

Toxic drug and health alerts system – Terms of Use

Last updated: April 2022

Please read these Text Messaging Terms of Use, including the disclaimer and limitation of liability set out below (the “Terms of Use”) carefully. By signing up for the toxic drug and health alerts system text message program, you are agreeing to receive text messages on behalf of the BC Centre for Disease Control (BCCDC), a part of the Provincial Health Services Authority (PHSA) and/or its Harm Reduction Services and signify your assent to these Terms of Use. If you do not agree to all of these Terms and Use, do not opt-in into the toxic drug and health alerts system, i.e. do not text JOIN to 253787.

By opting in to the toxic drug and health alerts system, you expressly consent to receive toxic drug alerts and/or health information resource text messages applicable to the toxic drug and health alerts system at the mobile telephone number associated with your opt-in. You may opt-out of these communications at any time.

Program Description

BCCDC and its regional Harm Reduction Services partners deliver text messages (including SMS and MMS) to the phone number(s) that you provide.

Some text messages may be sent to you using artificial intelligence (“AI”). Memora Health’s chatbot uses natural language processing to read and send appropriate responses to the messages you send. For example, if you text in a recognized word like NALOXONE, you will be sent the relevant resource information.

If you text any word(s) that is not a recognized, the chatbot will respond with an auto-reply reminding you that your Regional Harm Reduction Services team does not monitor messages, other than toxic drug and overdose information.

Text messaging may include content related to the following programs:

- **Public Health Alerts:** By opting into the toxic drug and health alerts system, you can expect to receive text messages about toxic drugs and overdoses in the health region you subscribe to, at the mobile telephone number provided when opting in.
- **Resource reminders:** By opting into the toxic drug and health alerts system, you can expect to receive reminders about where to find resources such as naloxone (narcan) and overdose prevention sites (OPS).

The toxic drug and health alerts system does not provide medical advice.

The toxic drug and health alerts system is not intended to be a substitute for professional medical advice, diagnosis, or treatment. Always seek the advice of your physician or other qualified health provider with any questions you may have regarding a medical condition. Never disregard professional medical advice or delay in seeking it because of a text message you have received from the toxic drug and health alerts system.

If you think you may have a medical emergency, call your doctor or 911 immediately. BCCDC does not recommend or endorse any specific tests, physicians, products, procedures, opinions, or other information that may be mentioned via text message. Reliance on any information provided by the toxic drug and health alerts system, PHSA, BCCDC, BCCDC employees, Harm Reduction Services, and others is solely at your own risk.

How to Opt-In

To opt-in to the toxic drug and health alerts system, please text **JOIN** to the six-digit short code (**253787**) associated with the toxic drug and health alerts system. Upon signing up for the toxic drug and health alerts system, you will receive a series of text messages as part of the process confirming your desire to opt-in.

How to Opt-Out

If you do not wish to continue participating in the toxic drug and health alerts system, or no longer agree to these Terms, text **STOP** to the six-digit short code (**253787**) at any time. You may receive an additional mobile message confirming your decision to opt-out. You understand that the text message program may not recognize and respond to unsubscribe requests that contain words or phrases other than those set forth above and agree that BCCDC and Harm Reduction Services will have no liability for failing to honor such requests.

Message Frequency

You may receive approximately one (1) message per week. You may receive text messages when:

- You are welcomed to the toxic drug and health alerts system,
- You reply with one of the designated command words, e.g. NARCAN,
- A toxic drug or overdose alert is issued, and
- There are health resource reminders.

BCCDC reserves the right to alter the frequency of messages sent at any time, so as to increase or decrease the total number of sent messages. BCCDC also reserves the right to change the short code or phone number from which messages are sent and we will notify you when we do so.

Cost

Message and data rates may apply. Please check with your mobile carrier for details about your pricing plan and the charges for sending and receiving text messages.

Supported Carriers

Not all mobile devices or handsets may be supported and our messages may not be deliverable in all areas. BCCDC, its service providers and the mobile carriers supported by the program are not liable for delayed or undelivered messages.

We are able to deliver messages to the following Canadian mobile phone carriers: Bell (including NorthernTel, Solo Mobile, and Telebec), Fido, Freedom Mobile, MTS, Rogers, SaskTel, Telus (including Koodo Mobile and Public Mobile), Videotron, Virgin Mobile, and Wind.

MMS Disclosure

Multimedia Messaging Service (MMS) allows text messages to include multimedia content. The most common example is pictures.

If your mobile device and/or phone plan do not support MMS, the toxic drug and health alerts system will send SMS (Short Message Service) messages instead.

Access or Delivery to Mobile Network is Not Guaranteed

The toxic drug and health alerts system is offered on an "as-is" basis and may not be available in all areas at all times and may not continue to work in the event of product, software, coverage or other changes made by your wireless carrier. We will not be liable for any delays or failures in the receipt of any mobile messages connected with the toxic drug and health alerts system. Delivery of mobile messages is subject to effective transmission from your wireless service provider/network operator and is outside of our control. We are not liable for delayed or undelivered mobile messages.

Participant Device & Service Requirements

You must have a wireless device of your own, capable of two-way messaging, be using a participating wireless carrier, and be a wireless service subscriber with text messaging service. Not all mobile phone providers carry the necessary service to participate. Check your phone capabilities for specific text messaging instructions.

Duty to Notify

If at any time, you intend to stop using the mobile telephone number that you have used to opt-in, including canceling your service plan or selling or transferring the phone number to another party, you agree that you will complete the User Opt-Out process set forth above prior to ending your use of the mobile telephone number. You understand and agree that your agreement to do so is a material part of these Terms of Use.

If you do not wish to continue participating in the toxic drug and health alerts system, or no longer agree to these Terms of Use, text **STOP** to the six-digit short code (**253787**) at any time.

Disclaimer and Limitation of Liability

Any message sent to you is believed to be reliable when posted. However, BCCDC does not guarantee or warrant the quality, accuracy, completeness, timeliness, appropriateness or suitability of the message. Reliance on any message is at your own risk. BCCDC expressly disclaims all warranties, representations and conditions regarding use of the toxic drug and health alerts system or the messages. BCCDC assumes no obligation to update the messages. The messages are sent "as is" and may contain errors. The message may be changed from time to time without notice. The mention of specific products or services on the toxic drug and health alerts system does not constitute or imply a recommendation or endorsement by BCCDC, unless explicitly stated.

BCCDC and its content providers who contribute to the messages shall have no liability whether direct, indirect, consequential, contingent, special or incidental related to or arising out of or in connection with the use of the toxic drug and health alerts system or your reliance on the messages, whether in an action of contract, negligence or other tortious action. Anyone using a message does so at his or her own risk, and by using such message agrees to indemnify BCCDC and its content providers from any and all liability, loss, injury, damages, costs and expenses (including legal fees and expenses) arising from such person's use of the messages.

Choice of Law

The laws in effect in the Province of British Columbia shall govern these Terms of Use, and any dispute or claim based on your use of the toxic drug and health alerts system. You agree that any action or proceeding relating to these Terms of Use or your use of the toxic drug and health alerts system shall only be brought by you in the courts of the Province of British Columbia. the toxic drug and health alerts system is intended for use by residents of British Columbia, Canada only.

These Terms of Use set forth the entire understanding and agreement between BCCDC and you with respect to your use of the toxic drug and health alerts system.

Privacy

We are committed to maintaining confidentiality and personal privacy.

To view our privacy notice, please visit: <http://www.phsa.ca/privacy>

Support

Text the keyword **HELP** to get help or ask questions about the toxic drug and health alerts system

Text the keyword **INFO** for contact information of the sender, which is BCCDC Harm Reduction Services.

Please note that texting “HELP” or “INFO” to the toxic drug and health alerts system’s short code is not an acceptable method of opting out of the program. Opt-outs must be submitted in accordance with the procedures set forth above.

Contact

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