

# Thinklabs Privacy Choice Policy

Thinklabs gives you real choices for your privacy settings. Some of the choices described below apply to Services offered to you, and others do not apply. For example, if you are a patient, your provider may set those choices for you to protect your privacy. If you are a clinician, your institution might make those selections. In that case, your provider or institution will provide you with privacy information customized to your case.

## Privacy Choices and Settings

During the registration process, you might be presented with choices that will set the privacy levels for your use of Thinklabs Services. This section explains your choices.

**Donate Sounds to Research** - You can choose to donate heart and lung sounds for medical research while protecting your personal identity. Doctors, as well as millions of patients, could benefit from new diagnostic tools developed using the data. Personal identities are shielded from researchers, who only have access to sound recordings and relevant medical information.

**Unwilling to Donate** - Your heart and lung sound recordings will *not* be made available to anyone other than yourself and those with whom you specifically share your recordings. If you do share, recipients will know your identity, and any information that you choose to share.

## How your Data is Organized and How it Affects Your Privacy

There are a few types of data that we can capture, depending on the choices you make. There are also some differences between professional users who record patients' sounds and patients who are record their own sounds:

### For Professional Users

**Audio and Video Recordings** – The sounds you record, such as heart and lung sounds from a stethoscope, and any notes and diagnostic tags.

**If you donate recordings** - By sharing these sounds with Thinklabs, you will be advancing research into the analysis and diagnosis of heart and lung sounds, for the potential benefit of patients and clinicians, including you. If you also enter your diagnosis, based on your clinical experience, you will be passing your knowledge to future generations and helping millions of future patients. This amplifies your contribution far beyond the patients you can treat on a daily basis. Adding diagnostic confirmation via echocardiogram, imaging or other tests, adds even more weight to your contributions by further validating the diagnosis. If you share your recordings with us for research, we will strip any identification information so that data is anonymized before being used for research, passing only pertinent medical information to researchers, not personal identification.

**If you do not donate recordings** – Perhaps you’re collecting sounds for your own research and you’d prefer not to share. We want to support your research and help you benefit from the quality of Thinklabs products. You have the choice to opt out of contributing to global research so you can do your own studies and keep your data to yourself. This option keeps your data private, except for any sharing you choose to do, which will expose your data to those with whom you share.

**Protected Health Information (PHI)** – You might wish to enter a patient’s Personal Health Information, such as name, medical record number and other information considered PHI according to HIPAA and other laws.

**Entering or Using PHI** - If you’re adding sound recordings to an Electronic Health Record (EHR) or otherwise correlating recordings to specific patients, you may need to add some PHI. Thinklabs may offer such services, to facilitate sending recordings to an EHR. You might use one of our Thinklabs-to-EHR connection services, or you might simply use folders and file names to identify patients. Under no circumstances should you place PHI in Notes. If you do include PHI or use Thinklabs-to-EHR services, we will use the PHI only for fulfilling your data transfer needs and will then use pseudonymization or anonymize the data, if you choose to donate sounds.

**Recommended Privacy** - Rather than using PHI, you can substitute a secure ID code that identifies the patient only to those who can correlate the ID code with a patient. This is known as pseudonymization, since it is anonymous, except for those with access to the ID code-to-patient re-identification database. *We strongly recommend that you use such anonymization ID codes and do not enter identifiable information into notes. It is our strong preference and recommendation that you NOT use real PHI to identify your patients. We cannot control what you enter into notes and file names, so please read the accompanying Thinklabs Fairness Agreement to understand your responsibilities for entering PHI.*

**Account Information** – Information you enter when you register for an app or service, such as your name, email address, payment information, and other information in account registration or payment dialogs. Other Account Information may include data that is automatically generated through your use of Services, such as IP addresses, usage logs, location data, and other similar information.

Account Information is used for logging into Thinklabs Services, billing if applicable, contacting you, providing customer service, and the like. This information is not optional as it is necessary to provide Services to you. We will separate this information from your medical data in order to improve anonymization of medical information and will only correlate your information with medical data insofar as it improves research using donated sounds. In this case, we will not use your name, but might use information about your qualifications and geographical information in algorithms that screen recordings for quality.

## For Patients

**Audio and Video Recordings** – The sounds you record, such as heart and lung sounds from a stethoscope, and any notes and/or diagnostic tags.

**If you donate recordings** - By sharing these sounds with Thinklabs, you will be advancing research into the analysis and diagnosis of heart and lung sounds, for the potential benefit of clinicians and patients, including you. If you also enter symptoms or diagnosis, you will be passing your healthcare experiences to future generations and helping millions of future patients. This is an opportunity for you to contribute to medical research with no effort. If you share your recordings with Thinklabs for research, we will strip any identification information, so that your data is anonymized before being used for research, passing only medical information to researchers, not personal identification.

**If you do not donate recordings** – You may opt out of sharing sounds. You are a valued customer and patient, and we want to support your health and help you benefit from the quality of Thinklabs products. You have the choice to opt out of contributing to global research and we respect your choice to do so. This option keeps your data private, except for any sharing you choose to do, for example, with your doctor or hospital, which will expose your data to those with whom you share.

**Protected Health Information (PHI)** – Your identity is known as Personal Health Information and includes your name, medical record number, address, email address, and other information that is considered PHI according to HIPAA and other laws, and which can be used to identify you.

**Entering or Using PHI** - If you're adding sound recordings to an Electronic Health Record (EHR) or otherwise sending your recordings to a doctor or hospital, you may need to add some PHI. Thinklabs might offer such services, to facilitate sending recordings automatically to an EHR. Under no circumstances should you place PHI in Notes. If you do include PHI or use Thinklabs-to-EHR services, we will use the PHI only for fulfilling your data transfer needs and will then use pseudonymization or anonymize the data if you choose to donate sounds.

**Recommended Privacy** - Rather than using PHI, your doctor or hospital can substitute a secure ID code that identifies you only to those who can correlate the ID code with you. This is known as pseudonymization, because it is anonymous, except for those with access to the ID code-to-patient re-identification database. We strongly recommend that you use such anonymization ID codes and do not enter identifiable information into Notes. However, your provider may need your PHI in order to provide you with services. We do provide security measures to protect your PHI. However, we cannot control what you enter into Notes and file names, so please read the accompanying Thinklabs Fairness Agreement to understand your responsibilities for entering PHI.

**Account Information** – Information you enter when you register for an app or service, such as your name, email, payment information and other information in account registration or payment dialogs. Other Account Information may include data that is automatically generated through your use of Services, such as IP addresses, usage logs, location data, and other similar information.

Account Information is used for logging into our Services, billing if applicable, contacting you, providing customer service, and the like. This information is not optional because it is necessary to provide Services to you. We will separate this information from your medical data in order to improve anonymization of medical information and will only correlate your information with medical data insofar as it improves research using donated sounds. In this case, we will not use your name, but might use information about your qualifications and geographical information in algorithms that screen recordings for quality.

### **Other Information we Collect**

We collect usage information, feedback from users, crash data, customer support communications and records, and other data generated through the use of our Services. We will keep this information confidential within our organization in most cases; however, you give us full permission to use this information how we please. You give us the right to publish non-medical information such as customer feedback, reviews, and the like, either with your name or unidentified. We also reserve the right to share the information we collect, of any nature, for complying with laws and regulations.

### **Changing Privacy Settings**

You may change your privacy settings at any time. If you do, the changes will be implemented going forward and not be retroactive. Prevailing laws may give you the “right to be forgotten.”

### **Malicious Actions**

There are no known methods for guaranteeing complete data security and privacy from malicious actors who either hack into online systems or steal physical devices. This Privacy Policy addresses what we do with your data under circumstances of normal operations. It cannot provide you with guarantees in the event of malicious attacks by third parties, or negligence by you in protecting your devices, logins and passwords.

### **Applicable Laws**

Thinklabs will comply with HIPAA and GDPR. Your rights and our obligations under these laws are presented in the documents listed in the References section of this Privacy Policy. It is your responsibility to understand how these laws apply to your use of our Services. Please contact us with specific questions about laws that might apply in your country.

### **Conclusion and References**

We want you to understand our policies and your legal rights. We try to write in plain language and avoid legal jargon as much as possible. In addition to our policies and terms, there are many laws that apply to our relationship with you. To help you understand these laws, we provide links below to the laws themselves, as well as to explanations that have been written by others.

HIPAA applies in the USA, but other countries follow similar rules.

What is PHI? <https://www.hhs.gov/answers/hipaa/what-is-phi/index.html>

HIPAA Privacy Rules: <https://www.hhs.gov/hipaa/for-professionals/privacy/index.html>

Summary of HIPAA Security Rules:

<https://www.hhs.gov/hipaa/for-professionals/security/laws-regulations/index.html>

Pseudonymization:

<https://www.hhs.gov/hipaa/for-professionals/privacy/special-topics/de-identification/index.html>

Pseudonymization Explained:

<https://medium.com/@alexewerlof/gdpr-pseudonymization-techniques-62f7b3b46a56>

GDPR Explained:

<https://medium.freecodecamp.org/gdpr-terminology-in-plain-english-6087535e6adf>

GDPR: <https://eugdpr.org/>

GDPR – Another Version, more organized: <https://gdpr-info.eu/>