

2016 Updated Model Privacy Notice

Draft Content for Public Comment

Background

ONC is embarking on an effort to update the [Model Privacy Notice](#) - a voluntary, openly available resource designed to help developers provide transparent notice to consumers about information practices in an understandable way.

The MPN's approach is to provide a standardized, easy-to-use framework to help developers clearly convey information about privacy and security to their users. Similar to the FDA Nutrition Facts Label, the MPN's approach does not mandate specific policies. Instead, it helps encourage transparency of key product facts that can empower individuals to make informed choices. It is intended to focus only on some important information and does not substitute for more comprehensive privacy policies.

The 2011 version of the MPN was developed in collaboration with the Federal Trade Commission and focused on Personal Health Records (PHRs), which were the emerging technology at the time. In 2016, we want to make it a more useful resource for consumers and developers in a market with more varied products that are collecting digital health information, such as mobile applications (apps) and wearable devices.

Updated MPN Draft Content for Public Comment

ONC drafted content for an updated MPN template based on feedback from public comment submitted through a request for information on March 1, 2016. The public comments are posted [here](#).

Privacy and security is a complex topic and we want to ensure that the MPN is **understandable and engaging from a consumer's point of view** and also addresses consumers' concerns around privacy and security of their health information.

We are requesting **consumer-focused input** on the draft content to make the MPN clear, simple, and user-friendly. Public comment on the draft is open until **September 15th, 2016**. Email feedback by this date to fac-a-onc@altatum.org.

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Note: This is draft content for a Model Privacy Notice template. The health technology developer would populate this template with information regarding their company’s privacy and security policies. “**We**” refers to the health technology developer and “**you/your**” refers to the user/consumer of the health technology.

Date Last Updated: 9/7/2016

How we use your information	
Identifiable/ personal information: <i>Identifiable health and personal information includes demographic information, any information regarding your physical or mental health conditions and health care, and any information that could be used to identify you, such as your IP address.</i>	We collect and use this kind of data for: <ul style="list-style-type: none"> <input type="checkbox"/> Marketing and advertising <input type="checkbox"/> Medical and pharmaceutical research <input type="checkbox"/> For reporting about our company and our customer activity <input type="checkbox"/> For developing software applications
Aggregate, statistical, or de-identified data <i>This data removes individual identifiers so that the data no longer identifies you.</i>	We collect and use this kind of data for: <ul style="list-style-type: none"> <input type="checkbox"/> Marketing and advertising <input type="checkbox"/> Medical and pharmaceutical research <input type="checkbox"/> For reporting about our company and our customer activity <input type="checkbox"/> For developing software applications
How we share your information	
Identifiable/ personal information: <i>Identifiable health and personal information includes demographic information, any information regarding your physical or mental health conditions and health care, and any information that could be used to identify you, such as your IP address.</i>	We share this kind of data for: <ul style="list-style-type: none"> <input type="checkbox"/> Marketing and advertising <input type="checkbox"/> Medical and pharmaceutical research <input type="checkbox"/> For reporting about our company and our customer activity <input type="checkbox"/> With your insurer and employer <input type="checkbox"/> Sale of data
Aggregate, statistical, or de-identified data <i>This data removes individual identifiers so that the data no longer identifies you.</i>	We share this kind of data for: <ul style="list-style-type: none"> <input type="checkbox"/> Marketing and advertising <input type="checkbox"/> Medical and pharmaceutical research <input type="checkbox"/> For reporting about our company and our customer activity <input type="checkbox"/> With your insurer and employer <input type="checkbox"/> Sale of data
How we store your information	
Is your data stored locally in the device or app?	Yes / No
Is your data stored externally, for example by the company servers or a third party cloud service provider?	Yes / No
Is the data stored outside the US?	Yes/ No

How we protect your information	
Does the technology encrypt your data?	Yes/No [If yes] For more information on our information security practices, see [link to privacy policy]
How this technology accesses other device data	
Does this technology access other device data or applications, such as your phone's camera, photos, geo-location, or contacts?	Yes/No [If yes] Here is how you can check your settings...
Can this technology connect to your social media accounts, like Facebook?	Yes/No [If yes] Here is how you can check your settings...
What can you do with the data that we collect?	
You can access, edit, or delete the information we have about you.	Yes/No [if yes] Here is how to do this.
You can share the data we collect.	Yes/No [If yes] Once you obtain your information, you can do anything you want with it. However, it's important to make the decision to send your information carefully – and that you understand the privacy and security risks of sharing it with others. You can share your data with: <input type="checkbox"/> Friends and family <input type="checkbox"/> Doctors and providers <input type="checkbox"/> Social media <input type="checkbox"/> Other _____ Here is how you do this...
What happens to your data when you deactivate/terminate your account?	When you deactivate/cancel your account, your data...
How will we notify you and protect your information in case of a breach or criminal activity?	
<i>Describe how the company will protect information in the case of a breach and provide link to section in privacy policy.</i>	
How will we notify you if our privacy policy changes?	
<i>Describe how/if the company will notify consumers of privacy policy changes and provide link to section in privacy policy.</i>	
How Can You Contact Us With Questions?	
[Mailing Address]	
[Phone Number]	
[Email Address]	
[Link to Online Comment/Contact Form]	
[Link to full privacy policy]	