

AEARO COMPANY

NOTICE OF PRIVACY PRACTICES

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY.

OUR PLEDGE REGARDING YOUR HEALTH INFORMATION

We understand that information about you and your health is personal and we are committed to protecting the privacy of such information. This Notice applies to all of the records relating to your medical care that are maintained and/or generated by us. This Notice will describe to you (i) certain obligations we have regarding the use and disclosure of your health information, (ii) the ways in which we may use and disclose your health information, and (iii) your rights with respect to your health information.

OUR OBLIGATIONS

We are required by law to:

- maintain the privacy of your health information;
- provide you with this Notice of our legal duties and privacy practices with respect to your health information; and
- abide by the terms of this Notice.

HOW WE MAY USE AND DISCLOSE HEALTH INFORMATION

The following categories describe different ways that we may use and disclose health information. For each category of uses or disclosures we will explain what we mean, and in some cases, give examples. Not every use or disclosure in a category will be listed; however, all of the ways we are permitted to use and disclose information will fall within one of the categories. Information may be disclosed in writing, orally, by facsimile, or electronically.

- For Treatment. We will use and disclose your health information to provide, coordinate, or manage your health care and any related products/services. For example, we may take information related to your vision correction needs (such as lens prescriptions, lens type, frame type) we receive from orders of your eye care professional, and use such information to prepare your correction products in accordance with such orders.
- For Payment. We may use and disclose health information about you so that we can bill and collect payment for the products/services you receive. For example, we may provide health information to your insurance company relating to products/services you received so that they will pay us or reimburse you. We may also tell your insurance company about a product/service you are going to receive to obtain prior approval or to determine whether your insurance company will cover the product/service.

- For Health Care Operations. We may use and disclose health information about you for operational purposes. For example, we may use and disclose information for purposes of financial or billing audits, internal quality assurance, personnel decisions, and/or business planning.
- Appointment Reminders. We may use and disclose health information about you to contact you as a reminder that you have an appointment for a product fitting or other service.
- Treatment Alternatives. We may use and disclose health information about you to tell you about (or recommend) possible product or treatment options or alternatives that may be of interest to you.
- Health Related Benefits and Services. We may use and disclose health information about you to inform you about health related benefits or services that may be of interest to you.
- Individuals Involved in Your Care or Payment for Your Care. Unless you object, we may release health information about you to a member of your family, a relative, a close friend or any other person you identify who is involved in your medical care. If you are unable to agree or object to such a disclosure, we may disclose such information as necessary if we determine that it is in your best interest based on our professional judgment. Finally, we may use or disclose your health information to an authorized public or private entity to assist in disaster relief efforts and to coordinate uses and disclosures to family or other individuals directly involved in your medical care.
- Business Associates. We may contract with certain business associates to perform operational tasks on our behalf. An example of a business associate would be a third party that we contract with to provide billing and collection services on our behalf. In connection with the services to be provided by a business associate, we may disclose health information about you to the business associate so that such business associate is able to perform the tasks that we have contracted with them to provide. However, we require that each of our business associates appropriately protects and safeguards any health information received from us.
- Research. Under certain circumstances, we may use and disclose health information about you for health related research purposes.
- As Required By Law. We will disclose health information about you when required to do so by applicable law.
- To Avert a Serious Threat to Health or Safety. We may use and disclose health information about you when necessary to prevent a serious threat to your health and safety or the health and safety of the public or another person. Any disclosure, however, would only be to someone able to help prevent the threat.

- Organ and Tissue Donation. If you are an organ donor, we may release health information to organizations that handle organ procurement or organ, eye or tissue transplantation or to an organ donation bank, as necessary to facilitate organ or tissue donation and transplantation.
- Military and Veterans. If you are a member of the armed forces, we may release health information about you as required by military command authorities. We may also release health information about foreign military personnel to the appropriate foreign military authority.
- Workers' Compensation. We may release health information about you for workers' compensation or similar programs. These programs provide benefits for work related injuries or illness.
- Public Health Risks. We may disclose health information about you for certain public health activities. These activities may include the following:
 - to prevent or control disease, injury or disability;
 - to report births and deaths;
 - to report actual or suspected child abuse or neglect;
 - to report reactions to medications or problems with products;
 - to notify people of recalls of products they may be using;
 - to notify a person who may have been exposed to a disease or may be at risk for contracting or spreading a disease or condition; or
 - to notify the appropriate government authority if we believe a patient has been the victim of abuse, neglect or domestic violence. We will only make this disclosure if you agree, or when required or authorized by law.
- Health Oversight Activities. We may disclose health information about you to a health oversight agency for activities authorized by law. These oversight activities include, for example, audits, investigations, inspections, and licensure. These activities are necessary for the government to monitor the health care system, government programs, and compliance with civil rights laws.
- Lawsuits and Disputes. If you are involved in a lawsuit or a dispute, we may disclose health information about you in response to a court or administrative order. We may also disclose health information about you in response to a subpoena, discovery request, or other lawful process by someone else involved in the dispute, but only if efforts have been made to tell you about the request or to obtain an order protecting the information requested.
- Law Enforcement. We may release health information if asked to do so by a law enforcement official:
 - in response to a court order, subpoena, warrant, summons or similar process;
 - to identify or locate a suspect, fugitive, material witness, or missing person;

- about the victim of a crime, under certain limited circumstances, if we are unable to obtain the person's agreement;
- about a death we believe may be the result of criminal conduct;
- about criminal conduct at our company; or
- in emergency circumstances to report a crime; the location of the crime or victims; or the identity, description or location of the person who committed the crime.

- **Coroners, Medical Examiners and Funeral Directors.** We may release health information to a coroner or medical examiner. This may be necessary, for example, to identify a deceased person or determine the cause of death.
- **National Security and Intelligence Activities.** We may release health information to authorized federal officials for intelligence, counterintelligence, and other national security activities authorized by law.
- **Protective Services for the President and Others.** We may disclose health information to authorized federal officials so they may provide protection to the President, other authorized persons or foreign heads of state or conduct special investigations.
- **Department of Health and Human Services.** We may disclose health information when required by the Secretary of the United States Department of Health and Human Services for purposes of an investigation or determination regarding our compliance with the federal privacy rule.

OTHER DISCLOSURES AND USES OF HEALTH INFORMATION

Other uses and disclosures of your health information not covered by this Notice or the laws that apply to us will be made only with your written permission. If you provide us permission to use or disclose health information, you may revoke that permission, at any time, by providing us written notice of such revocation. If you revoke your permission, we will no longer use or disclose health information about you for the reasons covered by your written authorization. You understand that we are unable to take back any disclosures we have already made with your permission, and that we are required to retain our records of the care that we provide to you.

YOUR RIGHTS REGARDING YOUR HEALTH INFORMATION

You have the following rights regarding health information we maintain about you:

- **Right to Inspect and Copy.** You have the right to access, inspect and/or obtain a copy of your health information that is maintained by or for us.

A request to access, inspect and/or obtain a copy of your health information must be submitted in writing to our Privacy Officer at: 90 Mechanic Street, Southbridge, Massachusetts 01550. If you request a copy of information, we may charge a reasonable cost-based fee for such information.

We may deny your request to access, inspect and/or copy your health information in certain very limited circumstances. If we deny your request, you may request that the denial be reviewed. A licensed medical care professional chosen by us will review your request and the denial. The person conducting the review will not be the person who denied your request. We will comply with the outcome of the review.

- **Right to Amend.** If you feel that health information we maintain about you is incorrect or incomplete, you may ask us to amend the information. You have the right to request an amendment for as long as the information is maintained by or for us.

A request to amend your health information must be submitted in writing to our Privacy Officer at: 90 Mechanic Street, Southbridge, Massachusetts 01550. You must include in your written request the reason that supports your request.

We may deny your request for an amendment if it is not in writing or does not include a reason to support the request. In addition, we may deny your request if you ask us to amend information that:

- was not created by us, unless the person or entity that created the information is no longer available to make the amendment;
- is not part of the health information kept by or for us;
- is not part of the information which you would be permitted to inspect and copy pursuant to the federal privacy rule; or
- is accurate and complete.

- **Right to an Accounting of Disclosures.** You have the right to request an accounting of disclosures made by us of your health information outside of treatment, payment, and operational purposes (and without an authorization) during the six (6) year period immediately prior to such request (excluding any time period prior to April 14, 2003).

A request to amend your health information must be submitted in writing to our Privacy Officer at: 90 Mechanic Street, Southbridge, Massachusetts 01550. The first accounting of disclosures you receive from us in a twelve (12) month period will be free. For additional accountings you request from us within the same twelve (12) month period, we may charge you for the costs of providing the accounting. We will notify you of the cost involved and you may choose to withdraw or modify your request at that time before any costs are incurred.

- **Right to Request Restrictions.** You have the right to request a restriction or limitation on the health information we use or disclose about you for treatment, payment or health care operations. You also have the right to request a limit on the health information we disclose about you to someone who is involved in your care or the payment for your care, like a family member or friend. However, we are not required to agree to your request. If we do agree, we will comply with your request unless the information is needed to provide you emergency treatment, or a use or disclosure is otherwise required by applicable law.

To request restrictions, you must make your request in writing to our Privacy Officer at: 90 Mechanic Street, Southbridge, Massachusetts 01550. In your request, you must tell us (i) what information you want to

limit; (ii) whether you want to limit our use, disclosure or both; and (iii) to whom you want the limits to apply.

- **Right to Request Confidential Communications.** You have the right to request that we communicate with you about medical matters in a certain way or at a certain location. For example, you can ask that we only contact you at work or by mail.

To request confidential communications, you must make your request in writing to our Privacy Officer at: 90 Mechanic Street, Southbridge, Massachusetts 01550. We will not ask you the reason for your request. We will accommodate all reasonable requests. Your request must specify how or where you wish to be contacted.

Right to a Paper Copy of This Notice. You have the right to a paper copy of this Notice. You may ask us to give you a copy of this Notice at any time. Even if you have agreed to receive this Notice electronically, you are still entitled to a paper copy of this Notice. You may obtain a paper copy of this Notice at the location(s) at which we provide services/products from any Aearo Company representative or from our Privacy Officer who can be contacted at: (508) 764-5590, or 90 Mechanic Street, Southbridge, Massachusetts 01550.

CHANGES TO THIS NOTICE

We reserve the right to change this Notice, and to make the revised or changed Notice effective for health information we already have about you as well as any information we receive in the future. We will post a copy of the current Notice at: <http://www.aearo.com>. In addition, each time before you receive a healthcare service/product from us, we will offer you a copy of the current Notice in effect.

COMPLAINTS

If you believe your privacy rights have been violated, you may file a complaint with our company or with the Secretary of the United States Department of Health and Human Services. A complaint filed with our company must be in writing and directed to the attention of our Privacy Officer at: 90 Mechanic Street, Southbridge, Massachusetts 01550. All complaints must be submitted in writing.

You will not be penalized or retaliated against for filing a complaint with either us or the Secretary of the United States Department of Health and Human Services.

CONTACT PERSON

The contact person for Aearo Company for all issues regarding patient privacy and your rights under the federal privacy standards is our Privacy Officer. Information regarding matters covered by this Notice of Privacy Practices can be requested by contacting our Privacy Officer at: (508) 764-5590 or 90 Mechanic Street, Southbridge, Massachusetts 01550.

EFFECTIVE DATE

This Notice is effective April 1, 2005.