

Nevro Consumer Health Data Privacy Notice

Last Updated: August, 2024

WASHINGTON CONSUMER HEALTH DATA PRIVACY NOTICE

1. INTRODUCTION

This section of the Consumer Health Data Privacy Notice (“Notice”) supplements our [Privacy Notice](#). It applies to Consumer Health Data that Nevro (“Nevro”, “we”, “our”) collects about Washington state residents and other individuals whose Consumer Health Data is collected in Washington (collectively, “Consumers”) when they act in an individual or household context.

“Consumer Health Data” as used in this Notice means personal information that is linked or reasonably linkable to a Consumer and that identifies the Consumer’s past, present, or future physical or mental health status. Consumer Health Data does not include publicly available information or deidentified data.

This Notice does not apply to information we may collect about you that is exempt from the Nevada Consumer Health Data Act which includes, without limitation, the following:

- Information that is “protected health information” or “PHI” under HIPAA, which includes health information
- Personal information collected in connection with our recruitment and pre-screening of clinical trial participants and in the operation of clinical trials and related research efforts, including the provision of expanded access to drugs that are the subject of clinical trials
- Personal information used only for public health activities and purposes
- Personal information that federal or Nevada law expressly authorizes use to collect or share, including when we function as a manufacturer under FDA regulations
- Information that has been deidentified in accordance with HIPAA deidentification requirements
- Publicly available information
- Information collected about Nevada Consumers when acting in their capacity as employees, independent contractors, or job applicants

When we refer to “Consumer Health Data” in this Policy, it does not include any of the categories of personal information listed above.

2. CATEGORIES OF CONSUMER HEALTH DATA WE COLLECT

We collect the following categories of Consumer Health Data, including information related to:

- Health conditions, treatment, diseases, or diagnosis
- Social, psychological, behavioral, and medical interventions
- Health-related surgeries or procedures
- Use or purchase of prescribed medication
- Bodily functions, vital signs, symptoms, or other health characteristics
- Diagnosis or diagnostic testing, treatment, or medication
- Data that identifies individuals seeking health care services

- Health data derived or inferred from non-health data

3. THE PURPOSES FOR WHICH WE COLLECT CONSUMER HEALTH DATA

We collect and use Consumer Health Data for the following purposes:

- To provide information about and provide our products, services and programs, including HFX IQ
- To manage our relationship with you, including customer service or to respond to your inquiries about our products and services
- Undertake activities to verify or maintain the quality or safety of a product, service, or device, and to improve, upgrade, or enhance the service or device
- For advertising and marketing purposes, including measurement of the effectiveness of our advertisements and marketing programs
- To monitor and improve our websites and for internal business analysis
- To comply with the law and our legal obligations, to respond to legal process and related legal proceedings
- To prevent fraud and provide security, including preventing activities that violate our [Terms of Use](#) or that are illegal, and to protect our rights and the rights and safety of our users and others

4. SOURCES FROM WHICH WE COLLECT CONSUMER HEALTH DATA

We collect Consumer Health Data from the following sources:

- Directly from you when you use our products or services, including on our website.
- From devices you use to connect with us, or use our products or services. For more information about this, please see our [Cookie Notice](#).
- Drawn from other information we collect to provide inferences about preferences, characteristics, attributes, and abilities drawn from collected data.

5. CONSUMER HEALTH DATA WE MAY SHARE WITH THIRD PARTIES

We may share Consumer Health Data as required or permitted by law to comply with a subpoena or similar legal process or government request, or when we believe in good faith that disclosure is legally required or otherwise necessary to protect our rights and property or the rights, property or safety of others, including to law enforcement agencies, and judicial and regulatory authorities, to private attorneys who issue subpoenas or otherwise serve us with legal process and, to the extent required, the individuals or entities they represent.

We may also share Consumer Health Data with authorized representatives, including family members, caregivers, and legal representatives

As permitted by consent you may provide to us, including related to our use of cookies. To manage cookie consents previously provided, please use [Cookie Settings](#).

6. WHAT ARE CONSUMERS' RIGHTS WITH RESPECT TO CONSUMER HEALTH DATA

Consumers as defined above have the following rights with respect to their Consumer Health Data:

- *Right to Know*: The right to know if we are collecting, sharing, or selling their Consumer Health Data
- *Right to Access*: The right to a copy of the Consumer Health Data we have about them
- *Right to Know Third Parties*: The right to obtain a list of all third parties and/or affiliates with whom we have shared or sold their Consumer Health Data, if any
- *Right to Delete*: The right to request that we delete their Consumer Health Data

Additionally, to the extent consent has been obtained to collect or share Consumer Health Data, the right to withdraw consent.

To exercise these rights, please contact Nevro at privacy@nevro.com or via our online [privacy portal](#). We may require additional information to authenticate that you made the request(s). If we are unable to authenticate the request(s) using commercially reasonable efforts and asking for additional information, we will not be able to comply with the request.

We will respond to your consumer request within 30 days from when we receive your requests within 45 days. In some circumstances, we may need additional time to process your request.

If your request is denied, you may appeal that decision as specified in our letter of denial.

7. CONTACT US

If you have questions about this Notice or want to obtain more information about our privacy practices, please contact us at privacy@nevro.com.

8. MATERIAL CHANGES TO THIS NOTICE

We may change this Notice from time to time and will notify you by a notice on our website and in this Notice of material changes.