# Standard Operating Procedure
# To Protect Confidentiality

Air Care Companies

## 1.0 PURPOSE

1.1 To ensure the client's information remains confidential particularly information resulting from laboratory activities.

## 2.0 DEFINITIONS

2.1 ACC: Air Care Companies, Inc.
2.2 LIMS: ACC's Laboratory Information Management System
2.3 Confidentiality: The act of keeping data and information secret or private.
2.4 Data: Results generated from laboratory activities and samples provided by customers.
2.5 Data Owner: Also known as ACC's Customer, is the party who contracts the laboratory to conduct testing. Typically, this is most easily decerned by the person or organization paying for the work.
2.6 Customer: See Data Owner
2.7 Third Party: Any person or organization other than ACC and the Data Owner. Third Parties require written permission from the Data Owner to receive information held by the laboratory.
2.8 COC: Chain of custody, this is the electronic data file created when customers register their samples online in which contains sample, customer and property information.
2.9 Personnel: Individuals who are employed by Air Care Companies, Inc.
2.10 Risk: A situation where exposure to danger, harm or loss is perceived. (See MGT-SOP-QUC-007 for further details.)
2.11 Public Domain: Information that is available to the public as a whole and is therefore not subject to confidentiality. An example may be fungal definitions.
2.12 Zoho: ACC's electronic customer management platform.
2.13 Registration: A process ACC's customers complete online in which they key in the information needed for the COC and through which they make payment.

## 3.0 PROCEDURE

3.1 ACC's Customer will be clearly listed in LIMS and Zoho as the information in these two places flows directly from registration.
3.2 Communications regarding customer data will only be discussed with the customer.
3.3 Communications with the customer should be primarily handled by ACC's Customer Service team. Should technical laboratory personnel be requested to discuss data with someone, Customer Service will verify the party is indeed the Data Owner. Customer Service personnel will remain on the call with the laboratory to assist with documentation of the call.
3.4 3.3.3 Notwithstanding, Technical laboratory personnel should also confirm the party they are speaking to is in fact the Data Owner.

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3.5 Confirming a party is the Data Owner can be achieved by asking the party to confirm two or more points of data supplied by the customer at the time of Registration.

3.6 If there are any concerns as to the validity of the party being the Data Owner, Customer Service or Laboratory personnel should immediately ask for assistance from management. If management is unavailable, personnel should politely let the party know that they will need to call them back. Call backs should be made same day when before noon, or same or next business day when after noon.

3.7 Customer's may request information to be shared with a third party.

3.7.1 If Customer is on the phone with a Third Party and remains on the phone while data is being discussed, then ACC Personnel are authorized to discuss customer data.

3.7.2 If Customer will not be available to be on the call, then the customer must compete form MGT-FRM-CUS-002 "Customer's Authorization to Release Confidential Information." This document must be signed by and received from the Data Owner, and saved to customer's file in Zoho, prior to scheduling a call with a third party.

3.7.2.1 Any personnel who will be discussing customer data with a third party should request to see a copy of the signed release from the customer.

3.7.2.2 Customer Service personnel are to remain on the call between technical personnel and Third Parties. Following the call, a recap email is to be sent to customer and saved to Zoho.

3.7.3 If the customer requests the laboratory to forward data directly to a third party, the above-mentioned form and process in 3.7.2 must still be completed and customer must be CC'd on the email.

3.8 ACC must comply with Federal, State and local laws. At present, there are no known legal or regulatory requirements to disclose data from the fields of testing currently performed by ACC. However, should such a regulation be put in place, ACC will comply as required by law, but shall let all affected customers know in writing, and such writings will be saved to customer's file in Zoho.

3.8.1 Laws which require ongoing release of data are to be notated to customer during registration and on all applicable reports produced by the laboratory.

3.8.2 ACC will consult with legal counsel to ensure that the requirements by law are being met, but no unnecessary release of data takes place.

3.9 ACC may also be required by a judge to release data to a third party. In such circumstances, ACC will disclose to Customer a copy of the judge's

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order and a copy of the information released, in writing. The legal order and the written notice to customer shall be kept in the customer's file in Zoho. An additional copy is to be turned to PDF and kept on Company Server.

3.9.1 ACC will consult with its legal counsel as necessary to ensure that the legal requirements are being met, but no unnecessary release of data takes place.

3.10 ACC personnel are not to communicate, in any form, with news or media outlets regarding customer data.

3.11 ACC personnel are not to directly or indirectly make any comments or disclose any customer information or data, thought to be confidential or not, to any social media, or other such similar, platforms.

3.12 ACC may at some point in time receive customer information from a Third Party. In such cases, Customer information obtained from a Third Party is to be shared, in writing, with the Customer. However, the identity of the Third Party is not to be disclosed unless authorized in writing by the Third Party, as the Third Party's identity is a mater of confidentiality between ACC and the Third Party.

3.13 Every employee of ACC is personally responsible for ensuring they maintain a customer's confidentiality. Failure to maintain Customer confidentiality will result in a corrective action per ACC's corrective actions process at minimum, but depending on severity, may result in suspension, termination, or even legal action.

3.14 Any concerns regarding confidentiality should be brought up to upper management immediately via an in-person meeting or a call or text with acknowledgement of receipt from upper management, anytime during or outside of business hours. And should be followed up by an email to upper management the same day, or in the case of afterhours notification, the next business day.

3.15 Some information may be in the public domain and as such is not bound by confidentiality. Examples may include non-client specific data or information such as ACC's general policies and procedures which are available online. Other information may be information used by ACC but which ACC is not the originator of the information such as fungal definitions, AIHA-LAP and ISO requirements, etc. ACC personnel may cite this information when speaking with customers and non-customers or potential customers.

3.16 Public domain may also refer to customers who have publicly released their own data.

3.16.1 Personnel who are unsure of the confidentiality of information should proceed as if information is confidential until it is confirmed that information is not confidential or part of public domain.

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3.16.2 Even if Customers put their data into the public domain, ACC personnel should still proceed with the standards herein and obtain authorization prior to discussing data with third parties.

## 4.0 AUTHORIZATION

4.1 Upper management is authorized to make decision on confidential vs. non-confidential information for any inquiries that arise.

4.2 All personnel are authorized to request and see Customer releases of confidential information.

## 5.0 PRESERVATION

5.1 Hard records will be scanned and saved as electronic copies on the company server, after which;

5.2 Hard records will be kept for three years.

5.3 Electronic records will be kept readily available for seven years.

5.4 Electronic files older than seven years will be compressed and saved to a data vault.

## 6.0 QUALITY CONTROL

6.1 ACC (companywide) personnel will be required to review this SOP and sign a document stating they understand the policy and procedures surrounding Confidentiality upon hire.

6.2 ACC personnel will be required to review and re-sign the Confidentiality Acknowledgement annually. (see MGT-FRM-CUS-003)

6.3 Any corrective action forms which site a breech or the risk of a breech in confidentiality shall remain open until both the corrective action has been satisfied and risk to confidentiality has been confirmed and observed as eliminated.

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