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1.0 PURPOSE

This notice supplements Intercept Privacy Policy and applies to personal information defined as “Consumer Health Data” subject to the Washington State My Health My Data Act (“MHMDA”) and the Nevada State Consumer Health Privacy Law (“Nevada Act”).

This “Consumer Health Data Privacy Policy” describes how Intercept collects, uses and otherwise processes Consumer Health Data in connection with this website and any of our other websites, mobile applications, or online services that link to this Privacy Policy (collectively referred to as the “Sites”).

2.0 CONSUMER HEALTH DATA WE COLLECT

Consumer Health Data means personal information that is linked or reasonably linkable to you and that identifies your past, present, or future physical or mental health status.

We may collect your Consumer Health Data depending on the context of your interactions with us and the choices you make (including your privacy settings), the products and features you use and applicable law. Because applicable laws define Consumer Health Data broadly, many of the categories of data we collect may, in some instances, be considered Consumer Health Data.

2.1 Consumer Health Data may include:

- Information about your health-related conditions, symptoms, status, diagnoses, testing, or treatments (including procedures, medications, or other interventions). For example, we may collect such information through surveys or other communications with you for research studies.
- Information that could identify your attempt to seek health-related services or information.
- Other information that may be used to infer or derive data related to the above or other health information.

3.0 SOURCES OF CONSUMER HEALTH DATA

We may collect Consumer Health Data directly from you, from your interactions with our products and services, from third parties, and from publicly available sources.

4.0 WHY WE COLLECT AND USE CONSUMER HEALTH DATA

We may use your consumer health data for the following purposes:

4.1 **To operate our Sites.** We may use your Consumer Health Data to:

- process and manage registrations you make through our Sites;
- provide information about our research and development;

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- communicate with you regarding our programs, events, or activities for which you may have registered, including by sending you technical notices, updates, security alerts, and support and administrative messages;
 - understand your needs and interests, and personalize your experience with our Sites;
 - provide support and maintenance for our Sites; and
 - respond to your service-related requests, questions and feedback.
- 4.2 **To send you marketing and promotional communications.** We may send you communications regarding our therapeutic products, as permitted by applicable law. You will have the ability to opt out of marketing and promotional communications. We encourage you to consult our main Privacy Policy for more information about the methods to opt out of such processing.
- 4.3 **To comply with law.** We may use your Consumer Health Data as necessary or appropriate to comply with applicable laws, lawful requests and legal processes, such as to respond to requests from government authorities.
- 4.4 **With your consent.** We may use or share your Consumer Health Data with your express consent, such as when you consent to let us post your testimonials or endorsements on our Sites, you instruct us to take a specific action with respect to your Consumer Health data, or you opt into third-party marketing communications.
- 4.5 **For compliance, fraud prevention and safety.** We may use your Consumer Health Data as necessary or appropriate to (a) enforce the terms and conditions that govern use of our Sites; (b) protect our rights, privacy, safety or property; and (c) protect, investigate and deter against fraudulent, harmful, unauthorized, unethical or illegal activity.

See the How to Exercise Your Rights section below for more details on the controls and choices you may have.

5.0 THIRD PARTIES WITH WHICH WE SHARE CONSUMER HEALTH DATA

We do not share your Consumer Health Data with third parties without your consent, except in the following circumstances:

- 5.1 **Affiliates.** We may disclose your Consumer Health Data to our subsidiaries and corporate affiliates for purposes consistent with this Privacy Policy.
- 5.2 **Service Providers.** We may share your Consumer Health Data with third-party companies and individuals that provide services on our behalf (such as hosting, analytics, email delivery, marketing, and database management services). These third parties use personal information only as directed by us and in a manner consistent with this Privacy Policy.

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- 5.3 **Professional advisors.** We may disclose your Consumer Health Data to professional advisors, such as lawyers, auditors and insurers, where necessary in the course of the professional services that they render to us.
- 5.4 **Compliance with Laws and Law Enforcement; Protection and Safety.** We may disclose information about you to government or law enforcement officials or private parties as required by law, and disclose and use such information as we believe necessary or appropriate to (a) comply with applicable laws and lawful requests, such as to respond to requests from government authorities; (b) enforce the terms and conditions that govern use of the Sites; (c) protect the rights, privacy, safety or property of users of our Sites and (d) protect, investigate and deter against fraudulent, harmful, unauthorized, unethical or illegal activity.
- 5.5 **Business Transfers.** We may sell, transfer, or otherwise share some or all of our business or assets, including your Consumer Health Data, in connection with a business transaction (or potential business transaction) such as a merger, consolidation, acquisition, reorganization or sale of assets or in the event of bankruptcy, in which case we will make reasonable efforts to require the recipient to honor this Privacy Policy.

6.0 HOW TO EXERCISE YOUR RIGHTS

MHMDA and Nevada Act provide certain rights with respect to Consumer Health Data, including rights to confirm, access, delete, or withdraw consent relating to such data, subject to certain exceptions.

To exercise any of the rights described above, you may contact us at any time through any of the following methods.

- **Mail:** Intercept Pharmaceuticals, Inc., Legal Affairs Department, 305 Madison Avenue, Morristown, NJ 07960
- **Email:** privacyprotection@interceptpharma.com
- **Telephone:** +1 (888) 914-9661 (pin number 371927).

If your request to exercise a right is denied, you may appeal that decision by contacting our privacy support at privacyprotection@interceptpharma.com

If your appeal is unsuccessful, you can raise a concern or lodge a complaint with the Washington State Attorney General at www.atg.wa.gov/file-complaint

or the Nevada State Attorney General at https://ag.nv.gov/Complaints/File_Complaint/, depending on your state of residence.



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7.0 CHANGES TO THIS PRIVACY POLICY

We reserve the right to amend this Privacy Policy at our discretion and at any time. If we make material changes that significantly impact your privacy rights, we will notify you by updating the date of this Privacy Policy and posting it on the Sites.

We may, if required by law, also provide notification of changes in a manner reasonably likely to reach you, such as via e-mail (if you have provided your contact information) or through the Sites.

8.0 CONTACT US

If you have any questions or concerns about our Privacy Policy or would like to request this Privacy Policy in an alternative format due to a disability, please feel free to email us at privacyprotection@interceptpharma.com, or write to us at:

Intercept Pharmaceuticals, Inc.

Legal Affairs Department

305 Madison Avenue

Morristown, NJ 07960