from the U.S Department of Veterans Affairs;
- (ix) To develop and perform business or data analytics;
- (x) To detect, investigate, mitigate and prevent security incidents and other activities that may violate TriWest policies, pose safety issues or concerns or be fraudulent or illegal;
- (xi) To provide, administer, develop, modify, improve, assess, evaluate, and/or enhance TriWest's products, Services and/or the TriWest Websites, including, but not limited to, its computer network, platforms and/or applications;
- (xii) To provide certain marketing and advertising, with Your permission;
- (xiii) To protect a Veteran beneficiary's health, safety or welfare;
- (xiv) To provide information about TriWest Websites, applications or services and/or to send You information or request feedback about features or tools on the TriWest Websites or related applications and/or changes to Our policies or procedures;
- (xv) To document and maintain records of communications, interactions and transactions between TriWest and/or Veteran beneficiaries and/or service providers;
- (xvi) To protect the rights of TriWest, its affiliates, subsidiaries and related third parties and to take necessary, reasonable and appropriate legal action to: (1) enforce such TriWest rights; (2) protect TriWest's property, assets and employees; (3) protect the property or safety of any other person or Veteran; and (4) comply with applicable legal processes, regulations and laws;
- (xvii) To meet our legal and compliance obligations, including defending legal claims, obtain audits, respond to court orders and legal investigations;
- (xviii) To conduct institutional risk assessments, risk modeling and statistical analysis;
- (xix) In connection with any merger, acquisition and/or reorganization;
- (xx) To receive, review, evaluate and process employment applications;
- (xxi) As needed or useful for TriWest to conduct its business and business operations in accordance with applicable laws;
- (xxii) As required by law or when TriWest believes that such disclosure is necessary in connection with a judicial proceeding or to comply with a court order, law or regulation applicable to TriWest, the TriWest Websites, and/or the Services rendered by TriWest;
- (xxiii) To perform business operations as needed in connection with TriWest's duties as a prime contractor to the VA for the Community Care Network ("CCN") program and other programs established by the VA from time to time;



- (xxiv) To provide accurate and timely information to Our credentialed vendors, service providers and subcontractors that partner with the VA to provide health care to Veterans in their local communities;
- (xxv) To debug, to identify and repair errors that impair existing TriWest intended functionality of its computer networks, related software, platforms, and the TriWest computer network infrastructure; and
- (xxvi) As otherwise described in this Supplemental Privacy Policy.

6. **Your Rights in Connection with Your Personal Information Under the CCPA.** As a California resident, Your rights pursuant to the CCPA include all of the following:

A. The Right to Know and Access Your Personal Information.

You have the right to request, up to two (2) times each year, access to categories of Personal Information about You that TriWest collects, uses, discloses and shares over the last 12 months. Once You submit a Verifiable Consumer Request (a “VCR”) to TriWest (as explained below), TriWest will verify your request and, if verified, disclose to you the following:

- (i) The categories of Personal Information we collect;
- (ii) The categories of Personal Information we collected about You;
- (iii) The categories and sources of personal information we have shared with third parties; and
- (iv) The Business Purposes for collecting or sharing Your Personal Information.

B. The Right to Request Deletion of Your Personal Information.

You have the right to request that TriWest delete Personal Information that We collected from or about You, subject to applicable CCPA legal exceptions and exemptions. This right is not absolute and TriWest may reject your VCR under certain circumstances, including, but not limited to, where TriWest needs to collect, use and retain Your Personal Information in order to:

- (i) Perform a contract between You and TriWest or You and a TriWest services provider and/or to facilitate or support health care services between You and a provider of health care services, to complete a transaction for which We collected the Personal Information, to provide goods or services that You requested and to take actions reasonably anticipated within the context of Our ongoing business relationship with You;
- (ii) Detect security incidents, protect against malicious, deceptive, illegal or fraudulent activity and/or to prosecute or file claims those responsible for such activities;
- (iii) Protect against malicious, deceptive, fraudulent or illegal activity;
- (iv) Prosecute those responsible for malicious, deceptive, fraudulent or illegal activity;
- (v) Debug products in order to identify and repair errors that impair or interfere with existing or intended product functionality;
- (vi) Comply with a legal obligation or defend against legal claims;



- (vii) Exercise free speech and/or to ensure the right of another Consumer to exercise his or her free speech rights and/or to exercise any other right provided by U.S. law;
- (viii) Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 et. Seq.);
- (ix) Enable solely internal uses, operations or functions that are reasonably aligned with consumer expectations based on Your relationship with TriWest;
- (x) Make other internal and lawful uses of such Personal Information that are compatible with the context in which You provided it to TriWest;
- (xi) Verify Your identity in connection with Your VCR or to verify Your authorized agent's authority to submit a VCR on Your behalf and to reply to your VCR as needed;
- (xii) Fulfill and comply with Our duties as a prime contractor to the VA for the Community Care Network ("CCN") program and other programs established by the VA from time to time;
- (xiii) Comply with the policies, procedures, obligations and legal requirements established by the VA from time to time; and
- (xiv) Comply with the terms and conditions expressly set forth in any and all contracts awarded to TriWest by VA.

In the event that TriWest deletes any of Your Personal information from our records pursuant to a VCR submitted by You or your authorized agent, TriWest will direct its service providers to delete such Personal Information from their records.

C. The Right to Non-Discrimination.

You have the right to not receive discriminatory treatment in connection with the exercise of Your privacy rights set forth under the CCPA. TriWest will not discriminate against any California consumer who exercises any of their privacy rights set forth in the CCPA. Unless permitted by applicable law, TriWest will not engage in any of the following if you exercise Your CCPA rights:

- (i) Deny You goods or services;
- (ii) Charge You different prices or rates, including, but not limited to, providing discounts or imposing penalties; and/or
- (iii) Provide You with a different level or quality of goods or services.

D. Your Right to Opt-Out of the Sale of Personal Information to Third Parties.

You have the right to "Opt-Out" of the "sale" of Your Personal Information to "third parties" (as those terms are defined in the CCPA). In order to exercise Your right to opt-out of the sale of Your Personal Information and in order to record your preference that TriWest not sell Your Personal Information, click the following link: [**DO NOT SELL MY PERSONAL INFORMATION**](#).



A “sale” under the CCPA includes “selling, renting, releasing, disclosing, disseminating making available, transferring, or otherwise communicating orally, in writing, or by electronic means, a consumer’s personal information by the business or third party for monetary or other valuable consideration.”

TriWest does not share or “sell” your Personal Information for money. We share Personal Information as indicated in Section 3. of this Supplemental Privacy Policy, which may be considered a “sale” under the CCPA, even if We do not receive money in exchange for the information.

Additionally, the CCPA provides exceptions to the “sale” of personal information. A business will not be engage in a sale of Personal Information so long as: (i) the disclosure or exchange of information is necessary to perform a Business Purpose; (ii) the service provider is performing a function on TriWest’s behalf; and/or (iii) the service provider otherwise refrains from the selling of the personal information.

The vast majority of TriWest disclosures or exchanges of Personal Information are in connection with the Business Purposes expressly set forth in Section 5.A. and 5.B. of this Supplemental Privacy Policy, and such disclosures are not deemed a “sale” of Personal Information under the CCPA.

E. Cookies, Web Log Data, Web Beacons, Third Party Plug-Ins and Chat-Based Functionality, Third Party Analytics and Targeted Advertising.

Some of the information collected on the TriWest Websites is collected using a variety of mechanisms including, but not limited to, web log data, cookies, web beacons and third party online tracking and behavioral advertising (referred to in the IPS as “Third-Party Analytics and Targeted Advertising”), which may be considered a “sale” under the CCPA even if TriWest does not receive money in exchange of the information. For more information regarding Third-Party Analytics and Targeted Advertising, please review the TriWest IPA.

Additionally, as stated in the TriWest IPS, TriWest Services and the TriWest Websites may integrate certain third-party plug-ins (such as Facebook’s “like” button). Even if You do not click on such plug-ins, they may collect information about You, including, but not limited to, Your IP address and the page that You view. All third-party plug-ins are governed by the privacy policy of the company providing them. TriWest also uses the services of a third party to provide chat-based functionality for some TriWest Services. You may be accessing the systems of a third party, specifically Pypestream, to communicate with TriWest. Pypestream’s services may collect Personal Information and the use and collection of information by Pypestream is governed by the Pypestream privacy policy at <https://www.pypestream.com/privacy-policy/>.



F. Shine the Light Act - Your Right to Know about the Disclosure of Your Personal Information by TriWest to Third Parties for the Third Parties' Direct Marketing Purposes.

Under California Civil Code Section 1798.83, a California resident has the right to request information regarding the disclosure of Your Personal Information by TriWest and any of its affiliates or subsidiaries to third parties for the third parties' direct marketing purposes. Pursuant to California Civil Code Section 1798(c)(2), TriWest does not share or provide Your Personal Information with third parties for those third parties' direct marketing uses or purposes.

7. **Exercising Your Rights to Know About and Your Right to Delete Personal Information Collected About You by TriWest.**

A. Only You or Your Authorized Agent May Submit a VCR.

Only You or a person authorized by You (an "Authorized Agent") to act on Your behalf can make a request or submit a VCR to TriWest in connection with Your Personal Information. You may designate an Authorized Agent to submit a request to know or delete Your Personal Information on Your behalf.

B. Written Proof Required for Authorized Agents.

You may use an Authorized Agent to submit access or deletion requests on Your behalf. Authorized Agents may submit access (right to know) and deletion requests using the same methods as expressly set forth in Section 7.C. All Authorized Agents must have Your signed permission to submit a request on Your behalf or provide proof that they have power of attorney in accordance with California probate law. TriWest requires You to submit to TriWest a **notarized special power of attorney** and/or **other forms of written permission** that expressly states that the named Authorized Agent has permission to make a request to access or a request to delete Your Personal Information on Your behalf. Such documentation must be sent to the TRIWEST PRIVACY OFFICER **within forty-five (45) calendar days after the request submission date by:**

- (i) **FACIMILE** to **866-266-9820**; or
- (ii) **MAIL** to: **PRIVACY OFFICAL, TRIWEST HEALTHCARE ALLIANCE CORP., P.O. BOX 42049, PHOENIX, ARIZONA 85080-2049**; or
- (iii) **EMAIL** to HIPAAPrivacy@TriWest.com

Authorized Agents that are business entities **must be registered with the California Secretary of State to conduct business in California**. TriWest may contact You directly to confirm that You have given Your permission and/or to verify your identity. TriWest will require you to provide documentation from the California Secretary of State evidencing that Your Authorized Agent's right to conduct business in the State of California.



We have the right, but not the obligation, to deny a request from any Authorized Agent that does not submit written proof that he or she was authorized by You to act on Your behalf.

C. Submission of a Verifiable Consumer Request Via the Online VCR Form Using the URL below or by Telephone.

TriWest provides to You two (2) different intake channels for submitting a **Verifiable Consumer Request** (a “VCR” or “Request”) to TriWest. You (or Your Authorized Agent) may exercise the right to know or access the Personal Information TriWest has collected about You and/or the right to have certain Personal Information deleted by submitting a VCR either electronically (online) or telephonically as expressly set forth below. **You may only submit a VCR to TriWest twice within a 12-month period.**

You may exercise these rights by:

- (i) Submitting an Online VCR Form Using the Web-link below. You have the option of submitting to TriWest an online VCR through Our online form which can be accessed and used through the following URL:

<https://consumerprivacy.triwest.com>

(referred to as the “CCPA Online VCR Submission Form” or the “CCPA Online Form”);

Or

- (ii) Submitting a Telephonic VCR by Calling the Phone Number below. You have the option of submitting a VCR to TriWest by calling TriWest’s toll-free telephone number at:

866-434-8156

and answering the questions asked by a TriWest representative.

D. Verification of Your Request – Requirements, Limitations and Restrictions.

TriWest will use the Personal Information included in any VCR only to: (i) verify Your identity or authority to submit a VCR; and (ii) investigate which personal information TriWest has collected about You, if any. However, TriWest will not be able to reply to Your VCR if the VCR does not contain sufficient detail or information to verify it. Each VCR must:



- (i) Provide sufficient information to permit TriWest to reasonably verify that You are the person about whom we collected Personal Information; and
- (ii) Describe Your request with sufficient detail to permit TriWest to understand, evaluate, investigate and reply to it.

E. Submitting Proof and Other Documentation to TriWest.

If additional documentation is needed by TriWest, or if You are an authorized agent of the requester and You are required to submit power of attorney documentation or other forms of written permission to TriWest to prove that you have the power and authority to make the VCR request on behalf of the consumer/beneficiary, **please send your notarized special power of attorney or other written permission to the TRIWEST PRIVACY OFFICER within forty-five (45) calendar days after the request submission date by:**

- (iv) **FACIMILE to 866-266-9820; or**
- (v) **MAIL to: PRIVACY OFFICAL, TRIWEST HEALTHCARE ALLIANCE CORP., P.O. BOX 42049, PHOENIX, ARIZONA 85080-2049; or**
- (vi) **EMAIL to HIPAAPrivacy@TriWest.com**

F. Time Frame for Responding Your VCR.

TriWest will attempt to confirm receipt (the “VCR Receipt Confirmation”) of Your VCR within **ten (10) calendar days** after receipt and TriWest will attempt to reply to your VCR within **forty-five (45) calendar days** after the date of receipt by TriWest. If additional time is needed to reply, TriWest will inform You in writing, or via email, and TriWest will have an **additional forty-five (45) calendar days** in which to respond. Any response that TriWest provides will only cover and apply to the twelve (12) month period of time immediately preceding the date Your VCR was received by TriWest.

G. The TriWest Written Reply to Your VCR.

TriWest will deliver the reply to Your VCR (the “TriWest VCR Reply” or the “Reply”) by mail or electronically, as indicated in Your VCR. If TriWest denies or rejects your VCR in whole or in part, We will provide You with an explanation for Our inability to comply with Your VCR that are applicable under the circumstances or We direct You to TriWest’s general business practices for collecting and using Personal Information. TriWest will use reasonable security measures to transmit Our Reply to You.

8. **Additional Provisions.**

A. The California Civil Code Section 1798.80(e).



The CCPA requires that TriWest notify You whether We collect any personal information that is described in the California Civil Code Section 1798.80(e). This Code section includes a variety of categories of Personal Information, including, but not limited to, the name, contact information, physical characteristics, credit card or billing information, health or medical information. TriWest collects personal information described in Section 1798.80(e).

B. Children’s Privacy.

The TriWest Websites are general audience websites and are not intended for or directed to minors under the age of 16 and TriWest does not knowingly collect Personal Information from minors. If You are a minor, do not provide any Personal Information (as defined in the CCPA) of any kind to TriWest.

C. Fees and Costs.

TriWest does not charge any fees or costs to process or respond to your VCR unless it is repetitive, excessive and/or not based on facts or evidence. If TriWest determines that Your VCR warrants a fee, We will notify You of the reasons for the determination and provide You with a fee estimate in writing before continuing to process Your VCR.

D. Notification Regarding Updates.

From time to time, TriWest may update this Supplemental Privacy Policy. You understand and agree that we may notify You about the material changes to this Supplemental Privacy Policy by placing a notice on the TriWest Websites.

E. Contacting TriWest.

If You have any questions about this Supplemental Privacy Policy or about how TriWest collects or uses Your personal information, You can submit Requests using TriWest’s Online California Consumer VCR Submission Form accessible at the following URL: <https://consumerprivacy.triwest.com> or by calling the TriWest toll free phone number: **866-434-8156**.

Last Updated: **January 4, 2022.**

End of Supplemental Privacy Policy.