

Notice of Privacy Practices and Website Privacy Policy

Effective Date: July 6, 2026 **Last Updated:** July 6, 2026

Welcome to our website. We value your privacy and are dedicated to protecting your personal data. This notice describes how Michele M. Cushner, LAC collects, uses, stores, and protects your personal data and health information, and explains your rights concerning this information.

1. Data Sharing and Disclosure

We do not share your personal data with third parties for marketing or promotional purposes. We may share your data with third parties only in the following circumstances:

- **Service Providers:** With third-party service providers who perform functions on our behalf, such as IT service providers, data storage providers, and telecom/SMS service providers.
- **Legal Obligations:** When required by law or to respond to legal process.
- **Protection:** To protect our rights, property, and safety, or that of our patients and others.

Text messaging originator opt-in data and consent are never shared with any third party for any purpose, including for marketing or promotional purposes.

2. Data We Collect

- **Identity Data:** First and last name.
 - **Contact Data:** Email address, phone number, billing and delivery address.
 - **Technical Data:** IP address, browser type and version, time zone setting, browser plug-in types and versions, operating system and platform.
 - **Usage Data:** Information about how you use our website, products, and services.
 - **Communication Preferences:** Your preferences regarding how and whether we contact you.
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3. Methods of Data Collection

- **Direct Interactions:** You provide your personal data when you fill out intake or booking forms, create an account, request information, or give us feedback.

- **Automated Technologies:** As you interact with our website, we may automatically collect technical data about your equipment and browsing actions using cookies, server logs, and similar technologies.
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4. How We Use Your Personal Data

- **Service Provision:** To schedule appointments and provide the treatment and services you request. If you provide a phone number, we may use it to call you regarding your appointment or account (for example, to confirm, reschedule, or follow up on a scheduling matter), regardless of whether you have opted in to our SMS program.
- **SMS Program:** If you opt in to our SMS program, we will send you text messages related to your care, including appointment reminders and scheduling changes, coordinating herbal supplement delivery or pickup/drop-off, and sharing links to videos or products that support your treatment plan. We do not send promotional or marketing text messages. You can opt out at any time (see Section 7).
- **Email Communications:** With your consent, we may email you to follow up after appointments and for other treatment-related communication.
- **Customer Support:** To respond to your inquiries and provide support.
- **Legal and Administrative:** To comply with legal, billing, and healthcare operations requirements.

We do not use your personal data or health information for marketing or promotional purposes, and we do not use your data for prospecting new clients.

5. Data Storage and Protection

We use Jane, a practice management platform, to store and manage patient data. We have entered into a Business Associate Agreement (BAA) with Jane, as required under HIPAA, which governs how Jane may access, store, and protect protected health information on our behalf. [Only include this sentence once you have actually requested and signed a BAA with Jane — this does not happen automatically with a Jane subscription. Contact Jane support to request their standard BAA if you have not already signed one.]

Jane implements the following safeguards:

- **Encryption in Transit and at Rest:** Data is encrypted any time it is transferred to Jane's servers, using the same level of security used by banks for financial transfers. All patient data is stored in encrypted data volumes on Jane's servers.
- **Access Controls:** Each staff member accesses their account through a unique username and password. As the account owner, we control and limit each staff

member's access permissions, including access to patient charts, billing records, and scheduling records.

- **Activity Monitoring:** We are able to review a detailed activity log of account access, filterable by date, user, and type of access, to help monitor for unauthorized use.
- **Payment Data:** We do not store credit card information directly. Payment information is transferred securely to PCI-compliant payment processing partners; only the last four digits and expiration date of a card are retained for reference.

Only authorized personnel at our practice have access to your personal data, and access is limited to what is needed to provide your care.

6. Your Rights Regarding Personal Data

You have the right to:

- **Access:** Request access to the personal data we hold about you.
 - **Correction:** Request correction of incomplete or inaccurate data.
 - **Erasure:** Request deletion of your personal data where we have no legitimate reason to continue processing it.
 - **Objection:** Object to processing based on legitimate interest.
 - **Restriction:** Request restriction of processing of your personal data.
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7. Opt-Out Options and Mobile Information

You may opt out of receiving SMS messages from us at any time by:

- Replying **STOP** to any text message you receive from us, or
- Contacting us directly at 510-474-1004.

If you need help or have questions about our text messaging program, reply **HELP** to any message, or contact us at 510-474-1004.

By opting in to our SMS program, you consent to receive text messages related to your care at the phone number provided, including appointment reminders, delivery/pickup coordination, and treatment-support links. Message frequency varies based on your appointment activity. Message and data rates may apply. Consenting to SMS is optional and is not required to receive treatment.

We do not share your mobile information, including text messaging originator opt-in data and consent, with any third party for any purpose, under any circumstances. We may share this information only with service providers who help us operate our SMS program, and only when they agree to keep the data confidential and use it solely to provide that service on our behalf.

Opting out of SMS will not affect your ability to receive care or any other services from our practice.

8. Notice of Privacy Practices for Protected Health Information (HIPAA)

Our Pledge Regarding Your Medical Information

The privacy of your medical information is important to us. We understand that your health information is personal, and we are committed to protecting it in accordance with the Health Insurance Portability and Accountability Act (HIPAA).

Your Health Record

We create a record of the care and services you receive at Michele M. Cushner, LAc. This record is necessary to provide you with quality care and to comply with legal requirements. This notice describes how we may use and disclose your medical information, and explains your rights and our duties regarding that information. This notice remains in effect until replaced or amended.

How We May Use and Disclose Your Health Information

We may use and disclose your medical information for the following purposes, without requiring your separate written authorization:

- **Treatment:** To provide, coordinate, or manage your care, including communication with other healthcare providers involved in your treatment.
- **Payment:** To bill and collect payment for services provided to you.
- **Healthcare Operations:** For activities such as quality assessment, staff training, and practice management.
- **As Required or Permitted by Law**

We will not use or disclose your health information for marketing purposes without your specific written authorization. Any other use or disclosure not described in this notice will only be made with your written authorization, which you may revoke at any time by notifying us in writing.

Your Rights

You have the right to:

- **Access:** Request access to, review, or receive copies of your health records. We will respond to your request within the timeframe required by applicable law, and may charge a reasonable, cost-based fee as permitted by law.
- **Amend:** Request that we amend your protected health information.

- **Accounting of Disclosures:** Request a list of certain disclosures we have made of your health information.
- **Request Restrictions:** Request additional restrictions on how we use or disclose your health information.
- **Confidential Communications:** Request that we communicate with you in a specific way or at a specific location (for example, by text only, or by phone only).
- **Paper Copy:** Receive a paper copy of this notice at any time, even if you have agreed to receive it electronically.
- **File a Complaint:** File a complaint with our office or with the U.S. Department of Health and Human Services, Office for Civil Rights, if you believe your privacy rights have been violated. **You will not be retaliated against in any way for filing a complaint.**

To exercise any of these rights, please contact us using the information below.

9. Changes to This Notice

We may update this Privacy Policy and Notice of Privacy Practices from time to time to reflect changes in our services, how we use information, or applicable law. When we make changes, we will revise the "Last Updated" date above. If we make material changes affecting how we use your health information, we will provide notice or obtain consent as required by law. We encourage you to review this notice periodically.

10. Contact Us

If you have questions about this Privacy Policy or Notice of Privacy Practices, or wish to exercise any of the rights described above, please contact:

Michele M. Cushner, LAc Email: hello@michelecushner.com Phone: 510-474-1004

This document combines a general website privacy policy with a HIPAA Notice of Privacy Practices for convenience. This is a template for your review and is not a substitute for advice from a healthcare attorney; please have it reviewed by legal counsel familiar with California healthcare privacy law before publishing.