

## PRIVACY POLICY

This notice describes the privacy policy (“**Privacy Policy**” or “**Policy**”) of [www.nutritionfromtheroot.com/](http://www.nutritionfromtheroot.com/), which is operated by **Nutrition from the Root**, owned by **Lauren Martinez**, and having its office address at **149 Larsen Circle Vallejo, CA 94589** (hereinafter referred to the “**Company**” or “**Nutrition from the Root**” or “**us**” or “**our**” or “**we**” or “**Site**” or “**Website**”). In this Policy, you shall be referred as “**you**” or “**your**”, “**user**” or “**users**”.

**Nutrition from the Root** is required by law to maintain the privacy of your health information. In fact, we are committed to protecting the privacy and confidentiality of your healthcare information in accordance with the Privacy and Security Rules of the **Health Insurance Portability and Accountability Act of 1996 (HIPAA)**. We maintain policies and procedures to protect your health information, and our employees receive training on how to protect your health information. This Privacy Policy document is in line and full compliance with **Health Insurance Portability and Accountability Act of 1996** (simply called “**HIPPA**”) and other applicable laws of the **State of California (U.S.)**.

This Privacy Policy explains what information of yours will be collected by us when you access the Website or avail our services or purchase our e-courses, how the information will be used, and how you can control the collection, correction, and/or deletion of the information. We will not knowingly use or share your information with anyone, except as described in this Privacy Policy. The use of information collected through our Site shall be limited to the purposes described under this Privacy Policy and our Terms of Use.

By visiting our Site or providing your personal information to us or placing your order with us, you are accepting and consenting to the practices described in this policy. Please note that this includes consenting to the processing of any personal information that you provide, as described below.

IF YOU DO NOT AGREE WITH THESE PRACTICES, PLEASE DO NOT USE THE SERVICES OR THE WEBSITE OR PROVIDE US WITH ANY OF YOUR PERSONAL INFORMATION.

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## 1. What information about the users do we collect?

- a) **Information that you provide us:** We collect the information you provide when you use our services, including without limitation, sign up for an account, browse our website, view and/or purchase our e-courses, engage with us through any social media platform, share your feedback, contact us to book a consultation, submit a complaint, communicate or interact with us in any manner. This can include Protected Health Information (PHI), Personally Identifiable Information (PII) as well as non-PII information. The examples include your full name, address, health issues, profile details, email address, contact number, location, your queries etc. We also collect information about how you use our services, such as the content you engage with or the frequency and duration of your activities.

- b) **Information that we collect when you use the Website:** We also collect information while you access, browse, view or otherwise use the Website.
- c) **Information that we collect from third party sources:** You can engage with us through social media websites or mobile applications. When you engage with us through social media sites, such as Instagram, you allow us to have access to certain information from your social media profile based upon your privacy preference settings on such platform.
- d) We suggest that you exercise good judgment and caution while providing your personal information.

## 2. How do we use this information?

We use all of the information we have to help us provide, support and improve our services and to facilitate the delivery of the services as requested by you. We use the information collected from you for the following purposes:-

- a) To book your consultation or session;
- b) To deliver you the e-course purchased by you;
- c) To reply to your email/phone queries;
- d) To provide you the services as requested by you;
- e) To improve our sites, services and customer service;
- f) Our billing team will use and disclose Protected Health Information (PHI) to certain insurance companies, hospitals, physicians and health plans for payment purposes, or to our third-party billing partners to assist us in creating bills and claim forms, and getting paid for our services. *For example, we may send your name, date of service, and other information to a health plan so that the plan will pay us for the services we provided.*
- g) We use your information to send you marketing communications, newsletter, communicate with you about our services and let you know about our policies and terms. We also use your information to respond to you when you contact us.
- h) We use information to help improve the safety and reliability of our services. This includes detecting, preventing, and responding to fraud, abuse, security risks, and technical issues that could harm Company, our users, or the public.
- i) To respond to summons, court orders, directions or other judicial processes.

- j) To provide information to law enforcement agencies or in connection with an investigation on matters related to public safety.

### 3. Deleting your information

Your information that you share with us is yours. You can at any time ask us to delete the same. However, you acknowledge that we may retain some of the information so deleted for a reasonable period of time in order to comply with legal requests. You can request us to delete your information by writing to us at [nutritionfromtheroot@gmail.com](mailto:nutritionfromtheroot@gmail.com).

### 4. Cookies and Similar Technologies

Cookies are bits of electronic information that a website may transfer to a visitor's computer to identify specific information about the visitor's visits to another website. We may use automated technologies including the use of web server logs to collect IP addresses, device details, cookies and web beacons. The Website uses a browser feature known as a cookie, which assigns a unique identification to your computer. However, in case you do not wish for us to collect such information, simply change the cookie settings on your web browser. For more information, please read our detailed [Cookie Policy](#) available on our website.

### 5. Sharing of Information

- a) As per **Health Insurance Portability and Accountability Act of 1996** ("HIPPA"), any medical information pertaining to the patient cannot be disclosed without the requirement of the patient, except under the following conditions:
- As part of treatment
  - In the course of billing
  - As part of health care operations
  - When legally required to do so
- b) We may use or disclose your PHI to prevent a serious threat to personal health or safety.
- c) We keep your information safe and do not share your information with any other third party. However, if we merge with or are acquired by another company or we sell our website or business unit, or if all or a

substantial portion of our assets are acquired by another company, in those cases, your information will likely be one of the assets that would be transferred.

- d) We may also share your information in response to legal request. Please refer to **Section 11**.

## 6. Storage and Security of Information

- a) **Storage:** Your data is stored on **Healthie** (<https://secure.gethealthie.com/>), which is a HIPAA compliant telehealth platform. Please note that the servers and databases in which information may be stored may be located outside the country from which you accessed this website and, in a country, where the data protection and other laws may differ (and be less stringent than the laws) of your country of residence. We do not share it with any third party, except for the limited purposes as mentioned in the **Section 5**.
- b) **Retention:** Personal information that we collect, access or process will be retained only so long as necessary for the fulfillment of the purposes for which it was collected, as necessary for our legitimate business purposes, or as required or authorized by law. Personal information that is no longer required to fulfil the identified purposes will be destroyed, erased or made de-identified or anonymous.
- c) **Security:** We employ reasonable security practices to ensure that the information is safe and secure with us. However, no information on the internet is **100%** safe, and you accept and acknowledge such risk.

## 7. HIPPA Notice

**Health Insurance Portability and Accountability Act of 1996 (“HIPPA”)** provides certain rights to the patients. We are responsible to specify these rights to you. Please note, these apply to you only if you fall under the definition of ‘patient’ and where we fall under the definition of ‘covered entities’ as per HIPPA law.

### A. Protected Health Information (PHI)

Protected Health Information or “PHI” includes your demographic information such as name, address, telephone number, social security number, birth date and gender. PHI also includes information regarding your health, illnesses and injuries, and information about the medical services provided to you. We may obtain your PHI from you when you avail our services. We are committed towards protecting the

confidentiality of your Protected Health Information (PHI), and we will store and disclose it only in accordance with this Privacy Policy.

**B. What information is protected under HIPPA?**

- Information your doctors, nurses, and other health care providers put in your medical record;
- Conversations your doctor has about your care or treatment with nurses and others;
- Information about you in your health insurer's computer system;
- Billing information about you at the clinic; and
- Most other health information about you held by those who must follow these laws

**C. How is the above-mentioned information protected?**

- Covered entities must put in place safeguards to protect your health information and ensure they do not use or disclose your health information improperly.
- Covered entities must reasonably limit uses and disclosures to the minimum necessary to accomplish their intended purpose.
- Covered entities must have procedures in place to limit who can view and access your health information as well as implement training programs for employees about how to protect your health information.
- Business associates also must put in place safeguards to protect your health information and ensure they do not use or disclose your health information improperly.

**D. What rights does the HIPPA provides you over your health information?**

- **Ask to see and get a copy of your health records.** We reserve the right to charge a reasonable fee for the cost of producing and mailing the copies of such information;
- **Have corrections added to your health information.** All requests for amendment must be in writing. In certain cases, we may deny your request. *For example, we may deny a request if we did not create the information, or if we believe the current information is correct.* All denials will be made in writing.;

- Receive a notice that tells you how your health information may be used and shared;
- Decide if you want to give your permission before your health information can be used or shared for certain purposes, such as for marketing; and
- Get a report on when and why your health information was shared for certain purposes.

**E. What are measures in place if your rights under HIPPA are denied to you?**

If you believe your rights are being denied or your health information isn't being protected, you can:

- File a complaint with our Grievance Redressal Officer as per **Section 15**.
- File a complaint with your provider or health insurer
- File a complaint with HHS at <https://www.hhs.gov/hipaa/filing-a-complaint/complaint-process/index.html>

**F. How to contact Nutrition from the Root, to exercise the HIPPA rights?**

In case you'd like to exercise any of your rights as provided to you under HIPPA, you can contact us at **nutritionfromtheroot@gmail.com** .

**8. Rights of EU, EEA and UK users**

This section of the Policy supplements the other provisions of this Privacy Policy, and applies to you if you are in the EU, the European Economic Area (EEA) or UK. For the purposes of GDPR, Nutrition from the Root is the data controller in respect of your data collected by us.

**ALL YOUR USER INFORMATION WILL BE COLLECTED, STORED, PROCESSED AND SHARED STRICTLY IN ACCORDANCE, IN LINE AND FULL COMPLIANCE WITH REGULATION (EU) 2016/679 (SIMPLY CALLED “GDPR”) AND DIRECTIVE 2002/58/EC (SIMPLY CALLED “E-PRIVACY DIRECTIVE, 2002”) OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL (HERINAFTER COLLECTIVELY REFERRED TO AS THE “EU REGULATION”).**

Under applicable EU regulation, you have the following rights in respect of your personal information:

- **Right to obtain information:** to obtain information about how and on what basis your personal information is processed and to obtain a copy;
- **Right to rectification:** You have the right to have any incomplete or inaccurate information we hold about you rectified and corrected.
- **Right of Erasure:** to erase your personal information in limited circumstances where (a) you believe that it is no longer necessary for us to hold your personal information; (b) we are processing your personal information on the basis of legitimate interests and you object to such processing, and we cannot demonstrate an overriding legitimate ground for the processing; (c) where you have provided your personal information to us with your consent and you wish to withdraw your consent and there is no other ground under which we can process your personal information; and (d) where you believe the personal information we hold about you is being unlawfully processed by us;
- **Right of restriction:** to restrict processing of your personal information where: (a) the accuracy of the personal information is contested; (b) the processing is unlawful but you object to the erasure of the personal information; (c) we no longer require the personal information for the purposes for which it was collected, but it is required for the establishment, exercise or defence of a legal claim or (d) you have objected to us processing your personal information based on our legitimate interests and we are considering your objection;
- **Right to object:** to object to decisions which are based solely on automated processing or profiling;
- **Right to ask for a copy:** where you have provided your personal information to us with your consent, to ask us for a copy of this data in a structured, machine-readable format and to ask us to share (port) this data to another data controller; or to obtain a copy of or access to safeguards under which your personal information is transferred outside of the EEA.
- **Right to withdraw your consent.** You have the right to withdraw your consent on using your personal data. If you withdraw your consent, we may not be able to provide you with access to certain specific functionalities of our services.
- **Request the transfer of your Personal Data.** We will provide to you, or to a third-party you have chosen, your personal data in a structured, commonly used, machine-readable format. Please note that this right



only applies to automated information which you initially provided consent for us to use or where we used the information to perform a contract with you.

**Under certain circumstances, you may have the right to object, on grounds relating to your particular situation, to the processing of your personal data by us and we may be required to no longer process your personal data. Moreover, if your personal data is processed for direct marketing purposes, you have the right to object at any time to the processing of personal data concerning you for such marketing, which includes profiling to the extent that it is related to such direct marketing. In this case your personal data will no longer be processed for such purposes by us.**

In addition to the above, you have the right to lodge a complaint with a supervisory authority for data protection. Please note that the right of access and the right to erasure do not constitute absolute rights and the interests of other individuals may restrict your right of access or erase in accordance with local laws.

We will ask you for additional data to confirm your identity and for security purposes, before disclosing data requested by you. We reserve the right to charge a fee where permitted by law. We will decline to process requests that jeopardize the privacy of others, are extremely impractical, or would cause us to take any action that is not permissible under applicable laws. Additionally, as permitted by applicable laws, we will retain where necessary certain personal information for a limited period of time for record-keeping, accounting and fraud prevention purposes.

**To make such requests, please contact us at [nutritionfromtheroot@gmail.com](mailto:nutritionfromtheroot@gmail.com).**

## **9. California Resident Rights**

This section of the Policy applies to you, if you are a California resident, as per **California Consumer Policy Act, 2018** (simply called “CCPA”) and **California Online Privacy Protection Act** (simply called “COPPA”). This privacy notice section for California residents supplements the information contained in our Privacy Policy and it applies solely to all visitors, users, and others who reside in the State of California.

### **Categories of Personal Information Collected**

We collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device. The following is a list of categories of personal information which we may collect or may have been collected from California residents within the last **twelve (12) months**.

Please note that the categories and examples provided in the list below are those defined in the CCPA. This does not mean that all examples of that category of personal information were in fact collected by us, but reflects our good faith belief to the best of our knowledge that some of that information from the applicable category may be and may have been collected. For example, certain categories of personal information would only be collected if you provided such personal information directly to us.

- **Category A: Identifiers.**

**Examples:** A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, driver's license number, passport number, or other similar identifiers.

**Collected:** Yes.

- **Category B: Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).**

**Examples:** A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.

**Collected:** Yes.

- **Category C: Protected classification characteristics under California or federal law.**

**Examples:** Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity,

gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).

**Collected:** Yes.

- **Category D: Commercial information.**

**Examples:** Records and history of products or services purchased or considered.

**Collected:** No.

- **Category E: Biometric information.**

**Examples:** Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.

**Collected:** Yes.

- **Category F: Internet or other similar network activity.**

**Examples:** Interaction with our Service or advertisement.

**Collected:** Yes.

- **Category G: Geolocation data.**

**Examples:** Approximate physical location.

**Collected:** No.

- **Category H: Sensory data.**

**Examples:** Audio, electronic, visual, thermal, olfactory, or similar information.

**Collected:** No.

- **Category I: Professional or employment-related information.**

**Examples:** Current or past job history or performance evaluations.

**Collected:** No.

- **Category J: Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).**

**Examples:** Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.

**Collected:** No.

- **Category K: Inferences drawn from other personal information.**

**Examples:** Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

**Collected:** No.

**Under CCPA, personal information does not include:**

- Publicly available information from government records
- Deidentified or aggregated consumer information
- Information excluded from the CCPA's scope, such as:
  - 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

- Personal Information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994

We use the personal information that we collect or receive for the business purposes as described above. We may disclose the above listed categories of personal information to third parties for business purposes as described above. As previously mentioned in this Policy, we do not “sell” (as such term is defined in the CCPA) personal information.

**You are entitled to the following specific rights under the CCPA in relation to personal information related to you:**

- You have a right to request that we will disclose certain information to you about our collection and use of personal information related to you over the past 12 months, including: (i) The categories of personal information that we collect about you; (ii) The categories of sources from which the personal information is collected; (iii) The purposes for collecting, using, or selling that personal information. (iv) The categories of personal information that we disclosed for a business purpose or sold, and the categories of third parties to whom we disclosed or sold that particular category of personal information. (v) The specific pieces of personal information that we have collected about you.
- You have a right to request that we delete personal information related to you that we collected from you under certain circumstances and exceptions.
- You also have a right not to be discriminated against for exercising your rights under the CCPA.
- You also have a right to submit your request via an authorized agent. If you use an authorized agent to submit a request to access or delete your personal information on your behalf, the authorized agent must: (1) be a person or business entity registered with the California Secretary of State to conduct business in California; (2) provide proof of such registration; and (3) provide documentation or other proof indicating that they are authorized to act on your behalf. We may also require you to verify your identity directly with us, and directly confirm with us that you provided the authorized agent permission to submit the request.

**To make such requests, please contact us at [nutritionfromtheroot@gmail.com](mailto:nutritionfromtheroot@gmail.com).**

We will verify your request using the information associated with your account, including email address. Government identification may also be required.

*A request for access can be made by you only twice within a 12-months period. Any disclosures that we provide will only cover the 12-months period preceding receipt of your request. We do not charge a fee to process or respond to your verifiable User request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will inform you of the reasons for such decision and provide you with a cost estimate before processing further your request.*

#### **10. Links to other sites**

The Website may contain links to third-party websites that are not owned or controlled by us. We have no control over, and assume no responsibility for such websites and online services. Be aware when you leave the Website; we suggest you read the terms and privacy policy of each third-party websites, service provider and online service that you visit.

#### **11. How do we respond to legal requests?**

We may access, preserve and share your information in response to a legal request (like a search warrant, court order or subpoena) if we have a good faith belief that the law requires us to do so. This may include responding to legal requests from law enforcement agencies, courts, tribunals and government authorities. We may also access, preserve and share information when we have a good faith belief it is necessary to: detect, prevent and address fraud and other illegal activity; to protect ourselves, you and others, including as part of investigations; or to prevent death or imminent bodily harm. We also may retain information from accounts disabled for violations of our terms for at least a year to prevent repeat abuse or other violations of our terms.

#### **12. Children Privacy**

Protecting children's privacy is important to us, and therefore our website is not intended for children. We do not direct the Website to, nor do we knowingly collect any personal information from, such children. If you are not of the age of majority, you are not authorized to use the services without the prior authorized consent of your parent/ legal guardian. If the Company learns that a child has provided personally identifiable information to us, it will use

reasonable efforts to remove such information from its database. Please contact us at [nutritionfromtheroot@gmail.com](mailto:nutritionfromtheroot@gmail.com) if you believe we knowingly or unknowingly collected information described in this Section.

### **13. How can I withdraw my consent? (OPT-OUT)**

If you contact us and automatically start receiving promotional emails and direct mail from us, you may change your mind, and you may withdraw your consent for us to contact you, for the continued collection, use or disclosure of your information, at any time, by contacting us at [nutritionfromtheroot@gmail.com](mailto:nutritionfromtheroot@gmail.com).

### **14. Governing law and Dispute Resolution**

In case of any disputes, issues, claims or controversies arising out of or in relation to your use of the Website or our services, the governing law and dispute resolution mechanism as provided in the **Terms of Use** shall apply to this **Privacy Policy** as well.

### **15. Do you have questions or concerns about this Privacy Policy?**

In the event you have any grievance regarding anything related to this Privacy Policy, Terms of Use, or with any content or service of ours, in that case you may freely write your concerns through your registered email to Grievance Officer/Designated Representative to below:

- **Name:** Lauren Martinez
- **Email:** [nutritionfromtheroot@gmail.com](mailto:nutritionfromtheroot@gmail.com)
- **Contact:** (530) 748-7024

### **16. Welcoming of suggestions**

We welcome your comments regarding this Privacy Policy. Please write to us at [nutritionfromtheroot@gmail.com](mailto:nutritionfromtheroot@gmail.com)

Last updated on **January 4<sup>th</sup>, 2022**