



CALIFORNIA PRIVACY POLICY & NOTICE

Introduction

This policy is based upon the California Consumer Privacy Act of 2018 (“CCPA”) as amended by the California Privacy Right Act (“CPRA”) (effective January 1, 2023). This policy applies to consumers in the State of California and describes privacy rights and options available to California consumers. Additionally, this policy provides instructions and methods for California consumers to exercise their rights in connection with collected Personal Information. This section is updated every twelve (12) months. **If you are a resident of California, this policy applies to you.**

Categories of Personal Information, Sources, Third Parties and Business Purposes

The categories of Personal Information collected by TriWest, the categories of sources of Personal Information shared or disclosed to third parties, the categories of third parties with whom TriWest shares or discloses Personal Information, and the business purposes for the collection of such Personal Information are defined on pages 2 - 6 of the TriWest Privacy Policy (“TWPP”).

Description of Your Privacy Rights

As a California consumer, your rights under the CCPA/CPRA 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 has collected, used, maintained and disclosed over the last 12 months. Once you submit a verifiable [Consumer Privacy Request Form](#) (a “Request”) to TriWest, via phone or online as detailed in the section “Submitting Requests” below, TriWest will verify your Request and, if verified, we will provide you with the specific pieces of Personal Information we have collected about you.

B. The Right to Request Deletion of Your Personal Information

You have the right to request that TriWest delete the Personal Information that we collected about you, subject to applicable CCPA/CPRA legal exceptions and exemptions. TriWest may reject your Request under certain circumstances, including, where TriWest needs to collect, use and retain your Personal Information to comply with the business purposes as set forth in the Policy.

C. Right to Opt-Out of the Sale or Sharing of Personal Information

You have the right to opt-out of the sale or sharing of your Personal Information to third parties, which may be exercised by submitting a Request, as detailed in the section “Submitting Requests” below, and selecting all applicable Opt-out requests or by clicking the following link (the “**Opt-Out Link**”):

[DO NOT SELL MY PERSONAL INFORMATION/DATA](#)

However, if you exercise your right to Opt-Out, we may not be able to provide you with the Services you have requested because we will not be able to use your Personal Information. For example, we may not be able to communicate with you and address your inquiries.

Exceptions to the Sale of Personal Information – CCPA/CPRA Sale Exceptions

The right to opt out of the sale or sharing of Personal Information is subject to certain exceptions including to process or disclose Personal Information for a business purpose as set forth in the TWPP or if the information or actions are excluded from the CCPA/CRPA.

D. The Right to Correct Inaccurate Personal Information

You have the right to correct inaccurate Personal Information that TriWest has collected about you. In order to exercise your right to correct your Personal Information, you must send to TriWest a Request, as detailed in the section “Submitting Requests” below. Your Request must specify and describe the inaccurate information and how you would like it corrected.

E. The Right of No Retaliation Following Opt Out Rights or Exercise of Other Rights (Right to Non-Discrimination)

You have the right to **not** receive discriminatory treatment in connection with the exercise of your opt out and other privacy rights under the CCPA/CPRA. TriWest will not take any discriminatory action against you resulting from exercising your opt out rights and any other privacy rights under the CCPA/CPRA.

F. The Right to Limit the Use of Sensitive Personal Information (SPI), Business Purposes Exceptions and Link to Limit the Use of SPI

(1) Sensitive Personal Information Described and Exceptions

The CPRA gives you the right to limit the use and disclosure of sensitive Personal Information (“SPI”), which is any information that reveals a consumer’s Social Security, driver’s license, state identification card or passport number, account log-in, financial accounts, debit card or credit card number(s), precise geolocation, racial or ethnic origin, religious or philosophical beliefs, or union membership, the contents of mail, email and text messages, genetic data, biometric, information concerning health, sex life and/or sexual orientation.

However, the CPRA provides that TriWest may use and disclose SPI provided that such use or disclosure is reasonably necessary and proportionate to achieve the purpose for which the Personal Information was collected or processed, for purposes compatible with the context in which the Personal Information was collected, or as necessary to perform the services or provide the goods reasonably expected, for short-term, transient use, providing customer service, processing or fulfilling orders and transactions and verifying customer information (“SPI Business Purposes”).

(2) TriWest’s SPI Business Purposes

TriWest collects and uses your SPI as reasonably necessary to fulfill our obligations as a third party administrator of certain contracts with VA and DoD. However, in the event that we use your SPI for purposes that exceed the SPI Business Purposes, you have the right to limit the use of your SPI by submitting a Request, as detailed in the section “Submitting Requests” below.

Exercising Your Rights Under the under the CCPA/CPRA - Submission of Request Submitting Requests to TriWest and Exercising Your Privacy Rights

If you would wish to know about, access, update, correct, delete or change your Personal Information (or Personal Data), file a privacy complaint or have other questions regarding the privacy of your Personal Information (or Personal Data) or this Policy, you must submit to TriWest a verifiable Request using the “Request Form” and its processes and procedures.

A. Submitting Requests

TriWest provides to you two (2) different intake channels for submitting a verifiable Request to TriWest. You (or your Agent, as described in Section B) may exercise your rights in connection with your Personal Information by submitting a Request Form to the **TriWest Privacy Officer** either electronically (online) or by telephone as set forth below. **You may only submit a Request Form to TriWest twice within a 12-month period.**

You may exercise these rights by:

- (i) **Submitting a Request Online.** You have the option of submitting an online Request to TriWest through our Consumer Privacy Request Form which can be accessed at any time directly through the following URL:

<https://consumerprivacy.triwest.com>

or

(ii) **Submitting a Request by Calling.** You have the option to submit a Request to TriWest by calling TriWest's toll-free telephone number at:

866-434-8156 and answering the questions on the Consumer Privacy Request Form as asked by a TriWest representative.

B. Only You or Your Authorized Agent May Submit a Request

Only you or a person authorized by you to act on your behalf (an "Agent") can submit a Request to TriWest in connection with your Personal Information. You may designate an authorized Agent to submit a Request about your Personal Information on your behalf.

C. Written Proof Required for Agents

All Agents must have your signed permission to submit a Request Form on your behalf and provide proof that they have power of attorney in accordance with applicable state law. TriWest requires you to submit to TriWest a **notarized power of attorney and/or other forms of written permission** as required by applicable state law that expressly states that the named Agent has permission to make a Request about your Personal Information on your behalf. All documents related to your Agent must be sent to the **TriWest Privacy Officer** within **forty-five (45) calendar days** after the request submission date using the contact methods set forth in Section D. "Where to Send Documents" below.

TriWest may contact you directly to confirm that you have given your permission and/or to verify your identity. We have the right to deny a Request from any Agent that does not submit written proof that she or he was authorized by you to act on your behalf.

D. Where to Send Documents

Required documents must be sent to the **TriWest Privacy Officer** at TriWest 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

E. Submitting Additional Proof and Other Documents to TriWest

If additional documentation is needed or required by TriWest in order to verify your Request, send such additional documents to the **TriWest Privacy Officer** within **forty-five (45) calendar days after the Request submission date** using the TriWest contact methods set forth in the Section D, above.

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

TriWest will use the Personal Information included in any Request Form only to verify your identity or authority (or the identity and authority of your authorized Agent) to submit a Request and investigate, research and review the Personal Information TriWest has collected about you, if any. However, TriWest will not be able to reply to your Request if the Request does not contain sufficient detail and information to verify it. Each Request submitted must provide sufficient information to permit TriWest to reasonably verify that you are the person about whom we collected Personal Information and describe your Request with sufficient detail to permit TriWest to understand, evaluate, investigate and reply to it.

G. Time Frame for Replying to Your Request

Except as otherwise required by applicable state law, TriWest will attempt to confirm receipt of your Request (the “Request Receipt Confirmation”) within **ten (10) calendar days** after the date of receipt and will attempt to reply to your Request within **forty-five (45) calendar days** after the date of receipt. If additional time is need for TriWest’s reply, TriWest will inform you in writing, or via email, and TriWest will have an **additional forty-five (45) calendar days** in which to reply. Any response that TriWest provides will only cover and apply to the twelve (12) month period of time immediately preceding the date your Request was received by TriWest.

H. The TriWest Reply to Your Request

TriWest will deliver the reply to your Request Form (the “Reply”) by mail or electronically, as indicated in your Request. If TriWest denies or rejects your Request, in whole or in part, we will provide you with an explanation for our inability to comply with your Request that are applicable under the circumstances. TriWest will use reasonable security measures to transmit our Reply to you.

The TriWest Reply to Your Request

TriWest will send a reply to your Request (the “Reply”) by mail or electronically, as indicated in your Request. If TriWest denies or rejects your Request we will provide you with the reasons for our inability to comply with your Request. TriWest’s Reply will be sent to you within the time frames set forth in Section G, “Time Frame for Replying to Your Request.”

Authorized Agents in California

If you use an authorized Agent to submit a Request to TriWest on your behalf, the Agent must have your signed permission to do so in accordance with California law. TriWest requires you to submit to TriWest a **notarized special power of attorney** and/or **other forms of written permission** as required by California law that state that your authorized Agent has your permission to make a Request about your Personal Information on your behalf. All documents related to your authorized Agent must be sent to TriWest using the TriWest contact information set forth in Section D, “Where to Send Documents”.

The California Civil Code Section 1798.80(e)

The CCPA/CPRA require that TriWest notify you whether we collect any Personal Information that is described in the California Civil Code Section 1798.80(e). Section 1798.80(e) 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 as described in Section 1798.80(e).

CCPA/CPRA Exemptions and Exceptions

CCPA/CPRA include certain legal exceptions and exemptions which are applicable to TriWest and allow us to use and process Personal Information and SPI for the business purposes set forth on pages 4 - 6 of the TWPP.

Fees and Costs

TriWest does not charge any fees or costs to process or respond to your Request unless it is repetitive, excessive and/or not based on facts or evidence. If TriWest determines that your Request 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 Request.