Prescient National Notice of Privacy Practices for Claimant Information

Last Modified: June 10th, 2024

Introduction

We at Prescient National, including Prescient National Insurance Company, Prescient National Insurance Services, Prescient Insurance Center as well as our other affiliates (collectively, "we", "us", or "our"), respect individuals' privacy and are committed to protecting it through our compliance with this Notice of Privacy Practices for Claimant Information (this "Notice"). This Notice describes the types of information we may collect from and about injured workers or other individual claimants or associated potential witnesses, dependents or beneficiaries seeking benefits on behalf of the claimant (collectively referred to herein as "claimants") under the policies of workers compensation or other insurance that we write and maintain for our business or organizational customers ("policyholders"), or that our policyholders, claimants or the claimants' service providers may provide to us about claimants when visiting the website https://www.prescientnational.com/, any successor or subdomain thereof, or any other website where we post this Notice (collectively, our "Website"). It also describes our practices for collecting, using, maintaining, protecting and disclosing that information.

When this Notice Applies

This Notice applies to any information that we may collect or that is provided to us from and about claimants, whether through our Website, through forms or documents submitted to us by our policyholders, by the claimants themselves or by the claimants' own service providers, or otherwise. This includes, but is not limited to, information collected from or about claimants through the use of our Website to report a claim, upload medical files or billing documents, or check on the status of payments related to a claimant covered by one of our insurance policies. This Notice does not apply to any other information that we may collect in other contexts or by any other means.

Our Role as a Service Provider to Our Policyholders

We are a licensed carrier of insurance policies that we write and maintain for our policyholders. Claimants are employees or other covered personnel of our policyholders that may be covered under these policies. When a claimant makes a claim under an insurance policy, we collaborate with the policyholder, the claimant and the claimant's service providers (such as their medical provider) to gather relevant information about the claimant in connection with investigating and processing the claim. We perform these services on behalf of our business or organizational customers that are the policyholders under these insurance policies. We collect and process this information on our policyholders' behalf and under our policyholders' control and direction, pursuant to our contracts and policies of insurance with such policyholders. As between the claimants and us, we commit that we will collect and process claimants' information in accordance with this Notice, as part of the services we provide to the policyholder. However, as between the policyholder, the claimant and the claimant's own service providers, with respect to information

of and about claimants that the claimants may share with the policyholder or with its own service providers, or that the policyholder or such claimants' service providers otherwise obtain in connection with our investigation and processing of an insurance claim, each policyholder and each such service provider of the claimants independently has the right to determine the purposes for which it will process such information and the means they will use to process such information. We do not control (and are not responsible for) the applicable policyholders' or the applicable claimants' service providers' policies and practices relating to the collection, use, maintenance, protection or disclosure of information of or about the claimants, including information about claimants that such policyholders or claimants' service providers may obtain in connection with our investigation and processing of an insurance claim. We only control (and are only responsible for) our own actions and the actions of our own service providers, as described in this Notice. Claimants should review the responsible policyholder's and service provider's privacy policies (as applicable) or consult with appropriate representatives of the responsible policyholder or service provider for more information about how they may collect, use, maintain, protect and disclose the claimant's information.

Information We Collect and How We Collect It

Personal Information We Collect – Generally

We may collect several types of information from and about claimants, including when claimants use our Website. This may include information by which claimants may be personally identified or information about a claimant that is maintained in personally-identifiable form (collectively, "Personal Information"). Specifically, we (or our third-party service providers acting on our behalf) may collect the following:

- Personal identifiers and contact information, such as full name, postal, office and/or residential address, e-mail address, telephone number and the IP address or mobile device ID associated with a browser, computer or mobile device.
- A claimant's social security number and other government-issued identification information such as a driver's license or U.S. passport.
- A claimant's demographic information such as date of birth, nationality, race or ethnic origin, sex and gender, trade union membership, and, in rare instances (and only to the extent relevant to investigating and processing a particular claim or a health condition relevant to a particular claim), information about a claimant's sex life or sexual orientation.
- A claimant's bank and financial account information.
- Information about a claimant's employer and a claimant's role or job with such employer, such as job title, employer's name, names of supervisors or other co-workers, industry, size of business, number and location of offices, states of operation and postal address.
- Information about a claimant's assets, income, compensation and employee benefits information, including copies of pay stubs and health insurance information.
- Other employment records relating to the claimant, such as educational and employment background and information from a claimant's performance review and disciplinary files.
- Health information pertaining to the claimant, including diagnosis and treatment of any
 workplace-related injury or illness and/or pre-existing or other related health conditions,
 and related medical insurance and billing information.

- Information collected from any publicly-accessible portions of a claimant's social media pages or profiles.
- Images, photos and audio-visual recordings of a claimant.
- Contents of mail, email, online or text message communications, including those where we are not the intended recipient of the communication.
- Information from consumer reports and background check information, including any publicly-accessible information relating to criminal history, bankruptcy filings, foreclosures or liens.
- Information about a claimant's dependents, including name, postal and/or residential address, email, relationship to the claimant, social security number or other government-issued identification numbers, date of birth, and whether such dependent is a partial or total dependent of the claimant.
- Transactional information, such as information about balances, payment history and parties to the transaction.
- The Technical Information described in the section below titled "Traffic, Usage, and Computer/Device Information."
- Information related to Internet or other similar network activity, including browsing history, search history, and information on interactions with our Website ("Internet Activity").
- Any other information (including Personal Information) a policyholder, claimant or claimant's service provider may choose to provide in any forms, documents or messages submitted to us, including through our Website or using the contact information provided on our Website.

Such Personal Information may include information from the following sources:

- Information received from claimants submitted on applications or forms or in other messages or communications with us;
- Information received from a policyholder concerning a claimant;
- Information received from a claimant's service provider, such as a claimant's medical provider sharing health information or medical billing information with us;
- Information about a claimant's transactions with us, our affiliates or others;
- Information we receive from a consumer reporting agency in connection with obtaining background check information relating to a claimant; and
- Technical Information and Internet Activity that is collected automatically if a claimant chooses to navigate through or interact with our Website (see section below titled "*Traffic*, *Usage, and Computer/Device Information*").

Sensitive Personal Information

As noted above, Personal Information collected from and about claimants may include several types of information that fall within the definition of "sensitive personal information" or similar terms or concepts used under applicable laws (collectively, "Sensitive Personal Information"). If we do collect any such Sensitive Personal Information, we will use such information on a limited basis only (i) as necessary to perform services or provide goods reasonably expected by an average consumer who requests those goods or services; (ii) for purposes of helping to ensure security and

integrity to the extent the use of such Sensitive Personal Information is reasonably necessary and proportionate for these purposes; (iii) as a service provider to another business performing services on behalf of that business, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing analytic services, providing storage, or providing similar services on behalf of the business; (iv) for purposes of undertaking activities to verify or maintain the quality or safety or a service or device that is owned, manufactured, manufactured for, or controlled by us, and to improve, upgrade, or enhance the service or device that is owned, manufactured, manufactured for, or controlled by us; or (v) as otherwise permitted by applicable law and regulations.

Traffic, Usage, and Computer/Device Information

Additionally, if a claimant chooses to navigate through or interact with our Website or interact with the e-mails and other electronic messages sent to a claimant, we or our third-party service providers may automatically collect Internet Activity and certain traffic data, usage information, and information about a claimant's computer equipment or mobile device, such as browser and operating system, wireless carrier, the geographic region from which a claimant is accessing the Website, time-stamped logs regarding access times and duration of visits, the pages of our Website visited, whether the claimant opened the e-mail message sent to the claimant and whether the claimant clicked on any links in the message, configuration data, clickstream analytics, and actions and patterns when using our Website or interacting with our e-mail messages (collectively, "Technical Information"). The technologies we use for this automatic data collection may include cookies that are stored on the browser of a computer or mobile device, small embedded electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs), and other types of embedded code. We collect this information to manage our content and improve users' use of our Website; to count and review the number of users of our Website and their usage patterns; to track key performance indicators such as pages accessed, frequency of access, and other statistical information related to our Website and the performance of our e-mail messages (for example, recording the popularity of certain content and verifying system and server integrity); to identify the portion of users who access our Website via different web browsers or mobile operating systems; to recognize if a user is a return user of our Website; to store information about a user's visits; to remember a user's preferences; and for similar purposes in connection with monitoring, operating, maintaining, and improving our Website. Third parties may also collect Technical Information, Internet Activity, and other information on our behalf as further described in the sections below titled "Use of Google Analytics."

How We Use Claimants' Information

Generally

We may use the information we collect from and about claimants, including Personal Information, to:

• Investigate and process claims made under our insurance policies, including any of the following: claims administration; claims adjustment and management; detection,

investigation or reporting of actual or potential fraud, misrepresentation or criminal activity; case management; quality assurance; quality improvement; performance evaluation; service provider credentialing verification; grievance procedures; administration of disputes and inquiries; internal administration of compliance, managerial, and information systems; policyholder service functions; auditing; reporting; database security.

- Provide our Website and its contents to its visitors.
- Provide information requested from us, including in regards to our products and services.
- Authenticate or otherwise verify an individual's identity in connection with requests and inquiries via the Website or otherwise.
- Provide support and respond to inquiries relating to our Website, including to investigate and address concerns and to monitor and improve our responses.
- With respect to Technical Information, fulfill the purposes described in the section above titled "*Traffic, Usage, and Computer/Device Information*."
- With respect to aggregated and de-identified information, fulfill the purposes described in the section below titled "Use and Disclosure of Aggregated or De-Identified Data."
- Notify individuals about changes to our Website, our other products or services, or this Notice.
- Help maintain the safety, security, and integrity of our Website, databases, and other technology assets and our business.
- Respond to lawful requests for information through court orders, subpoenas, warrants, and other legal processes or obligations.
- Enforce any contracts to which we are a party, including for billing and collection, or for the establishment, exercise, or defense of legal claims.
- Evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which information (including Personal Information) held by us is among the assets transferred.
- Fulfill any other purpose for which the information was provided.
- Serve any other purpose that we describe when the information is provided and for any other purpose with the applicable individual's consent.

Use and Disclosure of Aggregated or De-Identified Data

We may convert or combine some Personal Information into de-identified or aggregated data that does not disclose any of the Personal Information of any individual. We may use and disclose to third parties any such de-identified or aggregated data (including but not limited to traffic and usage data that does not identify an individual personally) for any lawful purpose.

Tracking and "DO NOT TRACK"

Tracking involves the use of cookies, web beacons, or other embedded code or tracking technologies to collect, analyze, and store information on a user's behavior over time on multiple sites, including information on the sites visited, products viewed, products purchased, and other online interactions. Tracking information can be used to enable companies to make interest-based (behavioral) advertising available to users on multiple sites that they visit.

We do not (and our third-party service providers do not on our behalf) currently collect Personal Information about a visitor's online activities over time and across third-party sites for tracking purposes when visitors use our Website. Therefore, our Website does not currently respond to any "do not track" or "opt out" signals sent by any computer, browser or mobile device, and if a computer, browser, or mobile device sends a "do not track" or "opt out" signal to our Website, our Website will not treat the visitor differently from users who do not send such signals.

For more information on how to disable certain tracking technologies, please visit the Network Advertising Initiative's Consumer Opt-Out page at https://thenai.org/opt-out/ and the Digital Advertising Alliance's Consumer Assistance page at https://youradchoices.com/.

Use of Google Analytics

We use Google Analytics to track and analyze certain traffic and usage statistics regarding the use of our Website, such as the number of visitors to our Website, how visitors are navigating to our Website, visitors' general geographic region information, how long individuals are visiting our Website, and information about the equipment individuals are using to access our Website (e.g., browser version and operating system). Google Analytics may use a Google Analytics cookie as part of this service, and we may share certain Personal Information with Google Analytics as part of this service. We use this traffic and usage information to gauge, internally, the effectiveness of our advertising efforts and to make improvements to our Website and our marketing and promotional efforts.

For more information, please review the following:

- Information about Google's use of cookies: https://policies.google.com/technologies/cookies#types-of-cookies
- Information about Google's use of information from sites or apps that use Google's services: https://policies.google.com/technologies/partner-sites

Individuals can opt out of our use of certain Google Analytics features by updating the "Ads Settings" in their browser (www.adssettings.google.com/authenticated) or mobile device (www.support.google.com/ads/answer/1660762#mob), by enabling the Google Analytics Opt-out Browser Add-on in their browser (https://tools.google.com/dlpage/gaoptout) or by visiting the Network Advertising Initiative's Consumer Opt-Out page (www.optout.networkadvertising.org/). Because those opt-out and preference control pages are specific to the individual browser used to visit them, and because those pages are not operated by us, we are unable to perform the opt-outs on behalf of any individual.

Disclosure of Claimants' Information

Generally

We may disclose claimants' Personal Information to third parties in the following circumstances:

• We may disclose Personal Information to our affiliates or to any nonaffiliated contractors and other service providers who need to know such information (or such nonaffiliated contractors, service providers, or other third parties may collect Personal Information directly on our behalf) to provide services to us that support our business, our hosting, maintenance, operation, and promotion of our Website, or our other permitted uses of Personal Information under this Notice. For example, we may disclose information to nonaffiliated third parties in connection with the following services:

Service	Business Purpose
Accounting, tax and legal advisory	Seek advice on accounting, tax and legal matters relating to claims under our insurance policies
General office applications (e.g., Microsoft Office)	Prepare, send and receive e-mail, conduct word processing functions, prepare and manage spreadsheets
General document and data storage and processing (e.g., shared drive, hosting infrastructure)	Securely store and manage electronic information
Business intelligence applications	Analytics and insights regarding business matters and processes
Policy and claims management systems	Track, monitor and manage outstanding policies and claims in process
First report of injury reporting platforms	Incident management and injury reporting
Loss run processing applications	Insurance claims data ingestion, analytics and processing
Communications management platforms	Facilitating e-mail and person-to-person SMS text communications with policyholders and claimants
Check, billing and explanation of benefits review and processing	Processing billing and payment matters associated with claims

- We may disclose Personal Information as necessary to effect, administer or enforce a transaction that a claimant requests or authorizes, in connection with maintaining or servicing a claimant's account with us, or with the consent or at the direction of the claimant (provided that the claimant has not revoked the consent or direction).
- We may disclose Personal Information to our affiliates or to a buyer or other successor to our business in the event of a sale of equity or assets, reorganization, merger, divestiture, or a similar corporate transaction, whether as a going concern or as part of a bankruptcy,

liquidation, or similar proceeding, and any due diligence review with respect to any such proposed transaction.

- We may disclose Personal Information to protect the confidentiality or security of our records pertaining to the claimant or related to the relevant claim, policy or transaction; to protect against or prevent actual or potential fraud or unauthorized transactions; or for required institutional risk control or for resolving claimants' disputes or inquiries.
- We may disclose Personal Information to persons holding a legal or beneficial interest relating to the claimant or to persons acting in a fiduciary or representative capacity on behalf of the claimant.
- We may disclose Personal Information to comply with any court order, law, or legal
 process, including to meet national security and law enforcement requirements or to
 respond to any government or regulatory request or audit, or to the extent specifically
 permitted or required under other provisions of law (and in accordance with applicable
 law) to law enforcement agencies, a federal regulator or state insurance authority, or selfregulatory-organizations.
- We may disclose Personal Information to a consumer reporting agency, or from a consumer report reported by a consumer reporting agency, in accordance with the federal Fair Credt Reporting Act
- We may disclose Personal Information to enforce or apply any legal agreements to which we are a party, to resolve disputes, or if we believe disclosure is necessary or appropriate to protect the rights, property, or safety of individuals.
- We may disclose Personal Information to other affiliated or nonaffiliated third parties, as applicable, as permitted by law.
- We may also disclose Personal Information for any purpose disclosed when the information is provided, and for any other purpose with the claimant's consent.

We may disclose all forms of Personal Information for each of the purposes described above, including but not limited to Technical Information and Internet Activity, as well as Sensitive Personal Information.

No Sales or Sharing of Personal Information

We do not sell or share (within the meanings given in applicable privacy laws), and in the past 12 months we have not sold or shared, any Personal Information of claimants to third parties.

Retention of Claimants' Information

We will retain claimants' Personal Information for no longer than is reasonably necessary to achieve the legitimate business purposes or uses stated in this Notice or otherwise in accordance

with our contracts with our policyholders, unless a longer retention period is required or allowed by the applicable privacy law or to otherwise fulfill a legal requirement. We use the following criteria to determine the applicable period to retain Personal Information:

- the original purpose for our collection and processing of the Personal Information.
- the nature of the Personal Information.
- our legal and/or contractual obligations to keep or delete the Personal Information.

Third-Party Sites and Services

Our Website and e-mail messages to claimants may include links to blogs, social media, and third-party websites. These third-party sites have their own privacy policies and terms of use and are not controlled by this Notice. We recommend carefully reviewing any terms, conditions, and policies of such third-party sites before visiting them or supplying them with any Personal Information. If an individual follows a link from our Website or e-mail messages to any third-party site, any information provided to that site will be governed by its own terms of use and privacy policy and not this Notice.

We are not responsible for the privacy or security of any information provided to a third-party website or the information practices used by any third-party site, including those that are accessed via links from our Website or e-mail messages. We make no representations, express or implied, concerning the accuracy, privacy, safety, security, or the information practices of any third-party site. The inclusion of a link to a third-party site on our Website or in our e-mail messages does not constitute any type of endorsement of the linked site by us. We are not responsible for any loss or damage an individual may sustain resulting from the individual's use of any third-party website or any information shared with a third-party website.

Rights and Choices

Generally

Claimants have certain choices regarding the Personal Information provided to us. In connection with visits to our Website, claimants can set their browser to refuse all or some browser cookies. If a claimant chooses not to accept cookies, they may be unable to access certain parts or pages of our Website, or certain parts or features of our Website may not function properly.

If a claimant does not wish to have their Personal Information used by us to contact them with informational e-mail or SMS text messages, they may send us an e-mail stating their request to privacy@prescientnational.com or they can opt out by simply clicking on the "Unsubscribe" or similar link in the most recent e-mail received from us, or following the opt-out directions in the most recent SMS text message received from us, and by following the prompts that appear. This opt-out does not apply to information provided as a result of a customer service or support service inquiry, or other required transactional communication.

Accessing, Correcting or Deleting Information

Claimants have a right to review, change, and request the deletion of certain portions of their Personal Information collected or processed by us under this Notice, in accordance with the laws of certain states (such as the California Consumer Privacy Act of 2018 (as amended to date, the "CCPA")). Specifically, claimants may request that we disclose to them certain information about (and, if requested, to receive a portable copy of) the Personal Information about them that we have collected and used in the past 12 months (a "Request to Know"). Claimants may also request that we correct, update, or modify the Personal Information about them that we have collected or that we maintain (a "Request to Correct"). Claimants may also request that we delete the Personal Information about them that we have collected or that we maintain (a "Request to Delete"). Claimants may submit a Request to Know, Request to Correct, or a Request to Delete by sending us an e-mail stating such request to privacy@prescientnational.com or by calling us toll-free at 866-710-0908. Regardless of the method used to contact us, we request that claimants please indicate in their communication that they are making a Request to Know, Request to Correct, or a Request to Delete under our Notice of Privacy Practices, to ensure prompt processing.

Upon receipt of a Request to Know, Request to Correct, or Request to Delete, as part of our security measures and as required by law, we will take steps to verify the claimant's identity in order to confirm that the person making the request is actually the person about whom we have collected Personal Information (*i.e.*, that the "you" making the request is actually you). We will verify the claimant's identity and confirm the claimant's request by asking the claimant to confirm and verify certain Personal Information we already have on file for the claimant.

In certain cases we act solely as a service provider to our policyholder customers, and in such situations, where consistent with applicable law, we may instruct the claimant to direct the claimant's Request to Know, Request to Correct or Request to Delete to the applicable policyholder instead.

We will use reasonable endeavors to accommodate verifiable Requests to Know, Requests to Correct, and Requests to Delete submitted in the manner described above within a reasonable timeframe after receiving such requests, in each case to the extent and in the manner required by applicable law. However, we may deny a request or redirect a request, in whole or in part, to the extent an exception applies under (or as otherwise permitted by) applicable law, including the CCPA. For example, we cannot and will not comply with a Request to Know, Request to Correct, or a Request to Delete if we cannot reasonably verify the requesting individual's identity in connection with such request.

Claimants may also designate an authorized agent to make a Request to Know, Request to Correct, or Request to Delete on the claimant's behalf. To designate an authorized agent to act on the claimant's behalf, the claimant or their authorized agent must submit proof that either (1) such agent has actually been authorized in writing to act on the claimant's behalf, or (2) the claimant has provided the authorized agent with power of attorney under the applicable laws in the claimant's jurisdiction. Claimants or their authorized agents may submit such proof by e-mailing us at privacy@prescientnational.com. If a duly-designated authorized agent makes a Request to Know, Request to Correct, or Request to Delete on a claimant's behalf, we will still require the

claimant to verify their own identity using the process described above, unless an exception applies under applicable law in the claimant's jurisdiction (for example, the claimant has submitted verifiable proof to us that the claimant has provided the authorized agent with power of attorney).

No Differential Treatment

If an individual chooses to exercise any of the rights described in the section titled "Accessing, Correcting or Deleting Information," they will not receive differential treatment by us as a result (e.g., different prices or quality of services), except to the extent permitted by applicable law (including if those differences are reasonably related to the value of the Personal Information).

California "Shine The Light" Disclosure

The California Civil Code permits California residents with whom we have an established business relationship to request that we provide a list of certain categories of Personal Information that we have disclosed to third parties for their direct marketing purposes during the preceding calendar year. To make such a request, please send an email to privacy@prescientnational.com or otherwise contact us using the information set forth below. Please mention that you are making a "California Shine the Light" inquiry. Please note, however, that we do not currently disclose any Personal Information to third parties for their own direct marketing purposes.

Nevada Residents: Sale Opt-Out Rights

Nevada residents who wish to exercise their sale opt-out rights under Nevada Revised Statutes Chapter 603A may submit a request to this designated address: privacy@prescientnational.com. Please mention that you are making a "Nevada Sale Opt-Out Right" request. However, please know we do not currently sell data triggering that statute's opt-out requirements.

Users Outside of the United States

Our Website is hosted in the United States and is provided from the United States. It is possible that certain information will be stored on servers in multiple other countries on the "cloud" or other similar distributed hosting platforms. If you are accessing our Website from Canada, the European Union, Asia, or any other jurisdiction with laws governing personal data collection, use, and disclosure that differ from United States laws, please note that by using our Website and providing your Personal Information to us through our Website, you are expressly and knowingly consenting to the transfer of your Personal Information from your home country to the United States and other jurisdictions as indicated above (where laws may differ from the laws of your jurisdiction), and you are expressly and knowingly consenting to our use of such Personal Information in accordance with this Notice.

Children Under the Age of 16

Our Website and our products and services are not intended to be used by children under 16 years of age, and no one under age 16 may provide any information to us or others on or using the Website or otherwise. We do not knowingly collect Personal Information from children under age

16. If you are under 16 years of age, do not use or provide any information on the Website or otherwise use our products or services, or provide any information about yourself to us, including your name, address, telephone number, e-mail address, IP address or mobile device ID, or any screen name or username you may use. If we learn we have collected or received Personal Information from a child under 16 years of age without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under age 16, please contact us at privacy@prescientnational.com.

Protecting the Confidentiality and Security of Personal Information

We restrict access to Personal Information of and about claimants only to those of our employees, our affiliates and nonaffiliated third parties who reasonably need to know that information in connection with the investigation and processing of the claimant's insurance claim, and otherwise as described above in the section of this Notice entitled "Disclosure of Claimants' Information." We maintain physical, electronic, and procedural safeguards that comply with applicable law to protect the security, confidentiality and integrity of Personal Information in accordance with this Notice and guard against unauthorized access, acquisition, alteration, use or disclosure, and we periodically review these safeguards to ensure they remain effective.

Changes to this Notice

We post any changes we make to the Notice on this page. If we make material changes to how we collect and use claimants' Personal Information, we will post a notice on the Website home page, and otherwise provide notice to policyholders and/or claimants in accordance with applicable law. The date the Policy was last revised is identified at the top of the page.

Contact Information

To ask questions or to submit comments about this Notice or our privacy practices, you may contact us:

• Via E-mail: privacy@prescientnational.com

• Via Telephone: 866-710-0908

• Via Postal Mail: P.O. Box 32788, Charlotte, NC 28232