

# Consumer Health Data Privacy Notice Supplement

Last Updated July 29, 2024

Please refer to our [Privacy Notice](#) for full details about how Phathom collects, uses, shares or otherwise processes your Personal Data.

This Consumer Health Data Privacy Notice Supplement provides additional details about how Phathom may process Personal Data defined as Consumer Health Data under certain U.S. state laws, such as: Washington’s My Health My Data Act (MHMDA), Nevada’s Consumer Health Data Privacy Law (NV CHDP) and Connecticut’s Data Privacy Act (CTDPA – SB 3).

## **Categories of Consumer Health Data We May Collect, Use, and Share Include:**

- Information about health-related conditions, symptoms, status, diagnoses and medications.
- Health-related surgeries or procedures.
- The use or purchase of prescribed medications.
- Social, psychological, behavioral, or medical interventions.
- Measurements of bodily functions, including gait, vital signs, or characteristics, that may also be considered biometric information.
- Diagnostic testing or treatments.
- Biometric data.
- Genetic data.
- Precise location information that could reasonably indicate your attempt to acquire or receive health services or supplies.
- Information that could identify your attempt to seek health care services or information, including services that allow you to assess, measure, improve, or learn about your or another person’s health.
- Other information that may be used to infer or derive data related to the above or other health information.

## **Sources of Consumer Health Data**

Consumer Health Data may be collected directly from you, from your interactions with our Websites and Services, from information we lawfully obtain from other sources, such as public records or websites, or other third parties, as described in the Collecting and Using your Personal Data section of our [Privacy Notice](#).

**Why Phathom Collects and Uses Consumer Health Data**

We collect and use Consumer Health Data as reasonably necessary to provide you with products or Services you have requested or authorized, to provide and manage clinical research opportunities, patient support programs and other Services we offer, to process and manage safety and quality concerns and to conduct other legitimate business activities, as allowed by applicable law.

With your consent, and based on your choices, we may use your Consumer Health Data for other purposes – for example, for advertising or marketing purposes. See the *How to Exercise Your Rights* section below for more details on the controls and choices you may have.

**Categories of Third Parties with whom Phathom may Disclose Your Consumer Health Data**

- Third parties and service providers, who work on Phathom’s behalf to provide certain Services.
- Business partners with whom we collaborate regarding our investigational products and programs, such as scientific advisors, joint venture partners and strategic collaboration partners.
- Legal, regulatory, or other enforcement authorities and other third parties if required by law, regulation, or judicial process or to protect the security, rights, and property of Phathom or of users of our Websites and Services.
- Third parties in the event Phathom is involved in an actual or contemplated merger, acquisition, or sale of portion of its assets, or in the unlikely event of bankruptcy. If this occurs, the Consumer Health Data may be subject to the policies of the receiving organization. We will further inform you of such business transfers involving your Consumer Health Data, as required by applicable law.
- Third parties to protect rights and interests, such as when needed for corporate audits, to investigate or respond to a complaint or threat, or to exercise our legal rights.

**How to Exercise Your Rights Related to Consumer Health Data**

You may have certain rights with respect to your Consumer Health Data, including rights to access, delete, or withdraw consent relating to such data, subject to certain exceptions. You can request to exercise these rights by contacting us at [privacyt@phathompharma.com](mailto:privacyt@phathompharma.com) or as described in the Exercising your Rights section of our [Privacy Notice](#).

If your request to exercise a right you may have under applicable law is denied, you may appeal that decision by contacting us at [privacy@phathompharma.com](mailto:privacy@phathompharma.com). If your

appeal is unsuccessful, you can raise a concern or lodge a complaint with the applicable U.S. [state regulator](#).

**Changes to this Supplemental Notice**

Our business, Websites and Services may change from time to time. As a result, we may make changes to our Privacy Notice or this Supplement at any time. If we do make such changes, we will post an updated version on this page, unless another type of notice is required by the applicable law. Additionally, when required under applicable law, we will request additional consent to collect and process your Personal and Consumer Health Data. We encourage you to visit this page periodically and to review our most current [Privacy Notice](#) and applicable effective date.