

CCPA Consumer Privacy Policy

Last updated: *July 2022*

This CCPA Consumer Privacy Policy for California Consumers/Employees (the “CCPA Consumer Privacy Policy”) applies solely to all job applicants, employees, or contractors of a Business who qualify as Consumers and who reside in the State of California (“you”). MGA adopts this Policy to comply with the California Consumer Privacy Act of 2018 (“CCPA”) and any terms defined in the CCPA have the same meaning when used in this Policy. This policy supplements the information contained in the Notice of Privacy Practices of MGA Home Care.

We are committed to protecting the privacy and security of the information we collect and to being transparent about the purposes for which we use your information. This CCPA Consumer Privacy Policy sets forth our policies and practices for handling the information we collect and use in the employment context.

For the purposes of this CCPA Consumer Privacy Policy, unless otherwise noted, all references to MGA include MGA Home Healthcare, L.L.C.; MGA Home Healthcare Colorado, LLC; MGA Home Healthcare Fayetteville, LLC; MGA Healthcare Texas, LLC; MGA Home Healthcare Pueblo, LLC; MGA Home Healthcare Fort Collins, LLC; A Circle of Care Colorado, LLC; MGA Behavior Therapy, LLC; MGA Home Healthcare Washington, LLC; MGA Homecare Tucson, LLC, MGA Home Healthcare Tennessee, LLC and its affiliates.

Information MGA Collects

Through job applications, MGA collects information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular Consumer or household. In particular, MGA has collected the following categories of personal information from Consumers within the last 12 months:

Category	Examples
Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet protocol address, email address, account name, Social Security number, driver’s license number, passport number, or other similar identifiers that You decide to provide to our customer or us.
Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.

Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).
Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.
Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.
Internet or other similar network activity.	Browsing history, search history, information on a Consumer's interaction with a MGA website, application, or advertisement.
Geolocation data.	Physical location or movements.
Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.
Professional or employment-related information.	Current or past job history or performance evaluations.
Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.
Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.

Personal information does not include:

- Publicly available information from government records.
- De-identified or aggregated Consumer information.

- Information excluded from the CCPA's scope, like:
 - health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the California Confidentiality of Medical Information Act (CMIA) or clinical trial data;
 - personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FRCA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

MGA obtains the categories of personal information listed above from the following categories of sources:

- Directly from our Consumers or their agents. For example, from information that you or your agent provides to us.
- Indirectly from our clients or their agents. For example, through information SmartRecruiters collects from our Consumers in the course of providing services to them.
- Directly and indirectly from activity on MGA's website (<https://mgahomecare.com/>). For example, from submissions through our MGA website portal or MGA website usage details collected automatically.
- Directly from you if you provide your personal information to us.

Use of Personal Information

MGA may use or disclose the personal information MGA collects for one or more of the following business purposes:

- To fulfill or meet the reason for which the information is provided. For example, if you provide MGA with personal information in order for MGA to allow you to apply for a job, MGA will use that information.
- To provide you with information that you request from MGA.
- To provide you with email alerts, event registrations and other notices concerning our job opportunities, or events or news, that may be of interest to you.
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and MGA.
- To improve MGA's website and present its contents to you.
- For testing, research, analysis and product development.

- As necessary or appropriate to protect the rights, property or safety of MGA technology or others.
- To respond to law enforcement requests and as required by applicable law, court order, or governmental regulations.
- As described to you when collecting your personal information or as otherwise set forth in the CCPA.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by MGA is among the assets transferred.

MGA will not collect additional categories of personal information or use the personal information MGA collected for materially different, unrelated, or incompatible purposes without providing you notice.

Sharing Personal Information

MGA may disclose your personal information to a third party for a business purpose. When MGA discloses personal information for a business purpose, MGA enters a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

In the preceding 12 months, MGA has disclosed the following categories of personal information for a business purpose:

- Identifiers.
- California Customer Records personal information categories.
- Protected classification characteristics under California or federal law.
- Professional or employment-related information.
- Internet or other electronic network activity information.

MGA discloses your personal information for a business purpose to the following categories of third parties:

- Our affiliates.
- Partners.
- Third parties to whom you or your agents authorize MGA to disclose your personal information in connection with your application.

In the preceding 12 months, MGA has not sold any personal information.

Your Rights and Choices

The CCPA provides California residents with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that MGA disclose certain information to you about our collection and use of your personal information over the past 12 months. Once MGA receives and confirms your verifiable Consumer request, MGA will disclose to you:

- The categories of personal information MGA collected about you.
- The categories of sources for the personal information MGA collected about you.
- Our business or commercial purpose for collecting or selling that personal information.
- The categories of third parties with whom MGA shares that personal information.
- The specific pieces of personal information MGA collected about you (also called a data portability request).
- If MGA sold or disclosed your personal information for a business purpose, two separate lists disclosing:
 - sales, identifying the personal information categories that each category of recipient purchased; and
 - disclosures for a business purpose, identifying the personal information categories that each category of recipient obtained.

Deletion Request Rights

You have the right to request that MGA delete any of your personal information that MGA collected from you and retained, subject to certain exceptions. Once MGA receives and confirms your verifiable Consumer request, MGA will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

MGA may deny your deletion request if retaining the information is necessary for MGA or our service providers to:

- Complete the transaction for which MGA collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
- Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.

- Debug products to identify and repair errors that impair existing intended functionality.
- Exercise their free speech rights, ensure the right of another Consumer to exercise their free speech rights, or exercise another right provided for by law.
- Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 seq.).
- Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
- Enable solely internal uses that are reasonably aligned with Consumer expectations based on your relationship with us.
- Comply with a legal obligation.
- Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable Consumer request to MGA by:

- Contacting the Corporate Privacy Officer by phone at (844) 399-5338;
- By email at compliance@mgahomecare.com;
- By mail at:

MGA Homecare
 Attention: Privacy Officer
 7025 North Scottsdale Road, Suite 200
 Scottsdale, AZ 85253

Only you or a person registered with the California Secretary of State that you authorize to act on your behalf, may make a verifiable Consumer request related to your personal information. You may also make a verifiable Consumer request on behalf of your minor child.

You may only make a verifiable Consumer request for access or data portability twice within a 12-month period. The verifiable Consumer request must:

- Provide sufficient information that allows MGA to reasonably verify you are the person about whom MGA collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows MGA to properly understand, evaluate, and respond to it.

MGA cannot respond to your request or provide you with personal information if MGA cannot verify your identity or authority to make the request and confirm the personal information relates to you. Making a verifiable Consumer request does not require you to create an account with us. MGA will only use personal information provided in a verifiable Consumer request to verify the requestor's identity or authority to make the request.

Response Timing and Format

MGA endeavors to respond to a verifiable Consumer request within 45 days of its receipt. If MGA requires more time (up to 90 days), MGA will inform you of the reason and extension period in writing. MGA will deliver our written response by mail or electronically, at your option. Any disclosures MGA provides will only cover the 12-month period preceding the verifiable Consumer request's receipt. The response MGA provides will also explain the reasons MGA cannot comply with a request, if applicable. For data portability requests, MGA will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

MGA does not charge a fee to process or respond to your verifiable Consumer request unless it is excessive, repetitive, or manifestly unfounded. If MGA determines that the request warrants a fee, MGA will tell you why MGA made that decision and provide you with a cost estimate before completing your request.

Non-Discrimination

MGA will not discriminate against you for exercising any of your CCPA rights.

- Deny you goods or services.
- Charge you different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

Changes to this Privacy Policy:

MGA reserves the right to change this Privacy Policy at any time. We will notify you of any material change by posting notice on the Site. Please review the Last Updated date at the top of this Privacy Notice. Your continued use of the Site after the Last Updated date constitutes your acceptance of the amended Privacy Notice. We encourage you to periodically review this page for the latest information on our privacy practices. Any amended Privacy Policy supersedes all previous versions. **IF YOU DO NOT AGREE TO FUTURE CHANGES TO THIS PRIVACY NOTICE, YOU MUST STOP USING THE SITE AFTER THE LAST UPDATED DATE OF SUCH CHANGES.** Significant changes will go into effect two weeks following such notification. Non-material changes or clarifications will take effect immediately. MGA encourages you to check our site and this Privacy Policy for updates.

Contact Information

If you have any questions or comments about this Privacy Notice, the ways in which we collect and uses your information described in this policy your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

By Mail:

MGA Homecare

Attention: Privacy Officer

7025 North Scottsdale Road, Suite 200

Scottsdale, AZ 85253

By Phone: (844) 399-5338

By Email: compliance@mgahomecare.com