

Seattle Children's Research Institute SurgeryPal Privacy Policy

Last modified: August 11, 2020

1. Introduction

This Privacy Policy describes how Seattle Children's Hospital d.b.a. Seattle Children's Research Institute collects and uses Personal Data about you through the use of our SurgeryPal Application, and through other electronic communications between you and Seattle Children's Hospital d.b.a. Seattle Children's Research Institute relating to your use of the SurgeryPal Application.

Seattle Children's Hospital d.b.a. Seattle Children's Research Institute (“**SCRI**,” or “**we**,” “**our**,” or “**us**”) respects your privacy, and we are committed to protecting it through our compliance with this policy.

This Privacy Policy (our “**Privacy Policy**”) describes the types of information we may collect from you or that you may provide when you use the Seattle Children's Hospital SurgeryPal Application (our “**Application**”) and our practices for collecting, using, maintaining, protecting, and disclosing that information.

This Application is available to research participants for use in STUDY00002427, "SurgeryPal - Effectiveness of an mHealth psychosocial intervention to prevent transition from acute to chronic postsurgical pain in adolescents" (“**Study**”). The terms in this Privacy Policy apply to the types of information collected through the Application. In connection with the Study, you will or may have already signed an Informed Consent Form. In the event of a conflict between the terms of this Privacy Policy and the terms of the Informed Consent Form, the Informed Consent Form terms shall prevail.

This policy only applies to information we collect on our Application. It does not apply to information collected by:

- us offline or through any other means outside of or apart from the Application, including on any other applications or websites operated by SCRI or any third party;
- any third party.

Please read this policy carefully to understand our policies and practices regarding your information and how we will treat it. If you do not agree with our policies and practices, your choice is not to use our Application. By accessing or using our Application, you agree to this Privacy Policy.

2. Children Under the Age of 13

With parental consent, our Application may collect information from children under the age of 13.

With parental consent, our Application may collect information from children under 13 years of age. If we learn we have collected or received Personal Data from a child under 13 without parental consent, we will delete that information. If you decide that you no longer want to participate in the Study or you believe we may have collected information from a child under 13 without parental consent, please contact us at PPSI@seattlechildrens.org or call us at (253)-987-6105.

3. Information We Collect About You and How We Collect It

We collect different types of information about you, including information that may directly identify you, information that is about you individually but does not personally identify you, and information that we combine with our other users. This includes information that we collect directly from you or through automated collection technologies.

When using our Application, we may collect certain limited information by which you may be personally identified; that is about you individually but does not personally identify you; and about the equipment you use to access our Application (collectively, “**Personal Data**”).

This includes information that we collect directly from you or through automated collection technologies. Specifically, we may collect health information, such as pain intensity ratings, directly from you when you provide it to us. Additionally, as you navigate through and interact with our Application, we may use automatic data collection technologies to collect information about your connection date and time, type (i.e., iOS or Android), model, operating system, and operating system version of your mobile device, and as you navigate through and interact with our Application, we may use automatic data collection technologies to collect certain information about your browsing actions, and patterns.

We use a third party service provider 2morrow, Inc., to collect certain de-identified usage data, such as type (i.e., iOS or Android), model, operating system, and operating system version of your mobile device, and data regarding your interactions within the Application, such as what research tasks and/or modules are viewed and completed by you; however, the de-identified usage data collected will not be identifiable to a particular individual because the service provider receives only an identification number (and not your name). Only the Study investigators maintain a confidential list that links the subject identification number to you.

4. How We Use Your Information

We use your Personal Data for various purposes described below, including to provide and improve our Application and to understand how our audience uses the Application.

We use information that we collect about you or that you provide to us, including any Personal Data:

- to present our Application and its contents and services to you;

- to understand our audience usage patterns;
- to improve our Application, and may help develop new applications, procedures, and commercial products; and
- as set forth in the Informed Consent Form.

All matters relating to the Application shall be governed by and construed in accordance with the internal laws of the State of Washington without giving effect to any choice or conflict of law provision or rule (whether of the State of Washington or any other jurisdiction).

Some information SCH collects constitutes protected health information (“PHI”) under the U.S. Health Insurance Portability and Accountability Act (“HIPAA”) and Washington State law. SCH will use and disclose PHI only as permitted under HIPAA.

5. Disclosure of Your Information

We do not share, sell, or otherwise disclose your Personal Data for purposes other than those outlined in this Privacy Policy. We disclose your Personal Data to a few third parties, including:

- to an organization we merge, acquire, or that buys us, or in the event of change in structure of our organization of any form;
- to comply with our legal obligations; and
- with your consent.

We do not share, sell, or otherwise disclose your Personal Data for purposes other than those outlined in this Privacy Policy or as set forth in the Informed Consent Form. However, we may disclose information about our users that has been combined to result in de-identified information.

We may disclose Personal Data that we collect or you provide as described in this Privacy Policy:

- to a buyer or other successor in the event of 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 Personal Data held by SCRI about our Application users are among the assets transferred;
- to comply with our legal obligations; and
- with your consent.

We may also disclose your Personal Data if we believe disclosure is necessary or appropriate to protect the rights or safety of our patients.

6. Choices About How We Use and Disclose Your Information

You may withdraw your consent at any time. If you do take away your consent, no new information will be taken, and you may also request that no new analysis on your information will be done.

During the Study, we will collect Personal Data through the Application, which will be used for the purpose of the Study as described in the Informed Consent Form and may help develop new applications, procedures, and commercial products.

With respect to any PHI SCH may obtain, you have certain rights under HIPAA to access your data, to restrict use and disclosure of it, to request communication methods, to request corrections to your data, to receive an accounting of disclosures and to receive notice of any breach.

You also have the right to withdraw your consent to the processing of your Personal Data at any time. However, if you withdraw your consent to the processing of your Personal Data after you have started your participation in the Study this will result in your withdrawal from the Study. You have certain rights to access your data, to restrict use and disclosure of it, to request communication methods, to request corrections to your data, to receive an accounting of disclosures and to receive notice of any breach; however, certain Personal Data collected before you make such a request may need to be processed by SCRI to comply with regulations governing clinical research in the United States and cannot, therefore, be erased.

If you have any questions about the collection and use of information about you or would like to exercise rights that you may have regarding this information, please contact us at PPSI@seattlechildrens.org or call us at 1-855-932-6272 for more information or to request any of the above, or via email at privacy.questions@seattlechildrens.org for information about HIPAA rights, to exercise any of your privacy rights, or to offer concerns, complaints or suggestions.

7. Data Security

Information transmitted over the Internet, including through our Application, cannot be completely secure, but we strive to protect your Personal Data. You can help protect your Personal Data and other information by keeping your password to our Application confidential.

We have implemented measures designed to secure your Personal Data from accidental loss and from unauthorized access, use, alteration, and disclosure. We use encryption technology for information sent and received by us through the Application.

The safety and security of your information also depends on you. Where we have provided a user name and password or you have chosen a password for the use of our Application, you are responsible for keeping the user name and password confidential. Please do not share your user name and password with anyone.

Unfortunately, the transmission of information via the Internet is not completely secure. Although we work diligently to try and protect your Personal Data, we cannot guarantee the security of your Personal Data transmitted to our Application. Any transmission of Personal Data is at your own risk. We are not responsible for circumvention of any privacy settings or security measures contained on the Application or in your operating system.

8. Changes to Our Privacy Policy

We will not make changes to our Privacy Policy during the Study.

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9. Contact Information

You may contact us through the contact information below.

If you have any questions, concerns, complaints or suggestions regarding our Privacy Policy, you may contact us at via email at PPSI@seattlechildrens.org or by telephone by calling us at 1-855-932-6272, or via email at privacy.questions@seattlechildrens.org for information about HIPAA rights, to exercise any of your privacy rights, or to offer concerns, complaints or suggestions.