



VNS HEALTH CORPORATE POLICY & PROCEDURE

TITLE: Use of Online Tracking Technologies

APPLIES TO: Visiting Nurse Service of New York d/b/a VNS Health, for and on behalf of itself and its subsidiaries and affiliates (collectively, "VNS Health")

POLICY OWNER: Compliance, Legal, IT Security, and Marketing Departments

FIRST ISSUED: January 13, 2023

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PURPOSE

As of the effective date of this policy, VNS Health does not use third-party online tracking technologies on any internet website or mobile application managed by or on behalf of VNS Health (collectively, "Websites"). If in the future VNS Health considers implementing such technologies, we will follow guidance issued by the Department of Health and Human Services ("HHS") Office for Civil Rights ("OCR") to the extent applicable, including, but not limited to, the requirements set forth below.

DEFINITIONS

Tracking technology: A tracking technology is a script or a code on a website or mobile application used to collect and analyze information about how users interact with the website or mobile application (e.g., cookies, web beacons, tracking pixels, session replay scripts, fingerprinting scripts). Generally, tracking technologies developed by third parties (e.g., tracking technology vendors) send information directly to the third parties who developed such technologies and may continue to track users and gather information about them even after they navigate away from the original website to other websites.

HIPAA: The Health Insurance Portability and Accountability Act of 1996 and its implementing regulations (including the HIPAA Privacy Rule, HIPAA Security Rule, and HIPAA Breach Notification Rule), as amended.

POLICY

- a. VNS Health does not use tracking technologies that could result in the impermissible disclosure of protected health information ("PHI") to tracking technology vendors or any other violations of HIPAA.
- b. Prior to any proposed use of tracking technologies in the future, VNS Health will review such proposals to ensure compliance with HIPAA and applicable VNS Health policies, including the following:
 - i. Ensuring that all disclosures of PHI to tracking technology vendors are specifically permitted by the HIPAA Privacy Rule and that, unless an exception applies, only the Minimum Necessary PHI to achieve the intended purpose is disclosed.



- ii. Obtaining individuals' HIPAA-compliant authorizations before PHI is disclosed to the tracking technology vendor if the disclosure is not permitted by the HIPAA Privacy Rule or if the vendor is not a Business Associate of VNS Health.
- iii. Entering into Business Associate Agreements with tracking technology vendors that meet the definition of a "Business Associate."
- iv. Addressing the use of tracking technologies in our Risk Analysis and Risk Management processes, as well as implementing other administrative, physical, and technical safeguards in accordance with the HIPAA Security Rule to protect electronic PHI.

REPORTING & QUESTIONS/ASSISTANCE

If you are aware of a situation that you believe may violate this policy, you must promptly contact an immediate supervisor or the Compliance Department. Reports may also be submitted via the VNS Health Compliance Hotline at (888) 634-1558 or the VNS Health Online Reporting Tool: www.vnshealth.ethicspoint.com. In addition, if you have any questions or concerns about this policy, you may raise them with any of the individuals identified above or via the Compliance Hotlines.

SEE ALSO

The following policies can be found on the VNS Health Compliance Hotline and Resources section of the VNS Health Intranet:

HIPAA Business Associate Policies for VNS Health Corporate Entities
HIPAA Business Associate Policies for Management Services Organization
HIPAA Business Associate Policies for VNS Care Management IPA
HIPAA Covered Entity Policies for Organized Health Care Arrangement Entities

Reviewed:	January 2023 (NEW)	September 2023					
Approved:	01/2023	9/2023					