

Privacy Policy

Effective Date: September 15, 2025 **Last Updated:** September 15, 2025

This Privacy Policy explains how Brighter Way Dental Center (“BWD,” “we,” “us,” or “our”) collects, uses, discloses, and safeguards information when you visit our websites, communicate with us (including SMS/MMS texting and email), or receive in-clinic services (collectively, the “Services”). For information about how we use and disclose protected health information (PHI) under HIPAA, please review our Notice of Privacy Practices; if there is a conflict, the HIPAA Notice governs PHI.

1) Scope

This Privacy Policy applies to personal information we process in connection with our Services. It does not apply to third-party websites or services we do not control. For PHI, our HIPAA Notice of Privacy Practices applies. For non-HIPAA personal information, this Privacy Policy applies.

2) Information We Collect

We may collect the following categories of information, depending on your interactions with us:

- Identifiers and contact details (e.g., name, address, phone, email).
- Appointment, treatment, and billing information (non-PHI elements for scheduling and administrative purposes).
- Communications content and metadata (e.g., SMS/MMS messages, email exchanges).
- Device and usage information (e.g., IP address, browser type, cookie IDs).
- Feedback and survey responses.

3) No Sharing or Transfer Between Organizations (Unless Explicitly Stated)

We do not sell personal information and we do not share or transfer personal information between organizations for those organizations’ independent use, unless we have expressly disclosed the details to you in advance and, where required, obtained your explicit consent, or we are required to do so by law.

- “Sell” and “share” have the meanings assigned by the California Consumer Privacy Act (CCPA/CPRA). We do not sell or share personal information for cross-context behavioral advertising.
- We may disclose personal information to service providers and business associates acting on our behalf (e.g., appointment reminder vendors, patient portal providers, payment processors). Such parties may only use the information to perform services for us and must agree to strict confidentiality, security, and data-use limits in a written agreement (e.g., DPA/BAA).
- We may disclose information where required by law (e.g., court order, subpoena) or to protect rights, safety, or property.

4) How We Demonstrate Non-Disclosure / Non-Transfer

We maintain records and controls to prove compliance with this Policy:

- Data Sharing Register: An internal register listing every external disclosure of personal information, including recipient, purpose, legal basis, data elements, and dates.

- **Vendor & Processor List:** A current list of service providers under written agreements (DPA/BAA) that restrict use to our instructions, prohibit onward disclosure, and require security safeguards.
- **Access & Disclosure Logs:** System and communication logs evidencing when data was accessed or disclosed (including SMS/email suppression activities).
- **Approvals Workflow:** Documented internal approvals for any proposed new disclosure/transfer, including privacy review and legal sign-off.

5) Messaging Rights & Opt-Out of Future Communications

We respect your right to control marketing and informational communications. Message senders (our staff and approved vendors) must acknowledge and honor your opt-out rights.

Your options include:

- **SMS/MMS:** Reply STOP, END, CANCEL, UNSUBSCRIBE, or QUIT to any message to stop that category. Reply STOP ALL to stop all texts. Reply HELP for help. Message/data rates may apply.
- **Email:** Use the “Unsubscribe” link at the bottom of our emails or email us to request removal.
- **Phone:** Ask our staff to place you on our do-not-contact list for calls or texts.
- **Portal/Forms:** Where available, adjust your communication preferences in the patient portal or on our intake forms.
- **Manual Request:** Email or mail us a written request to opt out of some or all communications (see Contact).

We implement opt-outs promptly. Suppression takes effect immediately for automated systems and no later than 48 hours across all active systems and approved vendors. Transactional/operational messages necessary to provide ongoing care (e.g., appointment confirmations) may still be sent where legally permitted and reasonably necessary.

5.1 Sender & Vendor Obligations

- All personnel and vendors sending messages on our behalf must comply with this Privacy Policy and our Messaging Compliance Addendum.
- Senders must check the suppression list before sending and must immediately honor STOP/UNSUBSCRIBE signals.
- Vendors must pass through and honor opt-out signals and are prohibited from using data for their own marketing or profiling.

6) How We Use Information

- Provide, maintain, schedule, and improve the Services.
- Communicate with you about appointments, treatment, billing, and support.
- Send surveys and (with your consent) marketing communications.
- Detect, prevent, and address security or technical issues.
- Comply with legal obligations.

7) Retention

We retain personal information only as long as necessary to fulfill the purposes described in this Policy, comply with legal, tax, and reporting requirements, resolve disputes, and enforce our agreements. PHI is retained consistent with HIPAA and applicable state records laws.

8) Security

- Administrative, technical, and physical safeguards appropriate to the sensitivity of the information.
- Encryption in transit and at rest where feasible; SMS may be unencrypted.
- Access controls, staff training, vendor due diligence, and incident response procedures.

No method of transmission or storage is 100% secure; we cannot guarantee absolute security.

9) Your Privacy Rights & How to Exercise Them

Depending on your jurisdiction, you may have rights to access, correct, delete, or receive a copy of your personal information, and to opt out of certain processing.

- Submit a Request: Email info@brighterwaydental.org or mail us (see Contact). Describe the request (e.g., access, correction, deletion, opt-out).
- Identity Verification: We may request information to verify your identity and authority to make the request.
- Response Time: We aim to respond within 30 days (or the timeframe required by law).
- Accounting of Disclosures (PHI): For PHI, you may request an accounting of certain disclosures as permitted by HIPAA; we will respond within the statutory timeframe.
- Appeal: If we deny your request, you may appeal by replying to our decision email with “Privacy Request Appeal.”

10) Cookies, Analytics & “Do Not Track”

We may use cookies and similar technologies for site operations and analytics. Your browser may offer “Do Not Track” signals; we currently do not respond to such signals. You can control cookies through your browser settings.

11) Children's Privacy

Our online Services are not directed to children under 13. We do not knowingly collect personal information from children under 13 online without appropriate consent.

12) Changes to This Policy

We may update this Policy from time to time. The “Last Updated” date indicates the most recent changes. Significant changes will be communicated as appropriate.

13) Contact Us

Privacy Officer, Brighter Way Dental Center
Phone: (602) 362-0744
Fax (secure records): (480) 907-1665

Email: info@brighterwaydental.org

Mailing Address: 230 S 12th Avenue, Phoenix, AZ 85007

HIPAA Notice of Privacy Practices: <https://brighterwaydental.org/notice-of-privacy-practices>

Appendix A — Short-Form Opt-Out Disclosures (for forms/web near the phone/email fields)

SMS/MMS: “By providing your mobile number, you agree to receive SMS/MMS from Brighter Way Dental Center about appointments, care, billing, and support; with your consent, you may also receive marketing. Message & data rates may apply. Frequency varies. Reply STOP to opt out, HELP for help. Consent to marketing is not required for treatment. See our Privacy Policy and HIPAA Notice.”

Email: “You may unsubscribe at any time by using the link in our emails or by contacting us. Unsubscribing from marketing does not affect operational messages needed to provide care.”

Signed: *Dustin Marshall* Title: Chief Administrative Officer Date: 9/15/2025