

THIS NOTICE DESCRIBES HOW INFORMATION ABOUT YOU MAY BE COLLECTED, USED AND DISCLOSED BY INFINITY SLEEP SOLUTIONS AND HOW YOU CAN GET ACCESS TO THIS INFORMATION AND WHAT TO DO IF YOU DO NOT WANT YOUR PERSONAL HEALTH INFORMATION COLLECTED. PLEASE REVIEW IT CAREFULLY.

PRIVACY NOTICE EFFECTIVE October 1, 2009 AND ONLY RELATIVE TO PERSONAL HEALTH INFORMATION UNTIL SUCH TIME AS THIS PRIVACY NOTICE IS AMENDED BY INFINITY SLEEP SOLUTIONS, INC.

#### Privacy Notice:

1. Infinity Sleep Solutions, Inc. (ISS) has adopted policies and procedures to maintain the privacy of protected health information that ISS collects, uses, stores or discloses. This Privacy Notice describes to you ISS's policies and procedures and how we put them into practice.
2. Infinity Sleep Solutions is committed to protecting the privacy of your personal health information. We will keep confidential your personal health information as described in this Privacy Notice. However, Infinity Sleep Solutions may from time to time change the terms of this Privacy Notice and may make new or different policies and procedures relating to all protected health information maintained by. ISS reserves the right to modify the privacy practices of ISS.  
Why we need your personal information:
3. The information we need about you depends on what treatment, products or services you require. When you first become an ISS customer and so that we can provide you with products and services, and in order to properly treat you, ISS may need to collect, use, store and share with others your personal health information. ISS collects, uses, stores and shares with others your personal health information only for purposes that a reasonable person would consider appropriate in the circumstances. Some of the purposes for which we collect, use, store and share your personal health information are:
  - To Perform Medical Treatment and to Provide Products and Services - To provide you with medical treatment or procedures, health care, counseling, products and services and in order to make future decisions about your treatment or care, we may need information about your past, present or future physical or mental health or condition. Some of your personal health information that we may need includes assessments, test results, diagnoses and, prescriptions and other similar information.
  - To Receive Payment - In order for ISS to receive payment for health care, products or services that we provide to you, we need information about you. We may need your personal health information:
    - to determine your eligibility for or coverage under health insurance plans
    - for billing, claims management and payment collection
    - for medical necessity review, to determine appropriateness of care or justification of charges.
  - For Our Healthcare Operations - We may need your personal health information for our quality control purposes and professional training, development and evaluation, business planning and development and administration.
  - Related Uses - As part of performing medical treatment and providing you with products and services, we may contact you to provide appointment and prescription refill reminders, information about treatment alternatives or other health related benefits, products and services that may be of interest to you.

#### Safeguarding your personal information:

4. Except for the purposes of treatment, payment or operations and related uses, representative examples of which are given above, ISS will not sell, trade, use, disclose or make available your individually identifiable health information for any other purpose without seeking your express written authorization.

#### Obtaining your consent:

5. Except for the purposes of treatment, payment or operations and related uses, we will obtain your consent before obtaining, using or disclosing to other persons personal health information about you. Your express consent can be written or verbal. In certain cases, your consent will be implied when, acting reasonably, we

can conclude that by taking a certain action, you have given your consent. However, we may collect, use, store or disclose personal health information about you without your consent in the following circumstances:

- if we are required to do so by law
- to a purchaser as part of a merger or sale of assets or shares
- to protect ISS's interests

#### Your rights relative to your personal information:

6. There are laws governing the exchange of confidential information. We remind you that you can:
  - Inspect, copy, verify and amend your personal health information (we may ask you to make your request in writing)
  - Ask us to correct your personal health information
  - Find out, if not prohibited by law, the names of parties to whom we have disclosed your individually identifiable health information.
  - Request restrictions on certain uses and disclosures of personal health information. Such request must be submitted in writing. ISS will consider your request, but is not obligated to comply with it.
  - Notify us that you wish to withdraw your consent after you have given it. There may be some products, services or treatments that we cannot provide you without your consent -- if this is the case we will let you know so that you can make an informed decision.
  - Request to receive personal health information from ISS by alternate means or at alternative locations. ISS will make reasonable accommodations in response to any such request.

If you have any questions or concerns about the privacy of your personal health information or for further information concerning this Privacy Notice or the collection, use, storage or disclosure of your personal health information, you may contact our Privacy Officer.

Mr. Ron Evans at 602-942-3777

Or, in writing at: Infinity Sleep Solutions, L.L.C. 15640 N. 7<sup>th</sup> Street, Suite A-1, Phoenix, Az 85022  
Attention: Ron Evans, Compliance and Privacy Officer

Or by email at [revans@infinitysleep.com](mailto:revans@infinitysleep.com)  
[www.infinitysleep.com](http://www.infinitysleep.com)