

# PRIVACY POLICY

Version 1

Last Updated: September 8, 2020

WE AT WITHMYDOC, INC. (“WITHmyDOC”, “We”, or “Us”) VALUE YOUR PRIVACY AND ARE COMMITTED TO KEEPING YOUR PERSONAL DATA CONFIDENTIAL. WE USE YOUR DATA SOLELY IN THE CONTEXT OF PROVIDING YOU A PLATFORM TO RECEIVE AND MONITOR BIOMETRIC DATA INCLUDING, BUT NOT LIMITED TO, WEIGHT, OXYGEN LEVEL, BLOOD PRESSURE, GLUCOSE LEVEL, HEART ACTIVITY (ELECTROCARDIOGRAM READINGS), TEMPERATURE, AND/OR OTHER PHYSIOLOGICAL DATA FROM YOUR PATIENTS BY OFFERING YOU A CONVENIENT AND HIGH QUALITY WEB PORTAL THAT WILL COLLECT SUCH DATA FROM YOUR PATIENTS’ DEVICE(S) AND SECURELY TRANSMIT THEM TO YOU FOR REVIEW AND CARE DECISIONS.

THIS PRIVACY POLICY APPLIES TO PERSONAL DATA WITHMYDOC COLLECTS FROM PROVIDER USERS OF THE WITHMYDOC WEB PORTAL (the “Web Portal”). **“PERSONAL DATA” INCLUDES ANY INFORMATION THAT CAN BE USED ON ITS OWN OR WITH OTHER INFORMATION IN COMBINATION TO IDENTIFY OR CONTACT ONE OF OUR USERS.** WE BELIEVE THAT TRANSPARENCY ABOUT THE USE OF YOUR PERSONAL INFORMATION IS OF UTMOST IMPORTANCE. IN THIS PRIVACY POLICY, WE PROVIDE YOU DETAILED INFORMATION ABOUT OUR COLLECTION, USE, MAINTENANCE, AND DISCLOSURE OF YOUR PERSONAL DATA. THE POLICY EXPLAINS WHAT KIND OF INFORMATION WE COLLECT, WHEN AND HOW WE MIGHT USE THAT INFORMATION, HOW WE PROTECT THE INFORMATION, AND YOUR RIGHTS REGARDING YOUR PERSONAL INFORMATION.

**BY SUBMITTING YOUR PERSONAL DATA THROUGH THIS WEB PORTAL, YOU ARE ACKNOWLEDGING THAT YOU HAVE READ AND AGREE TO THE TERMS OF THIS POLICY.** IF YOU DO NOT AGREE, PLEASE DO NOT LOG INTO OR ACCESS THE WEB PORTAL AND DO NOT SUBMIT ANY PERSONAL DATA TO US.

PLEASE NOTE THAT **WE OCCASIONALLY UPDATE THIS PRIVACY POLICY AND THAT IT IS YOUR RESPONSIBILITY TO STAY UP TO DATE** WITH ANY AMENDED VERSIONS. IF WE MODIFY THE PRIVACY POLICY, WE WILL POST A LINK TO THE MODIFIED TERMS ON OUR WEBSITE AND WILL ALSO NOTIFY YOU VIA EMAIL. YOU CAN STORE THIS POLICY AND/OR ANY AMENDED VERSION(S) DIGITALLY, PRINT IT, OR SAVE IT IN ANY OTHER WAY. ANY CHANGES TO THIS PRIVACY POLICY WILL BE EFFECTIVE IMMEDIATELY UPON PROVIDING NOTICE, AND SHALL APPLY TO ALL INFORMATION WE MAINTAIN, USE, AND DISCLOSE. IF YOU CONTINUE TO USE THE WEB PORTAL FOLLOWING SUCH NOTICE, YOU ARE AGREEING TO THOSE CHANGES.

In case You have any questions or concerns after reading this Privacy Policy, please do not hesitate to contact Us by completing this [contact form](#). We appreciate Your feedback. If You do not agree or no longer agree to the processing of personal information as described in this Privacy Policy, You can submit a request to deactivate Your account by completing this [contact form](#).

## Responsible Entity

WITHmyDOC is the controller of Your Personal Data and may process this data in accordance with the Privacy Policy. If We are processing Personal Data on behalf of a third party that is not an agent or affiliate

of WITHmyDOC, the terms of this Privacy Policy do not apply—instead, the terms of that third party’s privacy policy will apply. You can contact Us with any questions about Our Privacy Policy by completing this [contact form](#).

#### Links to Other Sites

Our Web Portal may contain links to websites and services that are owned or operated by third parties (each, a “Third-party Service”). Any information that You provide on or to a Third-party Service or that is collected by a Third-party Service is provided directly to the owner or operator of the Third-party Service and is subject to the owner’s or operator’s privacy policy. We are not responsible for the content, privacy or security practices and policies of any Third-party Service. To protect Your information, We recommend that You carefully review the privacy policies of all Third-party Services that You access.

#### **What Personal Data do We collect?**

The types of Personal Data We collect are described below.

#### Demographic Data

We collect demographic information, such as Your name, phone number, NPI number, and e-mail address. Primarily, the collection of Your Personal Data assists us in creating Your User Account, which You can use to securely access the Web Portal.

#### Support Data

If You contact WITHmyDOC for support or to lodge a complaint, We may collect technical or other information from You through log files and other technologies, some of which may qualify as Personal Data (e.g., Internet Protocol (“IP”) address). Such information will be used for the purposes of troubleshooting, customer support, software updates, and improvement of the Web Portal and related services in accordance with this Privacy Policy. Calls with WITHmyDOC may be recorded or monitored for training, quality assurance, customer service, and reference purposes.

#### Device, Telephone, and ISP Data

We use common information-gathering tools, such as log files, cookies, web beacons, and similar technologies to automatically collect information, which may contain Personal Data, from Your computer as You navigate Our Web Portal, or interact with emails We have sent You. The information We collect may include Your IP address (or proxy server), location, browser type, Internet service provider, the pages and files You viewed, Your searches, Your operating system and system configuration information, and date/time stamps associated with Your usage. This information is used to analyze overall trends, to help us provide and improve Our Web Portal and to guarantee their security and continued proper functioning.

#### **How will We use Your Personal Data?**

We process Your Personal Data for purposes based on legitimate business interests, the fulfillment of Our services to You provided through the Web Portal, compliance with Our legal obligations, and/or Your consent. We only use or disclose Your Personal Data when it is legally mandated or where it is necessary to fulfill the purposes described herein. Where required by law, We will ask for Your prior consent before doing so.

Specifically, We process Your Personal Data for the following legitimate business purposes:

- to fulfill Our obligations to You under the Terms of Service;
- to communicate with You about and manage Your User Account;
- to properly store and track Your data within Our system;
- to respond to lawful requests from public and government authorities, and to comply with applicable state/federal law, including cooperation with judicial proceedings or court orders;
- to protect Our rights, privacy, safety, or property, and/or that of You or others by providing proper notices, pursuing available legal remedies, and acting to limit Our damages;
- to handle technical support and other requests from You;
- to enforce and ensure Your compliance with Our Terms of Service or the terms of any other applicable services agreement We have with You;
- to manage and improve Our operations and the Web Portal, including the development of additional functionality;
- to manage payment processing;
- to evaluate the quality of service You receive, identify usage trends, and thereby improve Your user experience;
- to keep Our Web Portal safe and secure for You and for Us;
- to send You information about changes to Our terms, conditions, and policies; and
- to allow Us to pursue available remedies or limit the damages that We may sustain.

#### **Where is Your Personal Data processed?**

Personal Data WITHmyDOC collects through the Web Portal will be stored on secure servers in the United States. Personal Data may be transmitted to third parties, which parties may store or maintain the data on their secure servers. These third parties are not permitted to transfer Your Personal Data outside of the United States.

#### **Will We share Your Personal Data with anyone else?**

##### Yes, with third parties that help us power Our Web Portal

WITHmyDOC has a limited number of service providers and other third parties (“Business Partners”) that help us run various aspects of Our business. These Business Partners are contractually bound to protect Your Personal Data and to use it only for the limited purpose(s) for which it is shared. Business Partners’ use of Personal Data may include, but is not limited to, the provision of services such as data hosting, IT services, customer service, and payment processing.

##### Yes, with third parties and the government when legal or enforcement issues arise

We may share Your Personal Data, if reasonable and necessary, to (i) comply with legal processes or enforceable governmental requests, or as otherwise required by law; (ii) cooperate with third parties in investigating acts in violation of this Agreement; or (iii) bring legal action against someone who may be violating the Terms of Service or who may be causing intentional or unintentional injury or interference to the rights or property of WITHmyDOC or any third party, including other users.

##### Yes, with third parties that provide advisory services

We may share Your Personal Data with Our lawyers, auditors, accountants, or banks, when We have a legitimate business interest in doing so.

Yes, with third parties in the event of a reorganization, merger, sale, joint venture, assignment, transfer, or other disposition of all or any portion of WITHmyDOC's corporate entity, assets, or stock (including in connection with any bankruptcy or similar proceedings)

If We share Your Personal Data with a third party other than as provided above, You will be notified at the time of data collection or transfer, and You will have the option of not permitting the transfer.

### **How long do We retain Personal Data?**

We will retain Your Personal Data for as long as You maintain a User Account and up to 90 days after the account is closed. The exact period of retention will depend on the type of Personal Data, Our contractual obligation to You, and applicable law. We keep Your Personal Data for as long as necessary to fulfill the purpose for which it was collected, unless otherwise required or necessary pursuant to a legitimate business purpose outlined herein. At the end of the applicable retention period, We will remove Your Personal Data from Our databases and will request that Our Business Partners remove Your Personal Data from their databases. If there is any data that We are unable, for technical reasons, to delete entirely from Our systems, We will put in place appropriate measures to prevent any further processing of such data. We retain anonymized data indefinitely.

NOTE: Once We disclose Your Personal Data to third parties, We may not be able to access that Personal Data any longer and cannot force the deletion or modification of any such information by the parties to whom We have made those disclosures. Written requests for deletion of Personal Data other than as described should be submitted by completing this [contact form](#).

### **How do We protect Your Personal Data?**

WITHmyDOC is committed to protecting the security and confidentiality of Your Personal Data. We use a combination of reasonable physical, technical, and administrative security controls to maintain the security and integrity of Your Personal Data, to protect against any anticipated threats or hazards to the security or integrity of such information, and to protect against unauthorized access to or use of such information in Our possession or control that could result in substantial harm or inconvenience to You. However, Internet data transmissions, whether wired or wireless, cannot be guaranteed to be 100% secure. As a result, We cannot ensure the security of information You transmit to Us. By using the Web Portal, You are assuming this risk.

#### Safeguards

The information collected by WITHmyDOC and stored on secure servers, is protected by a combination of technical, administrative, and physical security safeguards, such as authentication, encryption, backups, and access controls. If WITHmyDOC learns of a security concern, We may attempt to notify You and provide information on protective steps, if available, through the e-mail address that You have provided to Us or by an in-app notification. Depending on where You live, You may have a legal right to receive such notices in writing.

You are solely responsible for protecting information entered or generated via the Web Portal that is stored on Your device and/or removable device storage. WITHmyDOC has no access to or control over Your device's security settings, and it is up to You to implement any device-level security features and protections You feel are appropriate (e.g., password protection, encryption, remote wipe capability, etc.). We recommend that You take any and all appropriate steps to secure any device that You use to access Our Web Portal.

NOTWITHSTANDING ANY OF THE STEPS TAKEN BY US, IT IS NOT POSSIBLE TO GUARANTEE THE SECURITY OR INTEGRITY OF DATA TRANSMITTED OVER THE INTERNET. THERE IS NO GUARANTEE THAT YOUR PERSONAL DATA WILL NOT BE ACCESSED, DISCLOSED, ALTERED, OR DESTROYED BY BREACH OF ANY OF OUR PHYSICAL, TECHNICAL, OR ADMINISTRATIVE SAFEGUARDS. THEREFORE, WE DO NOT AND CANNOT ENSURE OR WARRANT THE SECURITY OR INTEGRITY OF ANY PERSONAL DATA YOU TRANSMIT TO US AND YOU TRANSMIT SUCH PERSONAL DATA AT YOUR OWN RISK.

### **How can You Protect Your Personal Data?**

In addition to securing Your device, as discussed above, We will NEVER send You an e-mail requesting confidential information such as account numbers, usernames, passwords, or social security numbers, and You should NEVER respond to any e-mail requesting such information. If You receive such an e-mail purportedly from WITHmyDOC, DO NOT RESPOND to the e-mail and DO NOT click on any links and/or open any attachments in the e-mail, and notify WITHmyDOC support by completing this [contact form](#).

You are responsible for taking reasonable precautions to protect Your user ID, password, and other User Account information from disclosure to third parties, and You are not permitted to circumvent the use of required encryption technologies. You should immediately notify WITHmyDOC by completing this [contact form](#) if You know of or suspect any unauthorized use or disclosure of Your user ID, password, and/or other User Account information, or any other security concern.

### **Your rights**

You have certain rights relating to Your Personal Data, subject to local data protection laws. These rights may include:

- to access Your Personal Data held by Us;
- to erase/delete Your Personal Data, to the extent permitted by applicable data protection laws;
- to receive communications related to the processing of Your Personal Data that are concise, transparent, intelligible, and easily accessible;
- to restrict the processing of Your Personal Data to the extent permitted by law (while We verify or investigate Your concerns with this information, for example);
- to object to the further processing of Your Personal Data, including the right to object to marketing;
- to request that Your Personal Data be transferred to a third party, if possible;
- to receive Your Personal Data in a structured, commonly used, and machine-readable format;
- to lodge a complaint with a supervisory authority;
- to rectify inaccurate Personal Data and, taking into account the purpose of processing the Personal Data, ensure it is complete; and
- to not be subject to a decision based solely on automated processing, including profiling, which produces legal effects ("Automated Decision-Making").

Where the processing of Your Personal Data by WITHmyDOC is based on consent, You have the right to withdraw that consent without detriment at any time or to exercise any of the rights listed above by completing this [contact form](#).

## **How can You update, correct, or delete Personal Data?**

You can change Your e-mail address and other contact information directly through your User Account or by contacting WITHmyDOC by completing this [contact form](#). If You need to make changes or corrections to other information, You may do so by contacting WITHmyDOC by completing this [contact form](#). Please note that in order to comply with certain requests to limit use of Your Personal Data, We may need to terminate Your account and Your ability to access and use the Web Portal, and You agree that We will not be liable to You for such termination or for any refunds of prepaid fees paid by You. You can request to deactivate Your account by completing this [contact form](#).

Although We will use reasonable efforts to do so, You understand that it may not be technologically possible to remove from Our systems every record of Your Personal Data. The need to back up Our systems to protect information from inadvertent loss means a copy of Your Personal Data may exist in a non-erasable form that will be difficult or impossible for Us to locate or remove.

## **Can You “OPT-OUT” of receiving communications from Us?**

We pledge not to market third party services to You without Your consent. We may send e-mails to You regarding Your WITHmyDOC account and services. You can choose to filter these account and services e-mails using Your e-mail client settings, but We do not provide an option for You to opt out of these e-mails.

## **Information submission by minors**

We do not knowingly collect Personal Data from individuals under the age of 18 and the Web Portal is not directed to individuals under the age of 13. We request that these individuals not provide Personal Data to Us. If We learn that Personal Data from users less than 18 years of age has been collected, We will deactivate the account and take reasonable measures to promptly delete such data from Our records. If You are aware of a user under the age of 13 using the Web Portal, please contact Us by completing this [contact form](#).

If You are a resident of California, under the age of 18 and have registered for an account with Us, You may ask Us to remove content or information that You have posted to Our Web Portal.

## **California Residents**

California residents may request and obtain from Us, once a year, free of charge, a list of third parties, if any, to which We disclosed their Personal Data for direct marketing purposes during the preceding calendar year and the categories of Personal Data shared with those third parties. If You are a California resident and wish to obtain that information, please submit Your request by completing this [contact form](#) and include “California Privacy Rights” in the contact form.

## **Contact Us**

If You have any questions about this Privacy Policy, please contact Us by completing this [contact form](#) or please write to:

WITHmyDOC, Inc.

Attn: Privacy Compliance Officer  
4111 SW 47th Avenue, #319  
Davie, FL, 33314

Please note that email communications are not always secure; so please do not include sensitive information in Your emails to Us.