

## PRIVACY POLICY

Effective date: November 1<sup>st</sup>, 2017

### 1. Introduction

Comiere Healthcare (“us,” “we,” or “Comiere”) is committed to respecting the privacy rights of our customers, visitors, and other users of Comiere.com (the “Site”) and related websites, applications, services, telehealth services and mobile applications provided by Comiere and on/in which this Privacy Policy is posted or referenced (collectively, the “Services”). We intend this Privacy Policy (“Privacy Policy”) to give you peace of mind as you use the Services and to demonstrate our commitment to the protection of privacy. This Privacy Policy is only applicable to the Services. This Privacy Policy does not apply to any other website or digital service that you may be able to access through the Services or any website or digital services of Comiere’s business partners, each of which may have data collection, storage and use practices and policies that may materially differ from this Privacy Policy. Your use of the Services is governed by this Privacy Policy and the Agreement (as the term “Agreement” is defined in our Terms of Use). Any capitalized term used but not defined in this Privacy Policy shall have the meaning in the Agreement.

BY USING THE SERVICES, YOU AGREE TO THE PRACTICES AND POLICIES OUTLINED IN THIS PRIVACY POLICY AND YOU HEREBY CONSENT TO THE COLLECTION, USE, AND SHARING OF YOUR INFORMATION AS DESCRIBED IN THIS PRIVACY POLICY. IF YOU DO NOT AGREE WITH THIS PRIVACY POLICY, YOU CANNOT USE THE SERVICES. IF YOU USE THE SERVICES ON BEHALF OF SOMEONE ELSE (SUCH AS YOUR CHILD) OR AN ENTITY (SUCH AS YOUR EMPLOYER), YOU REPRESENT THAT YOU ARE AUTHORIZED BY SUCH INDIVIDUAL OR ENTITY TO ACCEPT THIS PRIVACY POLICY ON SUCH INDIVIDUAL’S OR ENTITY’S BEHALF.

### 2. Information We Collect

#### 2.1 Personal Information

##### 2.1.1 Personal Information Generally

Our Services depend on your voluntarily providing us with certain information that personally identifies (or could be used to personally identify) you (“Personal Information”) in order to function properly. Personal Information includes (but is not limited to) the following categories of information: (1) contact data (such as your e-mail address and phone number); (2) demographic data (such as your gender, your date of birth and your zip code); (3) insurance data (such as your insurance carrier, insurance plan, member ID, group ID and payer ID); (4) medical data (such as the doctors, dentists or other health care providers (“Healthcare Providers”) you have visited, your reasons for visit, your dates of visit, your medical history, and other medical and health information you choose to share with us), and (5) other information that you voluntarily choose to provide to us, including without limitation SSN, unique identifiers such as passwords, and Personal Information in emails or letters that you send to us. You may still access and use some of the Services if you choose not to provide us with any Personal Information, but the features of the Services that require your Personal Information will not be accessible to you.

##### 2.1.2 Billing, Collection and Payment Information

When you make a payment through our Services to a Healthcare Provider (as further described in and subject to other provisions of the Agreement), your payment card information is processed by our payment processing partners, Stripe (<https://stripe.com>) and Paypal (<https://paypal.com>). Stripe and Paypal collect your voluntarily provided payment card information necessary to process your payment. The use and storage of information the payment processor collects is governed by the payment processor's applicable terms of service and privacy policy. Comiere does not maintain your credit card information, all it receives is a token from its payment processor confirming that the transaction has been processed and completed.

## **2.2 Traffic Data**

We also may automatically collect certain data when you use the Services, such as (1) IP address; (2) domain server; (3) type of device(s) used to access the Services; (4) web browser(s) used to access the Services; (5) referring webpage or other source through which you accessed the Services; (6) geolocation information; and (7) other statistics and information associated with the interaction between your browser or device and the Services (collectively "**Traffic Data**"). Depending on applicable law, some Traffic Data may be Personal Information.

We may also collect additional information, which may be Personal Information, as otherwise described to you at the point of collection or pursuant to your consent.

## **2.3 HIPAA and PHI**

Under a federal law called the Health Insurance Portability and Accountability Act ("**HIPAA**"), some of the demographic, health and/or health-related information that Comiere collects as part of providing the Services may be considered "protected health information" or "**PHI**". Specifically, when Comiere receives identifiable information about you from or on behalf of your Healthcare Providers, this information is PHI. HIPAA provides specific protections for the privacy and security of PHI and restricts how PHI is used and disclosed. Comiere may only use and disclose your PHI in the ways permitted by your Healthcare Provider(s). You must give consent to share your PHI with other Healthcare Providers while using the Services.

## **3. How We Collect Information**

We collect information (including Personal Information and Traffic Data) when you use and interact with the Services, and in some cases from third party sources. Such information includes:

- When you use the Services' interactive tools and services, such as searching for Healthcare Providers, searching for available appointments with Healthcare Providers and completing medical history forms ("**Medical History Forms**") prior to Healthcare Provider appointments;
- When you voluntarily provide information in free-form text boxes through the Services and through responses to surveys, questionnaires and the like;
- If you download and install certain applications and software we make available, we may receive and collect information transmitted from your computing device for the purpose of providing you

the relevant Services, such as information that lets Comiere know when you are logged on and available to receive update or alert notices;

- If you download our mobile application, we may receive information about your location and mobile device;
- Through cookies, web beacons, website analytics services and other tracking technology (collectively, “**Tracking Tools**”), as described below; and
- When you use the “Contact Us” function on the Site, send us an email or otherwise contact us.

#### 4. Tracking Tools

We may use tools outlined below in order to better understand users.

- **Cookies:** “Cookies” are small computer files transferred to your computing device that contain information such as user ID, user preferences, lists of pages visited and activities conducted while using the Services. We use Cookies to help us improve or tailor the Services by tracking your navigation habits, storing your authentication status so you do not have to re-enter your credentials each time you use the Services, customizing your experience with the Services and for analytics and fraud prevention.
- We may use a type of advertising commonly known as interest-based or online behavioral advertising. This means that some of our business partners use Cookies to display Comiere ads on other websites and services based on information about your use of the Services and on your interests (as inferred from your online activity). Other Cookies used by our business partners may collect information when you use the Services, such as the IP address, mobile device ID, operating system, browser, web page interactions, the geographic location of your internet service provider and demographic information, such as gender and age range. These Cookies help Comiere learn more about our users’ demographics and internet behaviors.
- **Web Beacons:** “Web Beacons” (a.k.a. clear GIFs or pixel tags) are tiny graphic image files imbedded in a web page or email that may be used to collect anonymous information about your use of our Services, the websites of selected advertisers and the emails, special promotions or newsletters that we send you. The information collected by Web Beacons allows us to analyze how many people are using the Services, using the selected advertisers’ websites or opening our emails, and for what purpose, and also allows us to enhance our interest-based advertising.
- **Website Analytics:** We may use third-party website analytics services in connection with the Services, including, for example, to register mouse clicks, mouse movements, scrolling activity and text that you type into the Site. These website analytics services generally do not collect Personal Information unless you voluntarily provide it and generally do not track your browsing habits across websites which do not use their services. We use the information collected from these services to help make the Services easier to use.
- **Mobile Device Identifiers:** Mobile device identifiers are data stored on your mobile device that may track mobile device and data and activities occurring on and through it, as well as the applications installed on it. Mobile device identifiers enable collection of Personal Information (such as media access control, address and location) and Traffic Data. As with other Tracking Tools,

mobile device identifiers help Comiere learn more about our users' demographics and internet behaviors.

Some web browsers (including some mobile web browsers) allow you to reject Cookies or to alert you when a Cookie is placed on your computer, tablet or mobile device. You may be able to reject mobile device identifiers by activating the appropriate setting on your mobile device. Although you are not required to accept Comiere's Cookies or mobile device identifiers, if you block or reject them, you may not have access to all features available through the Services.

## 5. Use of Information

We use your information, including Personal Information, to provide the Services to you and to help improve them, including to:

- provide you with the products, services and information you request and respond to correspondence that we receive from you;
- provide, maintain, administer or expand the Services, perform business analyses, or for other internal purposes to support, improve or enhance our business, the Services, and other products and services we offer;
- notify you about certain resources or Healthcare Providers we think you may be interested in learning more about;
- send you information about Comiere or our products or Services;
- contact you when necessary or requested, including to remind you of an upcoming appointment;
- customize and tailor your experience of the Services, which may include sending customized messages or showing you Sponsored Results that may be of interest to you based on information collected in accordance with this Privacy Policy;
- send emails and other communications that display content that we think will interest you and according to your preferences;
- combine information received from third parties with the information that we have from or about you and use the combined information for any of the purposes described in this Privacy Policy;
- use statistical information that we collect in any way permitted by law, including from third parties in connection with their commercial and marketing efforts; and
- prevent, detect and investigate security breaches and potentially illegal or prohibited activities.

We may use information that is neither Personal Information nor PHI (including non-PHI Personal Information that has been de-identified and/or aggregated) to better understand who uses Comiere and how we can deliver a better healthcare experience (for example, testing different kinds of emails has helped us understand when and how patients prefer to get Wellness Reminders for preventive care), or otherwise at our discretion.

## 6. Disclosure of Information

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We may disclose certain information that we collect from you:

- We may share your Personal Information with Healthcare Providers with which you choose to schedule through the Services. For example, if you complete a Medical History Form using the Services in advance of an appointment, we may share your Medical History Form with your Healthcare Providers.
- We may share your Personal Information with your Healthcare Providers to enable them to refer you to and make appointments with other Healthcare Providers on your behalf or to perform analyses on potential health issues or treatments, provided that you choose to use the applicable Services.
- We may share your Personal Information with Healthcare Providers in the event of an emergency.
- We may also share your Personal Information with organizations that collect, aggregate and organize your information so they can make it more easily accessible to your Healthcare Providers.
- We do not sell email addresses to third parties. We may share your email address with our business partners to enable them to help Comiere customize our advertising.
- We may share your Personal Information and Traffic Data with our business partners who perform core operational services (such as hosting, billing, fulfillment, data storage, security, insurance verification, or Website analytics) and/or by making certain features available to our users.
- For the purposes of determining eligibility and cost-sharing obligations, and otherwise obtaining benefit plan information, we may share with the insurance provider you identify to us (via our business partners) your insurance-related Personal Information.
- We may transfer your information to another company in connection with a merger, sale, acquisition or other change of ownership or control by or of Comiere (whether in whole or in part). Should one of these events occur, we will make reasonable efforts to notify you before your information becomes subject to different privacy and security policies and practices.

We also may need to disclose your Personal Information or any other information we collect about you if we determine in good faith that such disclosure is needed to: (1) comply with applicable law, regulation, court order or other legal process; (2) protect the rights, property or safety of Comiere or another party; (3) enforce the Agreement or other agreements with you; or (4) respond to claims that any posting or other content violates third-party rights.

We may disclose information that is neither Personal Information nor PHI (including non-PHI Personal Information that has been de-identified and/or aggregated) at our discretion.

We store and process your information on our servers in the United States. We maintain industry standard, HIPAA-compliant backup and archival systems.

## **7. Public Information**

Any information that you may reveal in a review posting or online discussion or forum is intentionally open to the public and is not in any way private. We recommend that you carefully consider whether to

disclose any Personal Information in any public posting or forum. What you have written may be seen and/or collected by third parties and may be used by others in ways we are unable to control or predict.

#### **8. Storage and Security of Information**

The security of your Personal Information is important to us. We endeavor to follow generally accepted industry standards to protect the Personal Information submitted to us, both during transmission and in storage. For example, when you enter sensitive information on our Site, we encrypt that information using secure socket layer technology.

Although we make good faith efforts to store Personal Information in a secure operating environment that is not open to the public, we do not and cannot guarantee the security of your Personal Information. If we become aware that your Personal Information has been disclosed in a manner not in accordance with this Privacy Policy, we will use reasonable efforts to notify you of the nature and extent of the disclosure (to the extent we know that information) as soon as reasonably possible and as permitted or required by law.

#### **9. Controlling Your Personal Information**

If you are a registered user of the Services, you can modify some of the Personal Information you have included in your profile or change your username by logging in and accessing your account. If you wish to close your account, please email us at [privacy@Comiere.com](mailto:privacy@Comiere.com). Comiere will delete your account and the related information at your request as soon as reasonably possible. Please note, however, that Comiere reserves the right to retain information from closed accounts, including to comply with law, prevent fraud, resolve disputes, enforce the Agreement and take other actions permitted by law.

You must promptly notify us if any of your account data is lost, stolen or used without permission.

#### **10. Information Provided by or on Behalf of Children**

The Services are not intended for use by children and children are prohibited from using the Services. Comiere does not knowingly collect any information from children, nor are the Services directed to children.

#### **11. Links to Other Websites**

The Services contain links to third party websites with which Comiere has no affiliation. A link to a non-Comiere website does not mean that we endorse that website, the quality or accuracy of information presented on the non-Comiere website or the persons or entities associated with the non-Comiere website. If you decide to visit a third party website, you are subject to the privacy policy of the third party website as applicable and we are not responsible for the policies and practices of the third party website. We encourage you to ask questions before you disclose your information to others.

#### **12. Updates and Changes to Privacy Policy**

The effective date of this Privacy Policy is set forth at the top of this webpage. We will notify you of any material change by posting notice on this webpage. Your continued use of the Services after the effective date constitutes your acceptance of the amended Privacy Policy. We encourage you to periodically review this page for the latest information on our privacy practices. The amended Privacy Policy supersedes all

previous versions. IF YOU DO NOT AGREE TO FUTURE CHANGES TO THIS PRIVACY POLICY, YOU MUST STOP USING THE SERVICES AFTER THE EFFECTIVE DATE OF SUCH CHANGES.

### 13. Contacts

If you have any comments, concerns or questions about this Privacy Policy, please contact us at [service@Comiere.com](mailto:service@Comiere.com) or at:

Comiere Healthcare, Inc.

ADDRESS

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