

Advanced Performance Chiropractic Privacy Policy for SMS Messaging

Effective Date: 1/1/2025

Introduction

At Advanced Performance Chiropractic your privacy is critically important to us. This Privacy Policy explains how we collect, use, and protect your personal information when you opt into our SMS messaging program. By opting into our SMS service, you agree to the terms outlined below, which are in compliance with the latest 2024 regulations under the **Telephone Consumer Protection Act (TCPA)** and the **Campaign Registry guidelines**.

1. Information We Collect

When you opt-in to receive SMS messages from us, we collect the following information:

- **Phone Number:** The mobile number provided during the opt-in process.
- **Message Interaction Data:** Includes information such as delivery status, response data, and message engagement rates.
- **Consent Data:** We maintain records of when and how you provided consent to receive SMS messages, including the method of opt-in (e.g., web form, keyword, or verbal consent).

2. How We Use Your Information

We use your information to:

- **Send text messages based on the preferences you indicated when opting in, such as promotional offers, updates, or alerts.**
- Ensure compliance with federal regulations, including the **TCPA**.
- Monitor and improve our SMS services by tracking engagement metrics.

Your information will **only be used for the purpose** specified at the time of opt-in and will not be used to send unrelated messages.

3. One-to-One Consent Requirement

In line with **FCC regulations (March 2024)**, your SMS opt-in applies to communications from **Advanced Performance Chiropractic only**. Your consent to receive SMS messages is specific to our company and does not extend to third-party businesses or affiliates unless explicitly stated and separately agreed upon.

4. Message Frequency and Data Rates

The SMS message frequency will vary. Please note that **message and data rates** may apply depending on your mobile carrier and plan. We encourage you to review your carrier's terms for more details on messaging fees.

5. Opt-Out Instructions

You can opt out of our SMS service at any time by replying with **"STOP"** to any message you receive from us. Once you opt out, you will immediately cease receiving further messages unless you opt back in. For help, you can reply with **"HELP"** or contact us directly at drdavis@gotoapc.com or **573-816-3030**

6. Data Sharing and Disclosure

We will never share or sell your information to third parties for marketing purposes without your explicit consent. We may, however, share your information with trusted third-party service providers for the purpose of facilitating SMS delivery (e.g., telecommunications providers). All such parties are bound by strict confidentiality agreements and are prohibited from using your data for any purpose other than SMS delivery.

In compliance with **Do Not Call (DNC) Registry regulations (2024)**, you have the right to register your number with the **National DNC Registry**. If you are on the DNC Registry, we will not send you promotional SMS messages unless you have provided express consent to do so.

7. Security of Your Information

We take reasonable measures to protect the information you provide from unauthorized access, disclosure, or misuse. However, no system is completely secure, and we cannot guarantee the absolute security of your data during transmission or storage.

8. Record-Keeping and Proof of Consent

As required by the **TCPA** and **Campaign Registry guidelines**, we maintain records of all opt-ins and opt-outs, including timestamps and the method of consent. These records are kept securely and may be used to demonstrate compliance with regulatory requirements if needed.

9. Changes to This Policy

We reserve the right to update or modify this Privacy Policy at any time. Any significant changes will be communicated via SMS or on our website. Continued use of our SMS service after any changes indicates your acceptance of the revised policy. Please check back periodically to stay informed of any updates.

10. Contact Us

If you have any questions about this Privacy Policy or wish to update your SMS preferences, you can contact us at:

- **Email:** drdavis@gotoapc.com
 - **Phone:** 573-816-3030
 - **Address:** 145 S. Mt. Auburn Ste A Cape Girardeau, MO 63703
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Links:

- **National Do Not Call Registry:** <https://www.donotcall.gov/>
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Key 2024 Compliance Elements:

- **One-to-One Consent:** Consumers are only giving consent to receive messages from the specific business they opt into, not from multiple parties
- **Clear Disclosures:** The policy includes clear language about the nature of the messages, frequency, potential charges, and opt-out mechanisms
- **Do Not Call Protections:** The policy reflects the latest FCC guidance that DNC protections apply to SMS, making it clear that businesses must adhere to DNC regulations
- **Data Sharing and Record-Keeping:** Emphasizes the importance of maintaining proof of consent and clear guidelines on how data is shared for operational purposes.

This updated **Privacy Policy** example aligns with current 2024 **TCPA** and **FCC** guidelines, ensuring your business remains compliant while fostering transparency with consumers.

SMS Terms and Conditions

Advanced Performance Chiropractic **SMS Terms and Conditions**

Effective Date: 1/1/25

1. Introduction

By opting into the SMS program provided by **Advanced Performance Chiropractic** you agree to receive recurring text messages to the phone number you provided. These messages may include promotional offers, updates, and alerts related to our products and services. By participating, you agree to these Terms and Conditions, which comply with the **Telephone Consumer Protection Act (TCPA)** and the **FCC's** 2024 guidelines.

2. Opt-In Consent

In accordance with the **2024 TCPA guidelines**, your participation in our SMS service requires explicit **one-to-one consent**. This means that by opting in, you consent to receive messages from **Advanced Performance Chiropractic only**. Consent cannot be shared with other companies or third-party entities without your direct approval.

To join our SMS program, you may opt in through:

- **Verbal or In-Person Consent:** In certain cases, if allowed, your verbal consent can be captured and documented.

By opting in, you acknowledge that your consent to receive SMS messages is **not a condition of any purchase**. You may receive promotional or informational messages as specified at the time of opt-in.

3. Message Frequency

The number of messages you receive will vary based on your interaction with our services. Message and data rates may apply depending on your mobile carrier and plan.

4. Opt-Out Process

You can opt out of receiving SMS messages from **Advanced Performance Chiropractic** any time by replying with the word **"STOP"** to any text message you receive from us. Once you opt out, you will not receive any further messages unless you choose to opt back in. For assistance, you can reply **"HELP"** for further instructions or contact our support team directly drdavis@gotoapc.com or **573-816-3030**

5. Terms of Consent

By opting into this SMS program, you agree to receive SMS messages from **Advanced Performance Chiropractic** in compliance with the **TCPA** and the **FCC's 2024** guidelines. All messages will be logically and topically related to your interaction with our services and products.

Your consent is **specific to Advanced Performance Chiropractic** and it does not extend to third-party businesses or affiliates unless explicitly stated at the time of opt-in, as mandated by the **FCC's one-to-one consent rule** introduced in 2024.

6. Privacy Policy

We take your privacy seriously. By opting into our SMS services, you agree to our **Privacy Policy** which explains how we collect, use, and protect your personal information. Your phone number and interaction data will only be used for the purposes of delivering the SMS messages outlined in this agreement.

7. Message and Data Rates

Message and data rates may apply, depending on your mobile service provider and plan. **Advanced Performance Chiropractic** is not responsible for any fees charged by your carrier for receiving or sending messages related to our service.

8. Record-Keeping and Compliance

We maintain detailed records of when and how you provided consent to receive SMS messages. This includes storing opt-in and opt-out dates and timestamps. These records are maintained in compliance with **TCPA** regulations and may be used to demonstrate proof of consent if required.

9. Changes to Terms and Conditions

Advanced Performance Chiropractic reserves the right to modify or change these Terms and Conditions at any time. Any significant updates will be communicated via SMS or through our website. By continuing to use our SMS services after any changes, you agree to the revised Terms and Conditions.

10. Disclaimers and Liability Limitations

Advanced Performance Chiropractic is not responsible for delayed or undelivered messages. Delivery of SMS messages is subject to effective transmission from your mobile carrier and network provider. We cannot guarantee that SMS services will always be available in all areas.

11. Contact Information

If you have any questions or concerns regarding these Terms and Conditions or the SMS service, please contact us at:

- **Email:** drdavis@gotoapc.com
- **Phone:** 573-816-3030
- **Address:** 145 S. Mt. Auburn Ste A Cape Girardeau, MO 63703

Key 2024 Compliance Elements:

- **One-to-One Consent:** Reflects the **2024 FCC regulation** that requires explicit consent for messages from a single seller, preventing bundled consents for multiple parties
- **Clear Disclosures:** The template clearly outlines message frequency, data rates, opt-out mechanisms, and consent specifics as required by the **TCPA**
- **Opt-Out Mechanisms:** Clear opt-out instructions are provided, with immediate processing of opt-out requests, as required under current guidelines

This updated **Terms and Conditions** template complies with the 2024 **TCPA** and **FCC** guidelines, ensuring that your SMS marketing practices are transparent, compliant, and user-friendly.
