Website Privacy Notice for www.ewbcounseling.com

Last modified: September 30, 2024

Introduction

EWB Counseling, PLLC (**"Company"** or **"We"** or "**Us**") operates the website located at ewbcounseling.com (our "**Website**"). We respect your privacy and are committed to protecting it through our compliance with this Notice. This Notice describes the types of information we may collect from you or that you may provide when you visit the Website and our practices for collecting, using, maintaining, protecting, and disclosing that information.

This Notice applies to information we collect:

1. On this Website.
2. In email, text, and other electronic messages between you and Us or this Website.
3. When you interact with our advertising and applications on third-party websites and services, if those applications or advertising include links to this Notice.

It does not apply to information collected by:

1. Us offline or through any other means, including on any other website operated by Company or any third party (including our affiliates and subsidiaries); or
2. Any third party (including our affiliates and subsidiaries), including through any application or content (including advertising) that may link to or be accessible from or through the Website.
3. The EWB Counseling platform, which is provided by a third party.
4. Protected Health Information governed by our Notice of Privacy Practices under the Health Insurance Portability and Accountability Act of 1996 and attendant regulations (collectively, "HIPAA"). Please refer to our Notice of Privacy Practices for an overview of how PHI and other health information you provide to us outside of our Website is handled.

Please read this Notice carefully to understand our policies, procedures, and practices regarding your information and how we treat it during your interactions with our organization, website, products, services, and other communications. If you do not agree with our policies and practices, You agree not to use Our Website. By accessing or using this Website, you agree to this Privacy Notice. This Notice may change from time to time (see Changes to Our Privacy Notice if and where applicable). Your continued use of this Website after we make changes is deemed to be acceptance of those changes, so please check the Notice periodically for updates. Capitalized words not defined in this Privacy Notice have the meanings set forth in the applicable terms of service.

Children Under the Age of Sixteen (16); the Children's Online Privacy Protection Act ("COPPA")

Our Website is not intended for children sixteen (16) years of age or under. No one age 16 or under is permitted to provide any personal information to or on the Website. If you are sixteen (16) years of age or younger, please immediately stop using this Website. We do not knowingly collect personal information from children age sixteen (16) or under. If you are age sixteen (16) or under, do not use or provide any information on this Website or through any of its features, register on the Website, use any of the interactive or public comment features of this Website, or provide any information about yourself to us, including your name, address, telephone number, email address, or any screen name or user name you may use. If we learn we have collected or received personal information from a child under 16 without verification of parental consent, we will delete that information. If you believe we might have any information from or about a child under 16, please contact us at erica@ewbcounseling.com.

Personal Information Sales Opt-Out and Opt-In Rights for Individuals Sixteen (16) Years of Age or Older

If you are 16 years of age or older, you have the right to direct us to not sell your personal information at any time (the "right to opt-out"). We do not sell the personal information of consumers at this time. Consumers who opt-in to personal information sales may opt-out of future sales at any time.

To exercise the right to opt-out, you (or your authorized representative) may submit a request to us by emailing us at erica@ewbcounseling.com with the title "Do Not Sell My Personal Information".

Once you make an opt-out request, we will wait at least twelve (12) months before asking you to reauthorize personal information sales. However, you may change your mind and opt back in to personal information sales at any time by emailing such requests to erica@ewbcounseling.com.

You do not need to create an account with us to exercise your opt-out rights. We will only use personal information provided in an opt-out request to review and comply with the request.

Information We Collect About You and How We Collect It

We collect several types of information from and about users of our Website, including information:

1. By which you may be personally identified, such as but not limited to name and email address ("**personal information**");
2. That is about you but individually does not identify you, and
3. About your internet connection, browser information, cookie utilization, the equipment you use to access our Website, and usage details.

We collect this information:

1. Directly from you when you provide it to us.
2. Automatically as you navigate through the site. Information collected automatically may include usage details, IP addresses, and information collected through cookies, web beacons, and similar tracking technologies.
3. From third parties, for example, our business partners.

Personal Information does not include:

1. Publicly available information from government records.
2. Deidentified or aggregated consumer information.
3. Information excluded from the scope of the Laws, like:
    - health or medical information covered by 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 (FCRA), the Gramm-Leach-Bliley Act (GLBA) or California Financial Information Privacy Act (FIPA), and the Driver's Privacy Protection Act of 1994.

Information You Provide to Us

The information we collect on or through our Website may include:

1. Information that you provide to Us on our Website. We may also ask you for information when you report a problem with our Website.
2. Records and copies of your correspondence (including email addresses), if you contact us.

3. Your search queries on the Website.
4. Your registration for an account or other service from Us.
5. Any information we need to functionally perform Our services or administer this Website.

Non-Discrimination

We will not discriminate against you for exercising any of your rights under applicable law. Unless permitted by applicable law, we will not knowingly:

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

However, we may offer you certain financial incentives permitted by the Laws that **can result** in different prices, rates, or quality levels. Any permitted financial incentive we offer will reasonably relate to your personal information's value and contain written terms that describe the program's material aspects. Participation in a financial incentive program requires your prior opt in consent, which you may revoke at any time.

Information We Collect Through Automatic Data Collection Technologies

As you navigate through and interact with our Website or other features we offer, we may use automatic data collection technologies to collect certain information about your equipment, browsing actions, and patterns, including:

1. Details of your visits to our Website, including traffic data, location data, logs, and other communication data and the resources that you access and use on the Website.
2. Information about your computer and internet connection, including your IP address, operating system, and browser type.

The information we collect automatically helps us to improve our Website and to deliver a better and more personalized service, including by enabling us to:

1. Estimate our audience size and usage patterns.
2. Store information about user preferences.
3. Speed up or otherwise enhance or enrich your searches.
4. Recognize you when you return to our Website.
5. Enhance your user experience in using our Website.

The technologies we use for this automatic data collection may include:

1. **Cookies (or browser cookies).** We use cookies on both our browser and email communications with you. A cookie is a small file placed on the hard drive of your computer. You may refuse to accept browser cookies by activating the appropriate setting on your browser. However, if you select this setting you may be unable to access certain parts of our Website. Unless you have adjusted your browser setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Website. For information about managing your privacy and security settings for cookies, see How We Use and Disclose Your Information.

2. **Web Beacons.** Pages of our Website and our emails may contain small electronic files known as web beacons (also referred to as clear gifs, pixel tags, and single-pixel gifs) that permit the Company, for example, to count users who have visited those pages or read those emails, and for other related website statistics (for example, recording the popularity of certain website content and verifying system and server integrity).

Third-Party Use of Cookies and Other Tracking Technologies

Some content or applications, including advertisements, on the Website are served by third-parties, including advertisers, ad networks and servers, content providers, and application providers. These third parties may use cookies alone or in conjunction with web beacons or other tracking technologies to collect information about you when you use our website. The information they collect may be associated with your personal information or they may collect information, including personal information, about your online activities over time and across different websites and other online services. They may use this information to provide you with interest-based (behavioral) advertising or other targeted content.

We do not control these third parties' tracking technologies or how they may be used. If you have any questions about an advertisement or other targeted content, you should contact the responsible provider directly.

Patient Portal, Electronic Health Record Systems, and Other Third Party Applications

We may use one or more third-party applications, electronic medical record systems, patient portals, or other third-party applications to provide you with services. You understand, acknowledge, and agree that such third-party applications and websites have separate terms and conditions applicable to your use thereof ("Third Party Terms") and you agree to read them carefully and abstain from using this Website or our services in the event you do not agree to become bound by such additional Third Party Terms.

How We Use Your Information

We use information that we collect about you or that you provide to us, including any personal information:

1. To present our Website and its contents to you.
2. To provide you with information, products, or services that you request from us.
3. To fulfill any other purpose for which you provide it.
4. To notify you about changes to our Website or any products or services we offer or provide through it.
5. To allow you to participate in interactive features on our Website.
6. In any other way we may describe when you provide the information.
7. For any other purpose with your consent.

We may use the information we have collected from you to enable us to display advertisements to our advertisers' target audiences. Even though we do not disclose your personal information for these purposes without your consent, if you click on or otherwise interact with an advertisement, the advertiser may assume that you meet its target criteria.

Disclosure of Your Information

We may disclose aggregated information about our users, and information that does not identify any individual, without restriction.

We may disclose personal information that we collect or you provide as described in this privacy policy:

1. To our subsidiaries and affiliates.

2. To contractors, service providers, and other third parties we use to support our business.
3. To a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of the Company's assets.
4. To third parties to market their products or services to you if you have consented to or not opted out of these disclosures. For more information, see Choices About How We Use and Disclose Your Information.
5. To fulfill the purpose for which you provide it.
6. For any other purpose disclosed by us when you provide the information.
7. With your consent.
8. Pursuant to our Notice of Privacy Practices if applicable.

We may also disclose any information, including your personal information:

1. To comply with any court order, law, or legal process, including to respond to any government or regulatory request.
2. To enforce or apply our Terms of Service.
3. If we believe disclosure is necessary or appropriate to protect the rights, property, or safety of the Company, our customers, or others.

Choices About How We Use and Disclose Your Information

1. You can set your browser to refuse all or some browser cookies, or to alert you when cookies are being sent. If you disable or refuse cookies, please note that some parts of this site may then be inaccessible or not function properly. We do not control third parties' collection or use of your information to serve interest-based advertising. However these third parties may provide you with ways to choose not to have your information collected or used in this way.
2. Residents of certain states may have additional personal information rights and choices. Please see Your State Privacy Rights for more information.

Commenting and User Contributions; Moderation Policy

1. Our Website may allow for you to comment, provide feedback, or otherwise contribute in certain ways to our Website (all such contributions "User Contributions"). Please be aware that any User Contribution may be made public and that by providing such User Contribution you agree to waive any rights you may have had to keep all or part of such User Contribution private. When submitting a User Contribution to the Website or a piece of feedback for the website in general, please avoid posting or including any personally identifiable information except as necessary to provide the User Contribution.
2. All User Contributions on the Website are moderated prior to being published and subject to the terms set forth in any website user terms of service or similar document we may create. We reserve the right to reject any content or User Contribution for any lawful reason.

Your rights under this Privacy Notice

You have several rights under the privacy laws that may apply to this Website depending upon your location of access and other factors, including rights under the California Privacy Rights Act, California Privacy Protection Act, Colorado Privacy Act, Children's Online Privacy Protection Act, Utah Consumer Privacy Act, Virginia Consumer Data Protection Act, Connecticut Data Privacy Act, (collectively, the "Privacy Laws").

Your rights under this Privacy Notice include:

1. The right to know what information is being collected about you.
2. The right to request that we delete your information we collect from you, known as the right to be forgotten where applicable law provides.
3. The right to request amendment, change, or correction to the information we collect from you where applicable law provides.
4. The right against discrimination where applicable law provides.
5. The right to access the information we collect about you where applicable law provides.
6. The right to data portability where applicable law provides.
7. The right to opt out or into the sale or sharing of personal information if provided under applicable law in your jurisdiction.

State consumer privacy laws may provide their residents with additional rights regarding our use of their personal information. If you are a resident of California, please view our California Privacy Notice _____ for additional information about your privacy rights.

California, Colorado, Connecticut, Delaware, Florida, Indiana, Iowa, Montana, Oregon, Tennessee, Texas, Utah, and Virginia provide or will provide their state residents with rights to:

1. Confirm whether we process their personal information;
2. Access and delete certain personal information;
3. Data portability;
4. Opt-out of personal data processing for sales purposes; and
5. Either limit (including by opting out entirely) or require consent to process sensitive personal data.

California, Colorado, Connecticut, Delaware, Florida, Indiana, Iowa, Montana, Oregon, Tennessee, Texas, Utah, and Virginia provide or will provide their state residents with rights to opt-out of the processing of personal data for targeted advertising purposes.

California, Colorado, Connecticut, Delaware, Florida, Indiana, Iowa, Montana, Oregon, Tennessee, Texas, and Virginia provide or will provide their state residents with rights to:

- When taking into account the nature of the processing, correct any inaccuracies in personal information that has been processed; and
- Opt-out of personal data processing for purposes of creating profiles used in making legal or other significant decisions.

Nevada provides its residents with a limited right to opt-out of certain personal information sales. Residents who wish to exercise this sale opt-out rights may submit a request to this designated address: erica@ewbcounseling.com. However, please know we do not currently sell data triggering that statute's opt-out requirements.

To exercise any of these rights please contact us at erica@ewbcounseling.com with the heading Exercise of Privacy Rights, and please describe, in detail (i) the right to be exercised, and (ii) the specific information to which such exercise of right is directed.

We may deny your request if retaining the information is necessary for us or our service provider(s) to:

1. Complete the transaction for which we 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, fulfill the terms of a written warranty or product recall conducted in accordance with federal law, or otherwise perform our contract with you.

2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. 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.
6. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
7. Comply with a legal obligation, including the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *et. seq.*) or other applicable law.
8. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

To appeal a decision regarding a consumer rights request or exercise any right under applicable law, please contact us aterica@ewbcounseling.com. Please include in the email a reference to the original case and all facts, including supporting documents, that you think are necessary or helpful for the request or appeal. We will review any documentation you provide and provide a written response within thirty (30) days of receipt of your appeal unless a longer period of time is accommodated under applicable law. We may not provide these deletion rights for B2B personal information except as required by applicable law.

Changes to Our Privacy Notice

We post changes we make to our Privacy Notice on this page. If we make material changes to how we treat our users' personal information, we will notify you through a notice on the Website home page. The date the Privacy Notice was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable email address for you, and for periodically visiting our Website and this Privacy Notice to check for any changes.

Contacting Us

If you choose to contact us either using our online contact form, or by email, then we will require your email address in order to respond to you; you are not required to enter your email address if you do not require a response. Your email address will be stored securely and will only be used for the purpose of responding to your request.

We ask that children aged sixteen (16) years or under do not contact us without adult supervision. If we receive contact from a child we believe to be unsupervised then we will not respond and will immediately delete all records of the contact, except when we believe we need to inform relevant authorities of the contact.

Should you have any questions, we value your privacy and invite discussion at erica@ewbcounseling.com.