

# CALIFORNIA PRIVACY NOTICE FOR HEALTH CARE PROFESSIONALS

Last Updated: December 09, 2022

The California Consumer Privacy Act, as amended by the California Privacy Rights Act, and its implementing regulations (collectively, the “CCPA”), gives California residents certain rights and requires businesses to make certain disclosures regarding their Collection, use, and disclosure of Personal Information. This California Privacy Notice for Health Care Professionals (the “Notice”) provides disclosures required by the CCPA to California-resident health care professionals with whom Amgen Inc. and Amgen USA Inc. (“Amgen,” “we,” “us,” “our”) interact in a business-related capacity (“HCPs”).

Please note that this Notice only addresses Amgen’s Collection, use, and disclosure of HCP Personal Information and only applies to residents of California. This Notice does not apply to individuals who are residents of other U.S. states or other countries and/or who do not interact with Amgen in a business-related capacity. For further details about our privacy practices pertaining to non-HCP Personal Information, please see our Privacy Statement at [www.amgen.com/privacy](http://www.amgen.com/privacy).

As an HCP, you have the right to know what categories of Personal Information Amgen Collects, uses, discloses, Sells, and Shares about you. This Notice provides that information and other disclosures required by California law.

## A. DEFINITIONS

- **Personal Information:** As used in this Notice, “Personal Information” means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular Consumer or household. Personal Information includes Sensitive Personal Information but does not include protected health information covered by the Health Information Portability and Accountability Act (“HIPAA”), nonpublic personal information under the Gramm-Leach-Bliley Act (“GLBA”), Publicly Available Information, or any other information which is exempt from the CCPA.
- **Publicly Available Information:** As used in this Notice, “Publicly Available Information” means information that is lawfully made available from federal, state, or local government records, or information that a business has a reasonable basis to believe is lawfully made available to the general public by the Consumer or from widely distributed media, or information made available by a person to whom the consumer has disclosed the information if the Consumer has not restricted the information to a specific audience. “Publicly Available Information” does not mean biometric information collected by a business about a Consumer without the Consumer’s knowledge.
- **Sensitive Personal Information:** As used in this Notice, “Sensitive Personal Information” includes Personal Information that reveals, among other things, social security number, driver’s license number, state identification card number, passport number, racial or ethnic origin, union membership, or the contents of a Consumer’s mail, email, and text messages, unless Amgen is the intended recipient of the communication. Sensitive Personal Information also includes information concerning the HCP’s health, sex life, or sexual orientation.
- **Other CCPA Definitions:** As used in this Notice, the terms “Collect,” “Processing,” “Service Provider,” “Third Party,” “Sale,” “Share,” “Consumer,” and other terms defined in the CCPA and their conjugates, have the meanings afforded to them in the CCPA, whether or not such terms are capitalized herein, unless contrary to the meaning thereof.

## B. Collection & Processing of HCP Personal Information

We, and our Service Providers, collect the following categories of Personal Information about HCPs. We also have Collected and Processed the following categories of Personal Information about HCPs in the preceding 12 months:

- (1) Identifiers, such as name, alias, online identifiers, account name, physical characteristics or description;
- (2) Contact and financial information, including phone number, address, email address, financial information;
- (3) Characteristics of protected classifications under state or federal law, such as age, gender, race, physical or mental health conditions, and marital status;
- (4) Commercial information, such as transaction information and purchase history;
- (5) Internet or other electronic network activity information, such as browsing history and interactions with our websites or advertisements;
- (6) Geolocation data, such as device location;
- (7) Audio, electronic, visual and similar information, such as call and video recordings;
- (8) Professional or employment-related information, such as work history and prior employer;
- (9) Education information, as defined in the federal Family Educational Rights and Privacy Act, such as student records and directory information;
- (10) Inferences drawn from any of the Personal Information listed above to create a profile or summary about, for example, an individual's preferences and characteristics; and
- (11) Sensitive Personal Information, including:
  - a. Personal Information that reveals:
    - i. Social security, driver's license, state identification card, or passport number;
    - ii. Precise geolocation;
    - iii. Racial or ethnic origin, religious or philosophical beliefs, or union membership; or
    - iv. Contents of a Consumer's email and text messages, unless the business is the intended recipient thereof.

**C. Categories of HCP Personal Information We Disclose to Service Providers & Third Parties**

In the past twelve months, we have disclosed the following categories of HCP Personal Information to Service Providers and Third Parties for a business purpose:

- (1) Identifiers, such as name, alias, online identifiers, account name, physical characteristics or description;
- (2) Contact and financial information, including phone number, address, email address, financial information;
- (3) Characteristics of protected classifications under state or federal law, such as age, gender, race, physical or mental health conditions, and marital status;
- (4) Commercial information, such as transaction information and purchase history;
- (5) Internet or other electronic network activity information, such as browsing history and interactions with our websites or advertisements;
- (6) Geolocation data, such as device location;
- (7) Audio, electronic, visual and similar information, such as call and video recordings;
- (8) Professional or employment-related information, such as work history and prior employer;
- (9) Inferences drawn from any of the Personal Information listed above to create a profile or summary about, for example, an individual's preferences and characteristics; and
- (10) Sensitive Personal Information, including:
  - a. Personal Information that reveals:
    - i. Social security, driver's license, state identification card, or passport number;
    - ii. Precise geolocation;
    - iii. Racial or ethnic origin, religious or philosophical beliefs, or union membership; or
    - iv. Contents of a Consumer's email and text messages, unless the business is the intended recipient thereof.

**D. Purposes for Processing & Disclosing HCP Personal Information**

We, and our Service Providers, Collect, Process, and disclose HCP Personal Information (excluding Sensitive Personal Information) described in this Notice to:

- Provide you with a service or take an action that you request;
- Identify and engage scientific experts;
- Identify speakers and invitees to conferences and other scientific and educational programs we host or sponsor;
- Determine your potential involvement in future activities with Amgen and contact you in relation to these activities;
- Communicate with you when you participate in, or request to be considered to participate in Amgen clinical studies;
- Respond to your requests for information about our products and services and grant you access to educational materials;
- Communicate other information that we think may be of interest to you through our websites and via e-mail, call centers, postal mail, and other channels, including promotional communications, about our products and services;
- Process and report information pertaining to adverse events and product complaints;
- Communicate with you when the Amgen Safety Net Foundation enrolls a patient and assist you with understanding payor rebates for care provided to that patient;
- Conduct auditing related to our current interactions with you, including counting ad impressions and unique visitors to our website;
- Tailor our messaging and communications to you, including messaging and communications for promotional purposes, based upon your Prescribing Behavior;
- Personalize your website experience;
- Provide this Notice and other informational forms to you in an accessible format as needed;
- Better understand the market for our existing products and services, and potential new products and services, and adjust our research, development, and marketing strategies accordingly;
- Detect security incidents and other fraudulent activity;
- Monitor and improve our website functionality and security;
- Conduct business and marketing research;
- Meet our contractual obligations to you, if you provide us with services;
- Analyze the quality of services provided, including by analyzing call recordings;
- Monitor and secure our facilities, equipment, and other property;
- Process and manage contracts and other written agreements we may enter with you;
- Determine compensation for your participation in activities with Amgen; and
- Track and report payments and other transfers of value to HCPs in accordance with financial disclosure transparency requirements.

In addition to the purposes identified above, Amgen may use and disclose any and all HCP Personal Information that we Collect as necessary or appropriate to:

- Comply with laws and regulations, including, without limitation, applicable tax, health and safety, anti-discrimination, immigration, labor and employment, and social welfare laws;
- Monitor, investigate, and enforce compliance with and potential breaches of Amgen policies and procedures and legal and regulatory requirements;
- Comply with civil, criminal, judicial, or regulatory inquiries, investigations, subpoenas, or summons; and
- Exercise or defend the legal rights of Amgen and its employees, affiliates, customers, contractors, and agents.

## **E. PROCESSING SENSITIVE PERSONAL INFORMATION**

We, and our Service Providers, Collect and Process the Sensitive Personal Information described in this Notice only for the below purposes that are authorized by the CCPA and its implementing regulations:

- Performing the services or providing the goods reasonably expected by an average Consumer who requests those goods or services;
- Ensuring security and integrity to the extent the use of the Consumer's Personal Information is reasonably necessary and proportionate for these purposes;
- Preventing, detecting, and investigating security incidents that compromise the availability, authenticity, integrity, or confidentiality of stored or transmitted Personal Information;
- Resisting malicious, deceptive, fraudulent, or illegal actions directed at the business and prosecuting those responsible for those actions;
- Ensuring the physical safety of natural persons;
- Short-term, transient use, including, but not limited to, nonpersonalized advertising shown as part of a Consumer's current interaction with us; provided that we will not disclose the Consumer's Personal Information to a Third Party and/or build a profile about the Consumer or otherwise alter the Consumer's experience outside the current interaction with the business;
- Performing services on our behalf, including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing financing, providing analytic services, providing storage, or providing similar services on our behalf;
- Undertaking activities to verify or maintain the quality or safety of a service or device that is owned, manufactured by, manufactured for, or controlled by us, and to improve, upgrade, or enhance the service or device that is owned, manufactured, manufactured for, or controlled by us; and
- Collecting or processing Sensitive Personal Information where such collection or processing is not for the purpose of inferring characteristics about a consumer.

#### **F. SOURCES FROM WHICH WE COLLECT HCP PERSONAL INFORMATION**

We Collect HCP Personal Information directly from HCPs, as well as from joint marketing partners, public databases, providers of demographic data, publications, professional organizations, educational institutions, social media platforms, and Service Providers and Third Parties when they disclose information to us.

#### **G. CATEGORIES OF ENTITIES TO WHOM WE DISCLOSE HCP PERSONAL INFORMATION**

- **Affiliates & Service Providers.** We may disclose HCP Personal Information to our affiliates and Service Providers for the purposes described in Sections D and E of this Notice. Our Service Providers provide us with website services, web hosting, data analysis, customer service, infrastructure services, technology services, email delivery services, legal services, marketing services, and other similar services. We grant our Service Providers access to HCP Personal Information only to the extent needed for them to perform their functions and require them to protect the confidentiality and security of such information.
- **Third Parties.** For each category of Personal Information identified in Section C, we disclose such Personal Information to the following categories of Third Parties:
  - **At Your Direction.** We may disclose your Personal Information to any Third Party with your consent or at your direction.
  - **Business Transfers or Assignments.** We may disclose your Personal Information to other entities as reasonably necessary to facilitate a merger, sale, joint venture or collaboration, assignment, transfer, or

other disposition of all or any portion of our business, assets, or stock (including in connection with any bankruptcy or similar proceedings).

- **Legal and Regulatory.** We may disclose your Personal Information to government authorities, including regulatory agencies and courts, as reasonably necessary for our business operational purposes, to assert and defend legal claims, and otherwise as permitted or required by law.

## H. DATA SUBJECT RIGHTS

- **Data Subject Rights Available to You.** As an HCP, you have the following rights regarding our Collection and use of your Personal Information, subject to certain exceptions:
  - **Right to Receive Information on Privacy Practices:** You have the right to receive the following information at or before the point of Collection:
    - The categories of Personal Information to be Collected;
    - The purposes for which the categories of Personal Information are Collected or used;
    - Whether or not that Personal Information is Sold or Shared;
    - If the business Collects Sensitive Personal Information, the categories of Sensitive Personal Information to be Collected, the purposes for which it is Collected or used, and whether that information is Sold or Shared; and
    - The length of time the business intends to retain each category of Personal Information, or if that is not possible, the criteria used to determine that period.

We have provided such information in this Notice, and you may request further information about our privacy practices by contacting us as at the contact information provided below.

- **Right to Deletion:** You may request that we delete any Personal Information about you that we Collected from you.
- **Right to Correction:** You may request that we correct any inaccurate Personal Information we maintain about you.
- **Right to Know:** You may request that we provide you with the following information about how we have handled your Personal Information:
  - The categories of Personal Information we Collected about you;
  - The categories of sources from which we Collected such Personal Information;
  - The business or commercial purpose for Collecting, Selling, or Sharing Personal Information about you;
  - The categories of Third Parties to whom we disclose Personal Information; and
  - The specific pieces of Personal Information we have Collected about you.
- **Right to Receive Information About Onward Disclosures:** You may request that we disclose to you:
  - The categories of Personal Information that we have Collected about you;
  - The categories of Personal Information that we have Sold or Shared about you and the categories of Third Parties to whom the Personal Information was Sold or Shared; and
  - The categories of Personal Information we have disclosed about you for a business purpose and the categories of persons to whom it was disclosed for a business purpose.
- **Right to Non-Discrimination:** You have the right not to be discriminated against for exercising your data subject rights. We will not discriminate against you for exercising your data subject rights. We also will

not deny goods or services to you, charge you different prices or rates, or provide a different level of quality for products or services as a result of you exercising your data subject rights.

- **Rights to Opt-Out of the Sale and Sharing of Your Personal Information and to Limit the Use of Your Sensitive Personal Information:** You have the right to opt-out of the Sale and Sharing of your Personal Information. You also have the right to limit the use of your Sensitive Personal Information to the purposes authorized by the CCPA. We will not sell or share any of the categories of Personal Information we Collect about HCPs, and we have not Sold or Shared any Personal Information in the past twelve months. Further, we do not use or disclose Sensitive Personal Information for purposes beyond those authorized by the CCPA. Relatedly, we do not have actual knowledge that we Sell or Share Personal Information of California Consumers under 16 years of age. For purposes of the CCPA, a “Sale” is the disclosure of Personal Information to a Third Party for monetary or other valuable consideration, and a “Share” is the disclosure of Personal Information to a Third Party for cross-context behavioral advertising, whether or not for monetary or other valuable consideration.
- **Opt-Out Preference Signals.** We do not Sell or Share Personal Information, or use or disclose Sensitive Personal Information for purposes other than those authorized by the CCPA and its implementing regulations, as listed in Section E. Accordingly, we do not process opt-out preference signals. If we process opt-out preference signals in the future, we will update this Notice to provide details about how we do so.
- **Exercising Data Subject Rights.** HCPs may exercise your data subject rights by clicking on the link towards the end of this paragraph. By doing so, you acknowledge that you will be redirected to a site hosted by OneTrust, which processes data requests for us. OneTrust has different terms of service and a different privacy policy than Amgen. . You may also authorize an agent to make a data subject request on your behalf, and the authorized agent may do so via the above-listed submission methods. To submit a request pursuant to your rights under the CCPA, [please click here](#). Alternatively, you may call Amgen at +1-800-867-6677 or send a request via email to [privacy@amgen.com](mailto:privacy@amgen.com). Please note that requests via email will be managed through OneTrust site so that we can appropriately verify your request as described in the next paragraph.
- **Verification of Data Subject Requests.** We may ask you to provide information that will enable us to verify your identity in order to comply with your data subject request. We use a third-party verification service, Lexis Nexis, for that purpose. To verify your identity, you must provide the required information when completing the online request form or making a request, including the last 4 digits of your social security number. We will ask you to provide your contact information and additional identifiers based on your relationship with us. Before we process your request, we will match these data points with a third-party identity verification service and data points we currently maintain to verify your identity and your relationship with us. Further, you may designate an authorized agent to make a data subject request on your behalf. When you use an authorized agent to submit a data subject request, you must provide the authorized agent with written permission to do so, and, in certain circumstances, we may ask you to verify your own identity directly with us. We may deny a request from an authorized agent that does not submit proof that they have been authorized by you to act on your behalf. In some instances, we may decline to honor your request if an exception applies under the CCPA. We will respond to your request consistent with applicable law.

## I. OTHER DISCLOSURES

- **Retention of Personal Information:** We retain each of the categories of Personal Information listed in Section B for the period reasonably necessary to provide goods and services to you and for the period reasonably necessary to support our business operational purposes listed in Sections D and E. Retention periods are set forth in Amgen’s Record Retention Schedule in accordance with the applicable information categories listed below.

- Corporate Affairs & Business Development
  - Ethics & Compliance
  - Facilities & Equipment
  - Finance & Accounting
  - General & Administrative
  - Government & Public Relations
  - Health, Safety & Environment
  - Human Resources
  - Information Systems
  - Legal Affairs
  - Marketing & Sales
  - Medical & Scientific Affairs
  - Non-Clinical Development
  - Product Development, Manufacturing & Support
  - Quality Assurance
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- **California Residents Under Age 18.** If you are a resident of California under the age of 18 and a registered user of our website, you may ask us to remove content or data that you have posted to the website by writing to [privacy@amgen.com](mailto:privacy@amgen.com). Please note that your request does not ensure complete or comprehensive removal of the content or data, as, for example, some of your content or data may have been reposted by another user.
  - **Financial Incentives for California Consumers.** Under California law, we do not provide financial incentives to California Consumers who allow us to Collect, retain, Sell, or Share their Personal Information. We will describe such programs to you if and when we offer them to you.
  - **Changes to this Notice.** We reserve the right to amend this Notice at our discretion and at any time. When we make material changes to this Notice, we will notify you by posting an updated Notice on our website and listing the effective date of such updates.
  - **Contact Us:** More information about our privacy practices can be found in our [Privacy Statement](#). If you have any questions regarding this Notice or Amgen’s Collection and use of HCP Personal Information, or would like to exercise your data subject rights, please contact us by email at [privacy@amgen.com](mailto:privacy@amgen.com), by phone at +1-800-867-6677, or by clicking [here](#). If you are unable to review or access this notice due to a disability, you may contact us by email at [privacy@amgen.com](mailto:privacy@amgen.com) or by phone at +1-800-867-6677 to access this notice in an alternative format.