COVID Alert NJ App
Data and Privacy Policy and Notice

COVID Alert NJ App (App) is being made available by the New Jersey Department of Health (DOH). The App is designed to assist in alerting individuals that came in close proximity to someone who later is diagnosed with COVID-19, and to provide information about the virus and steps for controlling the spread of the virus.

The use of this App is entirely voluntary and is available to download for free from the Apple App Store and the Google Play Store. The App runs on iPhones that support iOS 13.5 and higher, and Android phones running Android 6.0 and higher. The App is not intended for use by persons under 18 years of age, as they are considered not to have reached the digital age of consent or agreement with the State of New Jersey. You will be asked to confirm that you are 18 years or older after you download the App.

What the COVID Alert NJ App does

The App gives you the option to use some or all the features, and you can enable or disable each of these features separately within the App settings. App settings also give you the ability to remove or update any information you provided to the App, at any time.

- **Exposure Alert**
  - The App measures, through a Bluetooth Low Energy (BLE) technology, if users are in close contact with another App user. If an App user tests positive for COVID-19, and provides their consent, the App will notify other App users that have been within six feet (6-feet) for ten minutes (10 minutes) or longer.
  - The App uses capabilities of mobile operating systems. Apple and Google have developed a method that only government entities, such as the State or a country public health department, can develop a COVID-19 Exposure Notification Mobile App to make use of Bluetooth technology on phones that would otherwise not be available. As the App will need to use the most current version of the phone's operating system, users may be asked to upgrade the first time they use the App. None of the information in the App is ever shared with Apple or Google.
- **Symptom Tracking: Daily Health Check-in**
  - App users can help fight COVID-19 by telling DOH how they are feeling every day and/or if they have any COVID-19 symptoms. Anonymous information about how many people have symptoms, at any time, helps DOH plan how New Jersey is going to win the fight against COVID-19. If users do have symptoms, then the App will provide information on how to protect themselves and others.
- **Definitive Source of News & Information**
  - The App will also give users easy access to the latest facts and figures about COVID-19 in New Jersey.
- **First time use**
  - The first time anyone uses the App they are prompted to turn on their Exposure Notification Service and turn on App Notifications so that the phone device can share anonymous data transmitted by nearby devices that also have the App installed.
- **App usage Data**
  - App performance metrics data do not identify you and are used to create aggregate views of how the App is being used and the impact it is having on the virus. Here is a list of the App metrics which, with your consent, are collected from your App and shared with DOH:

    1. whether the App on your phone is in use;
    2. whether the App was deleted or dropped during the on-boarding screens;
    3. whether the App has exposure notification services switched on, if permission is not provided during on-boarding;
    4. whether the App has received an Exposure Alert Notification;
    5. whether the App has uploaded diagnosis keys;

6. the number of diagnosis key matches per Exposure Notification. (Note: Number of diagnosis key count does not equate to number of people); and
7. the ratio of exposure notifications to positive cases.

The App gives you the option to use some or all of these features, and you can enable and disable any of these features separately within the App settings. The App settings also give you the ability to remove or update any information that you provide to the App, at any time.

You can also find information on how to access COVID-19 testing services and get further information about COVID-19 at: https://www.COVID19.nj.gov

How the COVID Alert NJ App works

- With traditional contact tracing, a positive COVID-19 individual may not remember who they have been in contact with recently and for how long (for example, if the contact happened on a bus or a train, at a check-out line in a grocery store, a restaurant or some other public venue). To enhance traditional contact tracing and reach these often unreachable individuals, the App uses technology developed by Apple and Google where anonymous, made-up rolling numbers, otherwise known as Random Codes (a pseudo random alpha numeric value) are exchanged between mobile phones. A Random Code is generated by your phone every 10 to 20 minutes to maintain privacy and security. If you are close to someone who also uses the App on their phone, your Random Code will be saved on that person's phone and their Random Code will be saved on your phone. All Random Codes collected will remain on your mobile device for 14 days, but you, nor anyone else, will be able to see them. These anonymous Random Codes cannot identify you to other users or to DOH.

- If an individual subsequently receives a positive COVID-19 test, they will receive a call from the Local Health Department's (LHD) public health professional. If that individual has this App downloaded, the public health professional will ask if the individual is willing to accept a 6-digit validation code from the DOH. If the individual agrees, a 6-digit validation code will be sent to the individual via SMS/text message. The validation code will unlock an upload function when entered into the App. The individual can then choose to enter their 6-digit validation code into the App which will enable anonymous exposure notification by uploading the individual's Random Codes to a DOH Diagnosis Keys server.

- Every four hours, the latest Diagnosis Keys from the server will be downloaded by every App user's phone. These will be used to check for matches against the Random Codes of the contacts that have been collected by your phone. If there is a match, you will be notified in the App that you were in close contact with a person who was recently diagnosed with COVID-19, this is called an "Exposure Alert".

- For this to work, you have to "Allow" COVID-19 Exposure Notification Services (ENS) on your phone within your App.

- You can also choose to "Allow" your phone to turn on the COVID-19 ENS and also "Allow" your phone to display notifications so that you also receive an alert that you have been exposed to someone who has tested positive for COVID-19. These permissions are enabled during the onboarding flow in the application.

- In the event you receive an Exposure Notification, you may read DOH guidance under Exposure Notification Information.

It is important to note that both traditional/manual Contact Tracing and the App never reveal the identity of any person using the App to other App users, and never reveals who has been diagnosed as positive for COVID-19. Also, DOH will not know if you receive an Exposure Notification.

What data is collected and processed
The information processed in the App is collected in two different ways:

a) Provided by you, if you wish to share:
   a. COVID Symptom Check-In information
      i. COVID-19 symptoms such as fever, cough, shortness of breath.
      ii. Gender Identity
      iii. Sexual Orientation
      iv. Race
      v. Age-range
      vi. County
b) Generated by services on the phone:
   a. The following data is generated by Exposure Notification Services (ENS) running on your phone if you turn it on:
      i. Random Code sent and received between phones that have ENS turned on.
      ii. Random Codes (diagnosis keys) uploaded to the DOH if you are COVID-19 positive and you agree to upload them.
      iii. Random Codes (diagnosis keys) downloaded from the DOH to your phone for matching.
   b. The above Random Codes (pseudo random alpha numeric values) cannot be used to identify you or anyone else. These are generated, collected and matched on your phone if you enable ENS.

Data Processors:
There are several data processors who provide services to the App for the DOH and they are as follows:
1. NearForm are the App developers who will be providing technical support on the running of the App.
2. NearForm, using Amazon Web Services (AWS), provides cloud storage and cloud services for the data uploaded from your phone.
3. NearForm, using Amazon Web Service (AWS), is the company that sends an SMS/text message to your phone which contains the 6-digit validation code needed to upload your Random Codes to the DOH. Once the SMS with the code is sent, the phone number is immediately deleted from the server.
4. The Association of Public Health Laboratories (APHL) hosts the national COVID-19 exposure notification Random Code key server. These anonymous Random Codes cannot identify you to APHL.

Contact
- If you want to report back to DOH about your experience with using the COVID Alert NJ App or want to report any problems with the use of the App, please contact COVIDapp@doh.nj.gov.
- You can also find more information at: https://www.COVID19.nj.gov.

App Store's terms may also apply
- When you download the App, or when you access or use the App or the Services, you may also be subject to the terms of use and policies of the relevant App Store (Google Play Store or Apple Store) from which you download the App. Please review these terms of use and policies very carefully. Your access to and use of the Services will be governed by these (DOH's) terms of use unless the terms of use and policies of the relevant App Store say otherwise.

You must be 18 to accept these terms and to download and use the App
- You must be at least 18 years of age in order to accept these terms and to download and use the App.

The right to use the App and Services is personal and you may not transfer the App to someone else
- DOH is giving you personally the right to use the App and the Services as described above. The use of the App by multiple individuals from the same device undermines the accuracy and efficacy of the App's contact tracing function (if enabled). If you permit someone else to access your device and to use the App or Services, then you do so at your own risk, and you are responsible for that person's use and you must ensure

that the person knows about and complies with these terms. You must also not use any other person's COVID Alert NJ App. You may not otherwise transfer the App or the Services to someone else, whether for money, for anything else or for free. If you sell any device on which the App is installed, you must first remove the App from the device.

Changes to these terms
- DOH may need to change these terms to reflect changes in law or best practices or to deal with additional features which DOH may introduce.

- DOH will give you at least 7 days' notice of any change by sending you an in-App notification and providing you with details of the change or notifying you of a change when you next start the App. Changes driven by public health policy may not be subject to the 7 days' notice, as the timing of the policy implementation may not allow for advance notification.

Updates to the App and changes to the Services
- From time to time DOH may automatically update the App and change the Services to improve performance, enhance functionality, reflect changes to the operating system or address security issues. Alternatively, DOH may ask you to update the App for these reasons. If you choose not to install such updates, or if you opt out of automatic updates, you may not be able to continue using the App and the Services and you may compromise the security of your data or device.

If someone else owns the phone or device, you are using
- If you download or stream the App onto any phone or other device not owned by you, you must have the owner's permission to do so. You will be responsible for complying with these terms, whether or not you own your phone or device.

DOH may collect technical data about your device
- If you provide consent to share in-App analytics data you agree to DOH collecting the type of operating system running on your device (iOS or Android) to improve the product.

License restrictions
You agree that you will:
- except in the course of permitted sharing, see information on how you may use the App above, not rent, lease, sub-license, loan, provide, or otherwise make available, the App or the Services in any form, in whole or in part, to any person without prior written consent from DOH, nor will you infringe DOH's rights (including intellectual property rights) in relation to your use of the App or Services;
- not copy the App, Documentation or Services, except as part of the normal use of the App or where it is necessary for the purpose of back-up or operational security;
- not translate, merge, adapt, vary, alter or modify, the whole or any part of the App, Documentation or Services, nor permit the App or the Services or any part of them to be combined with, or become incorporated in, any other programs, except as necessary to use the App and the Services on devices as permitted in these terms;
- not disassemble, de-compile, reverse engineer or create derivative works based on the whole or any part of the App or the Services nor attempt to do any such things; and
- comply with all applicable technology control or export laws and regulations that apply to the technology used or supported by the App or any Services.

You must:
- ensure that all information that you provide to DOH via the App is accurate, complete, honest and not misleading, to the best of your knowledge, information and belief;
- comply with all applicable laws and regulations in using the App and the Services;

- not use the App or any Service in any unlawful manner, for any unlawful purpose, or in any manner inconsistent with these terms, or act fraudulently or maliciously, for example, by hacking into or inserting malicious code, such as viruses, or harmful data, into the App, any Service or any operating system;
- not infringe DOH's intellectual property rights or those of any third party in relation to your use of the App or any Service, including by the submission of any material (to the extent that such use is not licensed by these terms);
- not transmit any material that is defamatory, offensive or otherwise objectionable in relation to your use of the App or any Service;
- not use the App or any Service in a way that could damage, disable, overburden, impair or compromise DOH's systems or security or interfere with other users; and
- not collect or harvest any information or data from any Service or DOH systems or attempt to decipher any transmissions to or from the servers running any Service.

Limitations to the App and the Services.
- While the App provides updates from New Jersey and links to helpful resources on COVID-19, and guidelines for those who self-report as having COVID-19 symptoms or who may have been exposed to a confirmed positive case, the App should never be used as a substitute for professional medical advice. Although DOH makes reasonable efforts to update the information provided by the App, DOH makes no representations, warranties or guarantees, whether express or implied, that such information is accurate, complete or up to date. Please always follow the advice of your health care provider and consult directly with them if you have any concerns about any medical condition or treatment.

Check that the App and the Services are suitable for you.
- The App and the Services have not been developed to meet individual requirements of everyone in New Jersey. Please check that the facilities and functions of the App and the Services (as described on the App Store site and in the Documentation) meet your requirements.

Deletion of the App
- You can stop using the App at any time, and you can delete it at any time from your device. If you delete the App, you will not be able to access the Exposure Notification Service, Symptoms Check-In and Updates from New Jersey about COVID-19.

Updates to the App
- As updates or changes are made to the App, the App users will receive notifications within the App.