

# CONSUMER HEALTH DATA PRIVACY POLICY

Effective Date: February 9, 2026

This Consumer Health Data Privacy Policy (the "CHD Policy") is provided by Performance Home Medical ("PHM," "we," "us," or "our") and it applies to "consumer health data" ("CHD") as defined by Washington law that we collect or process when you act in an individual or household context.

This CHD Policy discloses the categories of CHD we collect, the purposes for which each category is collected and used, the categories of sources from which we collect CHD, the categories of CHD that we share, a list of the categories of third parties and the specific affiliates with whom we share CHD, and how you may exercise your rights. We will not collect, use, or share CHD for additional categories or purposes unless we first update this CHD Policy and obtain your opt-in consent.

The types of CHD we collect, how and why we collect and use such CHD, and to whom and under what circumstances we disclose it may differ depending on our interaction with you and the products and services you request from us.

## **I. Scope and Applicability**

This CHD Policy includes only disclosures required by Washington law and does not include additional information unrelated to consumer health data. Protected Health Information governed by HIPAA and health care information governed by Washington's Uniform Health Care Information Act are subject to our HIPAA Notice of Privacy Practices or other applicable notices and are not covered by this CHD Policy. Where this CHD Policy and our general privacy policy conflict, this CHD Policy controls for CHD.

This CHD Policy mentioned the term "processor", which means a third-party vendor or service provider that processes CHD on our behalf under a binding contract that requires processing solely on our documented instructions and prohibits independent use.

## **II. Consumer Health Data We Collect**

The table below sets out, for each category of CHD we collect, examples of the data in that category, the purposes and specific uses for which we collect and use it, the categories of sources from which we collect it, whether we share that data and, if so, the categories of third parties and any specific affiliates with whom it is shared, and whether our collection or sharing is strictly necessary to provide a product or service you request or will occur only with your opt-in consent. We will not collect, use, or share CHD for any additional categories or purposes unless we first update this CHD Policy and obtain your opt-in consent.

For purposes of this CHD Policy, "strictly necessary to provide a product or service you request" includes activities required to fulfill your order, arrange delivery, process payments, provide customer support, prevent fraud and secure our services.

<b>CHD category</b>	<b>Examples</b>	<b>Purposes and specific uses</b>	<b>Sources</b>	<b>Is this CHD shared? If yes, with whom</b>	<b>Necessary or consent</b>
Service-seeking data	Visits to pages about sleep therapy, oxygen, ventilators, airway clearance, or CGM; lead forms	Provide requested information or quotes; schedule deliveries; fulfill orders; customer support; service reminders	Directly from you; from your device via our website	When necessary to fulfill your request, with payment processors, logistics providers, and our hosting/IT processors; otherwise only with your opt-in consent	Necessary where tied to your request; otherwise opt-in
Health condition and treatment info outside HIPAA	Self-reported conditions, symptoms, or device preferences provided through non-clinical channels	Provide requested product or service; customer support	Directly from you	With our processors to provide the service; any other sharing only with your opt-in consent	Necessary where tied to your request; otherwise opt-in
Inferences about your interest in our health services	Algorithmic inferences that you may need CPAP or CGM based on browsing	Personalize our site only with your opt-in consent; we do not use inferences for cross-context behavioral advertising without separate consent	Derived by us or our processors from your interactions	With analytics or personalization processors acting solely on our instructions; no independent use permitted	Opt-in
Precise location indicating an attempt to obtain services or supplies	Location signals used for store locator or delivery	Store locator and delivery scheduling when you ask us to provide a service	From your device when you enable location for our site	With delivery/logistics processors when necessary to fulfill your request; otherwise not shared without opt-in consent	Necessary where tied to your request; otherwise opt-in

<b>CHD category</b>	<b>Examples</b>	<b>Purposes and specific uses</b>	<b>Sources</b>	<b>Is this CHD shared? If yes, with whom</b>	<b>Necessary or consent</b>
Website interaction identifiers linked to CHD	IP address, cookie ID, device ID, session data on CHD-related pages	Site functionality; security and fraud prevention; analytics and measurement	From your device via our website	With security and analytics processors under our instructions only; no cross-context advertising without opt-in consent	Security/fraud uses are necessary; analytics/advertising are opt-in

### **III. Sources of Consumer Health Data**

We collect CHD from several sources, as reflected in the disclosure table in Section II above. We collect data directly from you when you provide information to us in forms, portals, emails, chats, calls, or at the time you request or receive our products or services. We collect data from your device when you use our website, including through cookies, SDKs, and similar technologies operated by third-party vendors that act as our processors under binding contracts and process CHD solely on our documented instructions, and, where not strictly necessary to provide a product or service you requested, only after you provide opt-in consent. We receive data from our processors that act solely on our documented instructions to host, secure, analyze, or otherwise support our services, and from our affiliates acting in a processor capacity, if any, limited to the purposes we disclose and to which you have consented. We also derive or infer CHD from your interactions with us and our services, for example by analyzing the pages you visit or the features you use, and we treat those inferences as CHD when they are linked or reasonably linkable to you.

We do not obtain CHD from data brokers, purchase health-related lead lists, or collect CHD from social media platforms. We do not collect precise location information unless you enable location services for our site or it is strictly necessary to provide a product or service you requested, such as scheduling delivery. If we begin collecting CHD from any new category of sources not described in this CHD Policy, we will first update this CHD Policy and obtain your opt-in consent where required.

### **IV. Why We Collect and How We Use Consumer Health Data**

We collect CHD only with your opt-in consent for the specified purposes disclosed in this Section, or when our collection is strictly necessary to provide a product or service you request from us. We obtain consent before any collection that is not strictly necessary. Our consent prompts clearly disclose the categories of CHD collected or shared, the purposes and specific ways we will use the CHD, the categories of entities with whom CHD is shared, and how you may withdraw consent at any time. We do not bundle consent into general terms and we do not use deceptive designs to obtain consent.

We collect, use, and process CHD for the following specific purposes:

- To provide you access to the website, including to service your account and maintain its security;
- To provide you products and services, including providing information, content, products, or services, and fulfilling your requests or purchases, such as order fulfillment;
- To personalize your experiences with us, including to remember your interests and preferences, personalize our website and the content, products, and services we make available to you through the website, facilitate interactions with us, track and categorize your activity and interests on the website, including identifying and linking the different devices you use, and to enrich your experience on the website;
- To provide information, including information about the website or required notices;
- For analytics, including understanding how you use our website, products, and services;
- To improve and develop, such as improving and further developing our products, services, and our website content, features, performance, and support;
- To provide customer support;
- To manage your account with us, including setting up, registering, and maintaining your account with us;
- To communicate with you, including when you place an order; to obtain information about you; to respond to your inquiries, concerns, and requests; contacting you about your transactions or account; to provide updates on any orders; to let you know an item is back in stock; or to provide other legal or service-related notices about our website;
- For business purposes, including to operate and improve our business and business activities; to administer the website; for research; to maintain our programs, accounts, and records; to understand your satisfaction with our products and services including the website; to authenticate the information you provide us; to protect the security and integrity of our website and information technology infrastructure; to detect, prevent and respond to fraud, misuse of our services, intellectual property infringement, violations of our Terms of Use, violations of law, or other misuse of the website or our products and services;
- For legal and safety purposes, including to defend or protect us, you, or customers, or third parties, from harm or in legal proceedings; to protect our rights or the rights, property, and safety of others; to comply with legal obligations; to maintain the security of our customers, employees, and property; to pursue remedies available to us and limit our damages; to respond to court orders, lawsuits, subpoenas, and government requests; to comply with judicial proceedings, court orders, legal processes or lawful requests from government authorities; to address legal and regulatory compliance; and to notify you of product recalls or safety issues.

We may combine or aggregate any information we collect for any of these purposes. We may process deidentified data as permitted by law. We take reasonable measures to ensure deidentified data cannot reasonably be used to infer information about, or otherwise be linked to, an identified consumer or device; commit to process deidentified data only in a deidentified fashion and not to attempt to reidentify such data; and we contractually obligate any recipients of deidentified data to do the same.

We do not collect, use, or share CHD for any purposes other than those enumerated in this Section and in Section II.

## **V. Our Sharing of Consumer Health Data**

We share CHD only with your separate and distinct opt-in consent for sharing, or when sharing is strictly necessary to provide a product or service you request from us. We obtain consent before any sharing that is not strictly necessary. Our consent prompts clearly disclose the categories of CHD shared, the purposes and specific ways we will use the CHD, the categories of entities with whom CHD is shared, and how you may withdraw consent at any time. We do not bundle consent into general terms, and we do not use deceptive designs to obtain consent.

We may share Consumer Health Data with third parties as reasonably necessary to complete any transaction or provide any product or service you have requested or authorized. For example, if you make a purchase, we will share information about the transaction as necessary to process the payment, including to protect against fraud. We may share each of the categories of consumer health data described above for the purposes described in this CHD Policy to our processors for business purposes with your consent to the extent required.

These business purposes include the following:

- to maintain or service accounts;
- to provide customer service;
- to process payments;
- to fulfill orders;
- to communicate with you;
- to provide analytic services;
- to support internal research;
- to verify service quality;
- to address online fraud and security;
- to support our business; and/or
- to provide similar services on our behalf.

We disclose CHD to processors under binding contracts that require processing solely on our documented instructions, prohibit independent use of CHD, require appropriate safeguards, obligate assistance with consumer requests and deletion propagation, and require return or deletion of CHD at the end of services. We do not authorize processors to use CHD for their own advertising, profiling, or cross-customer purposes. Where we disclose CHD to a third party with whom you have a direct relationship to provide a product or service you requested, we maintain control and ownership of the CHD and require the third party to use CHD only at our direction and consistent with consented purposes.

Categories of third parties with whom we share CHD, as applicable and subject to your consent where required, include payment processors, cloud hosting providers, delivery and logistics providers, customer support vendors, security and fraud prevention providers, and analytics providers configured as our processors.

We do not share CHD with affiliates.

If we add or change affiliates, we will update this CHD Policy and obtain your opt-in consent where required.

Additionally, we may disclose in the future each of the above-listed categories of CHD to third parties:

- As reasonably necessary to facilitate a merger, acquisition, or other disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceedings), or other types of strategic business transactions;
- To law enforcement, government entities, including regulatory agencies and courts, as reasonably necessary for our business operational purposes, to assert and defend legal claims, and otherwise as permitted or required by law.

## **VI. Advertising and Analytics**

We do not disclose CHD to third-party advertising networks or cross-context analytics providers for their independent purposes. We may use analytics or measurement services configured as our processors, acting solely on our instructions, to help us understand use of our website and improve our services. Where analytics involves CHD and is not strictly necessary to provide a product or service you requested, we will first obtain your opt-in consent. We do not permit event-level CHD to be used for third-party advertising, audience building, or retargeting without your prior consent, and we do not sell CHD. We do not implement third-party pixels, SDKs, or tags that collect CHD unless they are configured to act solely as our processors under binding instructions and, where not strictly necessary, are activated only after your opt-in consent.

## **VII. No sale of CHD**

We do not sell CHD and we do not exchange CHD for monetary or other valuable consideration. If that ever changes, we will not sell CHD without first obtaining a valid, plain-language authorization that is separate from any consent to collect or share CHD, that identifies the specific CHD to be sold, the seller's and purchaser's names and contact information, the purpose of the sale and how the purchaser will gather and use the CHD, statements about non-conditioning and revocation, a redisclosure warning, an expiration date one year from signature, and your signature and date. We will provide you a copy of any signed authorization and will retain authorizations for six years or longer if required by law. You may revoke an authorization at any time. If we ever obtain a sale authorization and you later request deletion of your CHD, we will retain a copy of the authorization for recordkeeping as required by law and will redact the portion describing the specific CHD, while preserving the remainder of the authorization.

## **VIII. Consumer Health Data Rights**

We offer certain privacy rights regarding your consumer health data as stated below, subject to certain limitations at law.

### ***Right to Confirm Processing of Consumer Health Data***

The right to confirm if we are collecting, sharing, or processing your consumer health data.

### ***Right to Access Consumer Health Data***

The right to access your consumer health data, including the categories of consumer health data we have collected, the categories of sources from which the consumer health data is collected, the business or commercial purpose for collecting or sharing the consumer health data, and the categories of third parties with whom we have shared or sold the consumer health data. We will provide, for each third party and affiliate with whom we have shared or sold your CHD, an active email address or other online mechanism you may use to contact that party.

### ***Right to Withdraw Consent***

The right to withdraw consent from our collection, use, or sharing of consumer health data concerning you.

You may grant or withdraw consent for CHD collection and for CHD sharing through our Consent Center, accessible via the “Consumer Health Data Privacy” link on our homepage and on every page where personal information is collected. You may withdraw consent at any time through the Consent Center or by contacting us by email: [corporatecompliance@performancehomemed.com](mailto:corporatecompliance@performancehomemed.com) or phone: 866-687-4463. Withdrawal will be as easy as granting consent and does not affect our ability to process CHD to the extent necessary to provide a product or service you have requested.

### ***Right to Delete Consumer Health Data***

The right to request deletion of the consumer health data we have collected about you.

When we receive and authenticate your deletion request, we will delete your CHD from our records, including across our network. We will also notify all affiliates, processors, contractors, and other third parties with whom we have shared your CHD of your deletion request, and they must delete your CHD as well, subject to the same requirements. If your CHD is stored on archived or backup systems, we may delay deletion from those systems for up to six months after we authenticate your request in order to restore and complete deletion from those systems.

## **IX. How to Exercise Your Privacy Rights**

You may submit requests to confirm whether we are collecting, sharing, or selling your CHD; to access such data, including a list of all third parties and affiliates with whom we have shared or sold your CHD and an active email address or other online mechanism you may use to contact those parties; to withdraw consent; and to delete your CHD. Submit requests via email:

contactphm@performancehomemed.com or phone: 866-687-4463. We will respond without undue delay and in all cases within 45 days of receipt. We may extend once by 45 additional days when reasonably necessary, taking into account the complexity and number of your requests; if we extend, we will notify you within the initial 45-day period and explain why. We provide responses free of charge up to twice annually per consumer. We may need to authenticate your identity and request before processing it, which may require us to obtain additional personal information from you, and we may use a service provider to authenticate your identity. If you do not provide this information, we may not be able to verify or complete your request in all circumstances. We authenticate requests using commercially reasonable efforts and will not require you to create a new account, although we may require you to use an existing account.

You can exercise the right to withdraw consent to collection of CHD through our Consent Center, accessible via the “Consumer Health Data Privacy” link on our homepage and on every page where personal information is collected, using the same controls you used to grant consent in our Consent Center, or by contacting us at email: corporatecompliance@performancehomemed.com or phone: 866-687-4463. Any withdrawal of consent does not affect the use of your CHD to the extent necessary to provide a product or service that you have requested from us, including related transactional emails.

We will not unlawfully discriminate against you for exercising your rights.

## **X. Right to Appeal**

In certain circumstances, we may decline a request to exercise the rights described above. If your request is denied, we will provide an explanation for the denial and instructions on how you may appeal a denied request. You may appeal a denied request by contacting us at email: corporatecompliance@performancehomemed.com or phone: 866-687-4463. Within 45 days of receipt of your appeal, we will inform you in writing of any action taken or not taken, with reasons. If we deny your appeal, we will provide an online mechanism, if available, or another method through which you may contact the Washington Attorney General to submit a complaint.

## **XI. Access Restriction and Security**

We restrict access to CHD to only those employees, processors, and contractors for whom access is necessary to further the purposes for which you provided consent or where necessary to provide a product or service you requested. We establish, implement, and maintain administrative, technical, and physical safeguards that, at a minimum, satisfy the reasonable standard of care within our industry and are appropriate to the volume and nature of the CHD we process.

## **XII. Geofencing Prohibition**

We do not implement geofences around entities that provide in-person health care services for the purpose of identifying or tracking consumers seeking health care services, collecting CHD, or sending notifications, messages, or advertisements related to CHD or health care services.

### **XIII. Changes in CHD Policy**

We may make changes to this CHD Policy from time to time, and we will notify you of such changes by posting an updated version of this CHD Policy on the website and notifying you in the manner in which we normally communicate with you (for example, by email).