

TRESTLETREE, INC. PRIVACY POLICY

Your privacy and the security of your personal information are very important to TrestleTree, Inc. (“TrestleTree”). We understand that health is a personal, private subject, and we want you to feel as comfortable as possible visiting our website and using our on-line services as an enrollee in our disease management program, weight loss program and/or smoking cessation program (collectively, “Programs”). This Privacy Policy and Agreement (“Privacy Policy”) explains what information we collect about you and about your use of our website, how we protect that information, and your rights about the information and how it is used. Please read this Privacy Policy carefully. Except as we may disclose in this Privacy Policy, we will not share, sell, license, trade or rent your personal information to others. By using the TrestleTree site, you agree to the terms of this Privacy Policy.

We will inform you of the following in this privacy policy:

- **The personal information that TrestleTree collects**
- **How this personal information is used and with whom it may be shared**
- **The security procedures that are in place to protect your information**
- **How to update or correct your personal information or discontinue services**
- **Certain rights we offer you concerning your health information**
- **How you will be notified of Privacy Policy changes**
- **Who to contact if you have questions about this privacy policy or a complaint about a violation of this policy**

TrestleTree As A Business Associate

Many health care providers and health insurance plans are “covered entities” under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”). Covered entities are required by HIPAA to take certain actions to safeguard your personal health information. Although TrestleTree is not a “covered entity” under HIPAA, it has entered into agreements to provide Programs to enrollees in various employer-sponsored health plans which are HIPAA covered entities (“HIPAA Plans”). When TrestleTree agrees to provide Programs to enrollees in a HIPAA Plan, it enters into a Business Associate Agreement with the HIPAA Plan under which TrestleTree agrees to certain confidentiality obligations with regard to enrollees’ personal health information. If you are receiving services in any of our Programs through a HIPAA Plan, TrestleTree will use and disclose your health information only as allowed by the terms of its Business Associate Agreement with your health plan. Typically, in addition to allowing TrestleTree to share personal health information with the HIPAA Plan, Business Associate Agreements allow TrestleTree to use and disclose your health information in order to provide Program services to you, to fulfill various legal responsibilities, and for TrestleTree’s management and administrative purposes.

Public Forums

Any information (including personal and medical information) that you reveal in a public form on TrestleTree’s website, such as a bulletin board, message board or chat room/event, is not protected by this Privacy Policy. These postings will be seen by third parties not employed by TrestleTree. What you write could be used by others in ways we are unable to control or predict, including to contact you for unauthorized purposes.

Linked Sites

This Privacy Notice applies only to TrestleTree and the TrestleTree website. For your convenience, TrestleTree’s website contains links to websites operated by companies other than TrestleTree (“Third Party Websites”). These links may be found in the “Library” section of our site. TrestleTree does not disclose any information about you to these Third Party Websites. Once you enter a Third Party Website, be aware that TrestleTree does not endorse and is not responsible for the privacy practices of these sites. We encourage you to look for and review the privacy statements of each and every Third Party Website that you visit in order to understand how that website may collect and use your Personal Information.

What Personal Information Is Collected By TrestleTree?

“Personal Information” is information that identifies you or can be used to identify or contact you. TrestleTree collects Personal Information in three ways: (1) when you register as an enrollee and/or when you update your enrollee information; (2) when you obtain Program services and use various TrestleTree interactive tools; and (3) when we update your health information as you progress through one or more of the Programs. TrestleTree does not store any Personal Information on your computer, through the use of “cookies” or in any other manner.

Registration: You may use our website only if you registered and submitted Personal Information through our application process. Application occurs either electronically on a secure enrollment site, by telephone, or through a paper application form. Registration is completed by a TrestleTree employee who verifies that you are qualified to participate in a TrestleTree Program. This means that you are either: (1) a covered employee or a covered dependent under a qualified employer-sponsored insurance plan and you have been diagnosed and are under the care of a physician for one of the covered chronic illnesses so that you qualify for the disease management program; or (2) you qualify for a weight loss or smoking cessation program, if one of these Programs is offered through your health plan or your employer.

The types of information we collect in the application process are listed below:

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|---------------------------|---|
| 1. Name | 8. Height/Weight |
| 2. Address | 9. Information regarding illness and allergies. |
| 3. Employer | 10. Medication use |
| 4. Social Security Number | 11. Personal thoughts about your health |
| 5. Contact Information | 12. Whether you smoke |
| 6. Date of Birth | 13. Personal interests |
| 7. Physician Information | |

Coaching Sessions: Upon your registration and qualification, you will be contacted by TrestleTree for an initial telephone interview and coaching session with your Personal Health Coach. Further health information will be collected during this interview. TrestleTree collects this information as well as other information you voluntarily provide in follow-up correspondence and coaching sessions with your Personal Health Coach. In order to ensure the highest quality of health coaching sessions, these sessions may be supervised and/or recorded by authorized TrestleTree personnel solely for TrestleTree’s internal supervisory or evaluative purposes.

“My Contract” Information: The aggregate information from your enrollment and first interview will be used to create the “My Contract” agreement between you and your Personal Health Coach. The “My Contract” information will be loaded onto your protected web site and will be utilized by you to track and maintain vital information regarding goals for the your health.

Touching Base: TrestleTree also collects and stores the information you voluntarily provide in the “Touching Base” section of our site. The information TrestleTree stores includes the following categories: (1) Enrollee Contact Information; (2) Health Plan Information; (3) Medications; (5) Allergy; (6) Condition or Illness Information; (7) Doctor or Health Professional Information; (8) Location Information; (9) Health Risk Assessment Information; and (10) Any other information you voluntarily store. TrestleTree uses this stored Personal Information to provide members with a readily accessible, easy-to-update means of collecting and storing health information.

Interactive Tools: We collect other information, some of which may be Personal Information, that you voluntarily provide to us when you choose to use some of the TrestleTree services, such as “Coffee with Kurt” or other interactive forums (e.g. e-mail with pharmacist, bulletin boards, etc.). We also collect information you provide voluntarily through responses to surveys or questionnaires. The interactive tools in the “Touching Base” section of our site ask you for Personal Information, some of which is health-related. When you voluntarily provide this Personal Information to TrestleTree, you do so on secure servers maintained by TrestleTree or by a third party on TrestleTree’s behalf.

Special Notice Regarding Children

We are committed to protecting the privacy of children. TrestleTree’s website is not designed or intended to attract children under the age of 18 without the direct supervision and consent of custodial parents. We do not collect Personal Information from any person we actually know is under the age of 18 without the direct consent and involvement of custodial parents.

How is Your Personal Information Used and With Whom is it Shared?

Except as set forth in this Privacy Policy or as specifically agreed to by you, TrestleTree will not use or disclose any Personal Information it gathers from you. The examples listed under the categories below do not list every possible use or disclosure in that category.

Program Services: TrestleTree will use and disclose your Personal Information as necessary to provide services to you through our Programs. For example, we will use information collected from you in the enrollment process, your initial interview, and any follow-up contact with your Personal Health Coach in order to assist you with managing a chronic illness and improving your health through establishing health-related goals.

Payment for Services: TrestleTree does not routinely provide your Personal Information to your employer or your health plan, with the exception of certain information that is necessary in order to obtain payment for TrestleTree’s services. For example, we may be required to disclose to your health plan the fact that you are enrolled in one of our Programs in order to obtain payment for Program services provided to you. For disease management services, we will disclose Personal Information for payment purposes only as authorized or required by our contract with your health plan. For weight loss or smoking cessation programs, we will disclose Personal Information for payment purposes only to the entity that is offering our services – either your health plan or your employer.

Management and Administration: Consistent with the terms of its Business Associate Agreements with HIPAA Plans, TrestleTree may use your Personal Information as necessary or appropriate for its proper management and administration or to carry out its legal responsibilities. For example, TrestleTree may use your Personal Information in performing activities designed to assess and improve the quality of TrestleTree’s Program services, to review the performance of our staff, and to train our staff. TrestleTree will disclose your Personal Information for management and administration purposes only if it receives certain assurances from the other party concerning the confidentiality of the Personal Information.

Communications From TrestleTree: TrestleTree may contact you for coaching sessions or to provide other Program services to you. TrestleTree also may contact you to provide appointment reminders or information about your healthcare alternatives or other health-related benefits and services that may be of interest to you. We may send e-mail newsletters to you or ask you to participate in surveys by e-mail. You are not required to participate in these surveys and may opt out of receiving e-mail newsletters from us.

Communications With Your Physician: TrestleTree may provide notice to your personal physician of your enrollment in a TrestleTree Program. With your express permission, TrestleTree may also provide your personal physician certain Personal Information that you store on our website regarding your progress in the Program.

Communications To Family or Friends: We may disclose your Personal Information to your relatives, close friends or any other person identified by you if the information is directly related to that person’s involvement in your care or payment for your care. Generally, except in emergency situations, we will inform you of our intended action prior to making any such uses and disclosures and will, at that time, offer you the opportunity to object. However, if you are not present or are unable to agree or object to such a disclosure, we may disclose such information as necessary if we determine that it is in your best interest based on our professional judgment. We also may use and disclose your Personal Information for the purpose of locating and notifying your relatives or close personal friends of your location, general condition or death, and to organizations that are involved in those tasks during disaster situations. TrestleTree will not

make any disclosure described in this paragraph if it is prohibited by an applicable Business Associate Agreement, and before making any disclosure described in this paragraph, TrestleTree will consult your health plan, if it is a HIPAA Client.

Required By Law: We may use or disclose Personal Information as required by federal, state, or local law if the disclosure complies with the law and is limited to the requirements of the law.

Legal Proceedings: We may disclose your Personal Information as expressly required by a court or administrative tribunal order or in compliance with state law in response to subpoenas, discovery requests or other legal process when we receive satisfactory assurances that efforts have been made to advise you of the request or to obtain an order protecting the information requested.

Law Enforcement: Subject to the terms of its Business Associate Agreements and in consultation with HIPAA Clients, if necessary, TrestleTree may disclose Personal Information for law enforcement purposes under certain specific conditions. For example, TrestleTree may disclose information in order to assist with the investigation of a crime or suspected crime involving our website.

Emergencies: In limited circumstances and subject to any applicable Business Associate Agreement, we may disclose Personal Information in an emergency situation when we have a good faith belief that the disclosure is necessary to prevent a serious and imminent threat to the health or safety of a person or to the public.

Compliance Review: We may be required by law or by the terms of our Business Associate Agreements, to disclose Personal Information to certain government agencies, including without limitation, the Secretary of the United States Department of Health and Human Services, in connection with a compliance review or investigation of TrestleTree or one of its HIPAA Clients.

With Your Authorization: In other circumstances, TrestleTree may use or disclose your Personal Information by first obtaining your written authorization. If you give your written authorization to TrestleTree, you have the right to revoke the authorization at any time.

Access By Our Contractors: The only entities that will have access to your stored Personal Information are TrestleTree itself and any third parties hired by TrestleTree to assist us in operating, maintaining and improving the web site or internal reporting systems. These third parties are required by us to hold your information in the strictest of confidence and may not use or disclose it except to fulfill the service we hired them to perform.

Aggregate Information: TrestleTree may provide to third parties information about you that does not allow you to be identified or contacted and that is combined with information of other enrollees ("Aggregate Information"). This Aggregate Information is not Personal Information because it cannot be used to identify you. For example, we might inform third parties regarding the number of users of our site and the activities they conduct while on our site. We may also query you, as an enrollee, concerning the effectiveness of the TrestleTree program for the purpose of attaining program evaluation information. When we gather this information from you, we will follow established guidelines to ensure the confidentiality of your responses. We may then aggregate your responses with those of other enrollees in order to generate Aggregate Information to share with other parties about our Programs. When we disclose Aggregate Information to a third party, we cannot limit the third parties' use of the Aggregate Information, except that we do require third parties to whom we disclose Aggregate Information to agree that they will not attempt to make this information personally identifiable by combining it with other databases or otherwise.

Internet Business Purposes: TrestleTree uses your information to improve the operations of our website, to statistically analyze site usage, to improve content and product offerings, and to customize the site's content and layout. If an enrollee has problems with the use of our site, we may use personal information to solve these problems, and we may need to look at several enrollees' information in order to resolve these problems. TrestleTree believes that these uses will improve its site and better tailor it to meet enrollees' needs.

What Kind of Security Procedures are in Place to Protect Your Information?

TrestleTree wants your information, including Personal Information, to remain as secure as possible. Even though TrestleTree is not a covered entity under HIPAA, every effort will be made to safeguard protected health information. We have a security system at TrestleTree that combines leading technical safeguards and a code of conduct for those employees who are permitted to access our enrollees' Personal Information. On the technical side, TrestleTree uses *GeoTrust* encryption technology in transmitting your Personal Information to our servers to help ensure the integrity and privacy of the Personal Information you provide to us via the Internet. Encryption involves systematically scrambling numbers and letters, so that even if someone managed to intercept the information, they would not be able to make sense of it. Once we receive your Personal Information, we use every reasonable effort to ensure its security on our systems. We secure the Personal Information you provide on services located in controlled, secure environments, protected from unauthorized access, use or alteration. Only employees who need access to your Personal Information to perform a specific task or function are granted access to such information. In addition, all TrestleTree employees must abide by this Privacy Policy and our Privacy Policies and Procedures and are kept up-to-date on security practices. Any employee who violates TrestleTree's Privacy Policies and Procedures is subject to disciplinary action, up to and including termination.

Although we will make every reasonable effort to protect your Personal Information from loss, misuse or alteration by third parties, you should be aware that there is always some risk involved in transmitting information over the Internet. TrestleTree takes precautions to avoid transmission of Personal Information over the Internet unless such transmissions involve encrypted sites. There is always some risk that thieves could find a way to thwart our security systems.

Cookies

TrestleTree's website uses cookies as a login mechanism for our enrollees, to assist you in migrating between sites on our website and in using our interactive tools. These cookies are "Session Cookies" which expire at the end of each session on our website and are not stored on your computer. TrestleTree does not use these cookies for anything else.

Can I Update Or Correct My Personal Information?

You can always contact us in order to update the Personal Information that you have provided to us or change your preferences with respect to e-mail contacts or other activities. Such changes will not have any effect on other information that TrestleTree maintains. Consistent with our Business Associate Agreements, we also offer you the opportunity to amend any health information we maintain about you. You may request an amendment to your health information by sending a written request to our Privacy Officer. However, if your health plan is a HIPAA Plan, our Business Associate Agreement may require us to consult with, or refer you to, your health plan in order to request an amendment. In certain circumstances, we may deny your request for an amendment, but we will try to accommodate all requests, subject to the terms of our Business Associate Agreements.

What Should I Do If I Want to Discontinue Trestle Tree Services?

You may, at any time, choose to discontinue participation in any Program by contacting your Personal Health Coach and requesting to be removed from the Active Enrollee list. TrestleTree will inactivate your file and will discontinue all ongoing health-related contact; however, we may contact you to request feedback on the effectiveness of our Programs. You are not required to give us feedback in the event of such a request. After you withdraw as an enrollee, we will continue to maintain the confidentiality of your Personal Information consistent with applicable legal requirements and our Business Associate Agreements.

What Additional Rights Does TrestleTree Offer Regarding My Personal Health Information?

We offer our enrollees the ability to obtain a copy of their health information that is in our possession or under our control. You may request access to your health information by sending a written request to our Privacy Officer. However, if your health plan is a HIPAA Plan, our Business Associate Agreement may require us to consult with, or refer you to, your health plan in order to request access to health information. In certain circumstances, we may deny your request for access, but we will try to accommodate all requests, subject to the terms of our Business Associate Agreements.

We also will provide you an accounting of certain disclosures of your health information made by us during a specified period of up to six years prior to the request. Some disclosures, including without limitation, those made to you or with your written authorization, to provide Program services to you or to obtain payment for Program services, will not be included in the accounting. You may request an accounting through our Privacy Officer, but if your health plan is a HIPAA Plan, our Business Associate Agreement may require us to consult with or refer you to your health plan in order to request an accounting of your health information.

How Will I Know About Privacy Policy Changes?

Subject to the terms of our Business Associate Agreements with HIPAA Clients, we reserve the right to make changes to our Privacy Policy at any time. If we make significant changes to this Privacy Policy, we will notify you by e-mail or other means and obtain your consent to any new uses of your Personal Information. We also may make non-significant changes to our Privacy Policy that generally will not affect our use of your Personal Information. You should also check this posted Privacy Policy for any future changes. If you do not agree to the terms of this Privacy Policy or any revised policy, please notify us and exit the site immediately.

How Do I File A Complaint About A Privacy Violation?

If you feel that your privacy rights have been violated, you may at any time lodge a written complaint addressed to the attention of the HIPAA Privacy Officer. The current mailing address for a complaint is: 3715 Business Drive, Suite 202 Fayetteville, AR 72703. All complaints will be taken seriously and investigated immediately. You will not be retaliated against in any way for filing a complaint.

Who Can Answer My Questions About This Privacy Policy?

If you have any questions or concerns about our Privacy Policy, please contact our Privacy Officer.

BY ACCESSING THE TRESTLETREE WEBSITE, I CONSENT TO THE COLLECTION, STORAGE AND USE OF PERSONAL INFORMATION (AS DEFINED IN THE PRIVACY POLICY ABOVE) BY TRESTLETREE IN ACCORDANCE WITH THE ABOVE PRIVACY POLICY.

As Revised: August 3, 2009 (Effective Date)