



**DragonFly MAX**  
**Security & Compliance**  
*Overview of Capabilities*

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## **Notices**

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## **DragonFly MAX Overview**

DragonFly Athletics provides a premier mobile communication platform, focused on the Student Athlete Ecosystem. DragonFly MAX is delivered via mobile smartphones, mobile tablets, and a website. Mobile tools have become critically important in today's world. Studies show that people who leave a purse or wallet at home may not return for it. However, if a smartphone is left at home, chances are one will return for it. With so much of our lives tethered to these devices there is now a great opportunity to utilize this technology to improve Student Athlete Health.

The Student Athlete (SA) Ecosystem contains many people who work to help athletes perform at their top levels. Commonly, as part of these services, the Athletic Trainers, Coaches, and Administrators who work with athletes must treat injuries sustained on the field of play. These injuries range from common bumps and bruises to severe medical emergencies. These injuries sometimes require the coordination of Emergency Medical Technicians; Paramedics; Physicians; Nurses and other hospital staff; Physical Therapists; and many other health care professionals. Likewise, parents play an equally vital role in this process. Through timely communication, it is easier for Healthcare providers to leverage parent's inherent influence on student athletes.

The need for and complexity of communication between all parties in the SA Ecosystem has grown in recent years as Athletic Trainers have increasingly become the first points of contact, not only for sports related care, but also for a host of medical and psychological issues. Increasingly, the Athletic Trainer represents the only healthcare professional with whom many athletes have regular, meaningful contact.

DragonFly recognizes the many roles that various parties play in the SA Ecosystem. Oftentimes, these parties share duties and responsibilities in the care ecosystem. Some care providers may be employed by high schools or the collective school system, while others are independent third party employees, providing care on school premises. On occasion, a provider may be unrelated to the primary organization, yet provide care due to away games or tournament play. Injuries requiring even the most basic of care, such as tape or ice, are often performed in front of thousands of spectators. This public delivery of care can quickly blur lines in terms of what is considered protected health information.

DragonFly MAX strives to protect the confidentiality of health information by restricting access to only those who have appropriate authorization.

## **The DragonFly MAX Security Model**

DragonFly MAX is a secure, Personal Health Record (PHR) management system, which is designed to simplify athletic program enrollment and communicate player injury status on behalf of teams, parents, student athletes, athletic leagues and schools.

DragonFly MAX secures personal health records at a level above and beyond what is required for student medical treatment records held by schools.

DragonFly MAX manages the security of personal health records and its systems in alignment with FERPA and the HIPAA Security Rule's prescribed administrative, physical and technical safeguards. This entails a risk-based approach to security, administration of an effective Information Security Management System, background checks of the workforce, and protection of and mitigation of risk from threats.

DragonFly MAX (SM) is classified as a Mobile Health Application by the Federal Trade Commission (FTC) that is subject to the FTC's Health Breach Notification Rule, The Federal Trade Commission Act (requiring truthful disclosures and protecting the security and privacy of consumer's data), and the FTC guidance associated with Mobile Health Applications.

DragonFly Athletics, LLC performs its risk management process in accordance with NIST SP 800-30.

DragonFly Athletics, LLC aligns its Information Security Management System and related controls with ISO 27001:2013, ISO27002 and ISO27017:2015.

DragonFly Athletics, LLC has a BAA with Amazon Web Services (AWS). DragonFly MAX runs on Amazon's BAA authorized service layer. A SOC 2 Type 2 report can be provided on request with a mutual NDA. More information on AWS may be found at <https://aws.amazon.com/health/>.

## **DragonFly MAX is designated as a Personal Health Record (PHR) Provider by the Federal Trade Commission (FTC)**

A Personal Health Record provider offers PHRs – electronic health records that can be drawn from multiple sources and that are managed, shared, and controlled primarily by or for the individual. DragonFly MAX is provided directly to consumers. DragonFly MAX is designed for the electronic documentation of student athlete health and injury information by Parents, Student Athletes, and Education Administrators, including the Athletic Trainer acting on behalf of and under the authority of Education Administration. Thus, information entered by Parents or Student Athletes and stored in DragonFly MAX is categorized as a personal health record (PHR) and must align with the physical and technical safeguards of FTC regulations. Information

entered by Education Administrators are student records, and must align with FERPA. More specifically:

*DragonFly MAX assists students, parents, leagues, coaches, athletic trainers, schools and teams provide required forms and personal health record information to affiliated athletic trainers and allows athletic trainers to update the status of athlete's injuries.*

*The DragonFly MAX platform is not designed to help Covered Entities fulfill or support the activities and functions of HIPAA Coding (billing) of medical procedures. Due to these reasons, DragonFly Athletics LLC does not, nor is DragonFly required to meet the definition of Business Associate.*

### **Enrollment**

All educational institutions, camps, leagues and other institutions that subscribe to the DragonFly Max service, obtain authorizations from their student athletes and/or their parents, prior to sending student information to DragonFly MAX.

Student athletes and parents enroll directly with MAX, so they may have direct visibility to athletic enrollment, injury and athletic trainer entered status. Authorization to share their records with the institution is captured upon enrollment.

### **Student Records**

Public educational institutions that accept federal funds that subscribe to DragonFly MAX protect student record privacy as specified by the Family Educational Rights and Privacy Act (FERPA). The Health Insurance Portability and Accountability Act (HIPAA) regulatory framework does not apply to student records.

Often, student athlete's injury records are managed as student medical treatment records (rather than educational records) by many schools, thus providing more stringent protections defined by state medical privacy laws. Under FERPA, student medical treatment records that a student authorizes to be released to entities outside of the school are no longer under the school's authority and become the responsibility of the recipient. As a result, they are often protected only as educational records, but not as student medical treatment records.

## **The DragonFly MAX Privacy Model**

DragonFly Athletics, LLC is committed to protect the privacy of its users. DragonFly MAX provides the opportunity for individuals to authorize or revoke sharing of information with schools, teams, camps, leagues, and Dragonfly Athletics, LLC during the enrollment process, post enrollment, and when the athlete elects to enroll with a new entity.

Prior to release of personal health record information to an athletic trainer, verification of the athletic trainer's affiliation with the school by a school administrator or corporate officer of said entity must be received by DragonFly Athletics, LLC. via approval in DragonFly MAX.

DragonFly MAX provides the capability of school/league/camp/team administrators to grant or revoke access to their respective organization's athletes based on coach or athletic trainer roles. Role based access controls permit access to the minimum necessary information for the role to perform their respective function.

DragonFly Athletics, LLC assigns the minimum necessary access for its workforce based on their role. DragonFly Athletics, LLC performs background checks on its workforce members, and promptly terminates access when workforce members leave the organization.

DragonFly MAX requires authorization by schools, parents of unemancipated minors, emancipated minors, and adult athletes prior to their use of the system. Requests to remove access and delete personal health records may be submitted by contacting [Security@DragonFlyAthletics.com](mailto:Security@DragonFlyAthletics.com).

More information about the applicable laws and regulations can be found at:

<https://www.ftc.gov/tips-advice/business-center/guidance/complying-ftcs-health-breach-notification-rule>

<https://www2.ed.gov/policy/gen/guid/fpco/doc/ferpa-hipaa-guidance.pdf>

<https://www.ftc.gov/news-events/press-releases/2009/08/ftc-issues-final-breach-notification-rule-electronic-health>