Eliquis® (apixaban) Washington Consumer Health Data Privacy Notice

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Washington Consumer Health Data Privacy Notice

1. INTRODUCTION – HOW THIS NOTICE APPLIES TO YOU

Bristol-Myers Squibb and Pfizer (together, "we," "ours," "us") have entered into a co-development and co-promotion agreement for Eliquis® (apixaban) that includes offering this informational website (eliquis.bmscustomerconnect.com), including offering the virtual assistant feature on the website (collectively, the "Website") and services relating to obtaining information about or regarding Eliquis, including conditions it treats (the "Eliquis Services").

This Washington Consumer Health Data Privacy Notice ("WA Health Notice" and "Notice") applies to Washington Consumer Health Data that we collect about Washington state residents and other individuals whose Consumer Health Data is collected in Washington (collectively, "Washington Consumers") that may be subject to the Washington My Health My Data law ("Washington MHMD Act").

"Consumer Health Data" as used in this Notice means personal information that is linked or reasonably linkable to a Washington Consumer and that identifies the Washington Consumer's past, present, or future physical or mental health status and that we collect when offering or providing Eliquis Services.

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

- Information that is "protected health information" or "PHI" under HIPAA, which includes health information
- Personal information intermingled with PHI that is subject to HIPAA that we maintain in our capacity as a health care provider under HIPAA
- 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
- Information we create and maintain in our role as a manufacturer under applicable laws
- Personal information used only for public health activities and purposes
- Personal information subject to the Fair Credit Reporting Act
- Information that has been deidentified in accordance with HIPAA deidentification requirements

- Publicly available information
- Information collected about Washington Consumers when acting in their capacity as employees, independent contractors, or job applicants

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

2. WHAT TYPE OF DATA BMS PROCESSES ABOUT YOU

We collect the following categories of Consumer Health Data:

- Information about health-related conditions, treatment, diseases, or diagnoses
- Medical interventions, treatments, and medication obtained or prescribed
- Bodily functions, vital signs, symptoms, or measurements of other types of consumer health data
- Diagnoses or diagnostic testing, treatment, or medication
- Data that identifies individuals seeking health care services
- Reproductive or sexual health information
- Any inferences of the above categories of health information derived or extrapolated from non-health information
- Other information that may be used to identify your health condition

3. FOR WHAT PURPOSES DOES BMS COLLECT YOUR CONSUMER HEALTH DATA

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

- To provide information about Eliquis and provide Eliquis Services
- To manage our relationship with you regarding Eliquis, including customer service or to respond to your inquiries about Eliquis
- Undertake activities to verify, maintain, monitor or improve the quality, functionality or safety of Eliquis
- So that we can directly advertise and market to you and measure the effectiveness of our advertisements and marketing
- To monitor and improve our website 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 Service or that are illegal, and to protect our rights and the rights and safety of our users and others

4. WHAT ARE THE SOURCES OF CONSUMER HEALTH DATA (WHERE DO WE GET YOUR INFO FROM)

We collect Consumer Health Data from Website users, people interested in the Eliquis Services, and representatives of entities with which we do business or may do business. We also collect personal information from data brokers.

5. CONSUMER HEALTH DATA WE MAY SHARE WITH THIRD PARTIES OR AFFILIATES

- 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
- We may share your Consumer Health Data with our respective affiliates and subsidiaries.

6. WHAT ARE MY CONSUMER RIGHTS UNDER THE WASHINGTON MHMD ACT AND HOW DO I EXERCISE THEM

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

- Right to Know: The right to confirm whether 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
- 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 call 855-961-0474 or complete the online form at: www.bms.com/dpo/us/request. 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 such requests within 45 days from when we receive your request. In some circumstances, we may need additional time to process your request. If we

expect your request is going to take us longer than normal to fulfil, we will let you know.

If your request is denied, you may appeal that decision as specified in our letter or denial. We will process and respond to your appeal within the time permitted by the Washington MHMD Act.

7. CONTACT US

If you have questions about this Notice or want to obtain more information about our privacy practices, please call 855-961-0474 or complete the online form at: www.bms.com/dpo/us/request.

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.

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