

Updates from the Virgin Pulse Compliance Policy Team

Overall Changes and Updates

- We added a new legal notice, our Supplemental Privacy Notice for California Residents, to clarify our compliance with the California Consumer Protection Act and its associated regulations (CCPA).
- We added new language in each privacy notice to address the CCPA and provide a link to the Supplemental Privacy Notice for California Residents.
- We added a new link in our privacy notices so that data subjects may submit data subject rights requests without logging into the platform, including making it simpler to submit a “do not sell” request under the CCPA.
- We added language clarifying SMS texting rights for our US members.
- We clarified in our agreements that we can remove or block inappropriate postings when a user violates our behavioral requirements. Prior language allowed us to remove a user from the program but was unclear whether we could “correct” unacceptable without removing the user.
- We added language clarifying that some of our Program Partners may provide financial advice or services, but that Virgin Pulse does not itself provide such services directly to members.
- Added links to supporting documents and forms.

For US-Based Users

- We added references to receiving claims data from healthcare clearinghouses when the program includes claims navigation features.
- We added references to complying with the ADA into our GINA notice to align with guidance from the EEOC.

For International Users

- We added language into our data use consent form to clarify that some of the Personal Information we collect would be considered “sensitive personal information” and stated that the EU has determined that data protection laws in the United States do not offer the same level of protection as the GDPR does in the EU.



VP Transform Specific

- We changed our terminology to refer to “participants” rather than “members” to align with our client contracts and reflect the different enrollment criteria for Transform Participants as opposed to our Wellness Members.
- We removed language describing Privacy Shield from the VP Transform privacy notice, because VP Transform does not and will not process data out of the EU.
 - We retained Privacy Shield language in our other wellness platform privacy notices but address the fact that we do not rely on Privacy Shield as an export mechanism from the EU and are committed to complying with the obligations we have under our Standard Contractual Clauses for processing EU based data.