

OUTCOMEMD PRIVACY POLICY

Last Revised: August 24, 2020

Welcome to OutcomeMD's Privacy Policy. OutcomeMD provides a patient engagement platform to help patients and clinicians understand treatment results, and enhance communication and care.

This Privacy Policy explains how OutcomeMD may collect, use, disclose, and secure information obtained through the "Service." The terms "OutcomeMD," "we," and "us" include OutcomeMD, Inc. and our affiliates and subsidiaries. This Privacy Policy is incorporated by reference into the [Terms of Service](#) for the OutcomeMD Service (including our website, mobile app, and any other product offering that we may make). Any capitalized terms used and not defined in this Privacy Policy shall have the meaning given to those capitalized terms in the Terms of Use.

We act as a service provider to healthcare organizations and clinicians, and we receive, maintain, use, and disclose data on their behalf and limited by our agreements with them. This Privacy Policy does not reflect the privacy practices of the healthcare organizations or clinicians using our platform, and we are not responsible for their privacy policies or practices. We also do not review their instructions with respect to our processing of information to determine whether such instructions are in compliance or conflict with the terms of their applicable privacy policies. Please contact your healthcare organization or clinician if you have questions about their privacy policies and practices.

"Personal Information" can be used to readily identify, contact, or locate you.

"**Personal Information**" means information that alone or when in combination with other information may be used to readily identify, contact, or locate you, such as: name, address, email address, or phone number. Personal Information also includes any of your health information. Personal Information does not include information about a device.

THE SERVICE COLLECTS YOUR INFORMATION

We collect Personal Information when you:

- register to use the Service;
- use the Service; and

- communicate with us.

We receive Personal Information about you from your connected healthcare clinicians.

We also collect information, such as anonymous usage statistics, by using cookies, server logs, and other similar technology as you use the Service.

Registration and Account Information. To use the App and certain Service functionality as a registered user, you will need to create a user account. To register, you may need to provide Personal Information, such as name, email address, and password.

Using the Service. We collect information you provide when you use the Service, which may include information you submit about how you are feeling, which medications you are taking, and other health-related information related to treatment from a healthcare clinician.

Communicate with Us. We may collect Personal Information through your communications with our customer-support team or through other communications with us, including through social media.

Information and Content from Your Computer or Mobile Device. The Service automatically collects information about your device, such as its model, operating system, device ID and browser type, so that we can provide and customize functionality, such as push notifications. With your permission, the Service may access and collect information from your device's contact list so you can add contact information of doctors and other caregivers, and your device's photo storage so you can upload profile pictures.

Automatic Data Collection: Cookies and Related Technologies. When you visit our Service or open our emails, we and our third-party partners, such as analytics providers, may collect certain information by automated means, such as cookies, web beacons and web server logs. By using the Service, you consent to the placement of cookies, beacons, and other similar technology in your browser and on emails in accordance with this Privacy Policy. The information collected in this manner includes IP address, browser characteristics, device IDs and characteristics, operating system version, language preferences, referring URLs, and information about the usage of our Service. We may use this information, for example, to determine how many users have visited certain pages or opened messages or newsletters, or to prevent fraud. We may link this data to your profile. Our partners also may collect information about your online activities over time, on other devices, and on other websites or apps, if those websites and apps also use the same partners. When they provide such services, they are governed by their own privacy policies. We may use Google Analytics to collect and process certain Service usage data. Google provides additional privacy options regarding cookie use described at www.google.com/policies/privacy/partners/. You may be able to

change browser settings to block and delete cookies when you access the Service through a web browser. However, if you do that, the Service may not work properly.

Healthcare Clinicians Submit Information about Patients. Healthcare clinicians may submit information, including Personal Information and health-related information, about patients through the Service. This information helps us contact you and obtain information from you relevant to your treatment and medical condition.

Consent. By using the Service, you are authorizing us to gather, process, analyze, and retain data related to the provision of the Service. We may retain such information, including Personal Information, indefinitely.

HOW OUTCOMEMD USES YOUR INFORMATION

We use Personal Information to:

- provide, facilitate and improve our services; and
- communicate with you on our behalf and on behalf of healthcare clinicians.

Internal and Service-Related Usage. We use information, including Personal Information, for internal and service-related purposes, such as to operate, evaluate, and improve our business or the Services and to identify and protect against fraud. For example, we may provide you and your healthcare clinician with analyses and reports about your treatment and medical condition based on the information you provide through the Service. Subject to potential limitations in our other agreements, we may use and retain any data we collect to provide and improve any of our services.

In Compliance with Agreements with Healthcare Clinicians. We may use information we receive from you as permitted by our agreements with your healthcare clinicians using the Service.

Data Analysis. We analyze the information we collect to provide our Services, such as providing reports to you and healthcare clinicians. To the extent permitted by law and our partner agreements, we may de-identify and/or aggregate information, and use and disclose it for business purposes (for example, to perform research and provide statistical information and data regarding trends to our partners).

Our Communications. We may send messages to the email address you provide to us, push notifications to your mobile device if they are enabled, and/or text messages to your mobile device to verify your account and for informational and operational purposes, such as account

management, reminders, customer service, system maintenance, and other Service-related purposes.

Marketing. We may use information, including Personal Information, to send you information about our products and services we think you may have an interested in, including promotional materials and information about events, programs, offers, surveys, and market research. You may opt out of email marketing by using the unsubscribe link in a marketing email.

Communications from Healthcare Clinicians. We may facilitate communications from healthcare clinicians to patients for Service-related purposes, such as notifying patients about using the Service. These messages may be sent by email, push notification, or text message.

OUTCOMEMD MAY DISCLOSE YOUR INFORMATION

We may share your Personal Information:

- with your healthcare clinicians;
- to comply with legal obligations;
- with our third-party vendors and service providers;
- to protect and defend our rights and property; and
- with your permission.

We do not rent, sell, or share Personal Information about you with other people or nonaffiliated companies for their direct marketing purposes, unless we have your permission.

We Use Vendors and Service Providers. We may share any information we receive with the vendors and service providers we use to help us provide and improve the Service. For example, we will provide Personal Information to service providers that provide web and database hosting services. We will require any vendor or service provider receiving your Personal Information to respect the privacy of your Personal Information and comply with applicable legal requirements.

To Healthcare Clinicians. Any of the information users submit on the Service may be accessible and exportable through the Service by their associated healthcare clinicians so the healthcare clinicians can use the information for treatment and healthcare-related purposes. We are not responsible for how healthcare clinicians access and use such information.

With Third Parties at the Direction of Healthcare Clinicians. Healthcare clinicians may direct us to disclose information third parties that the applicable clinician works with.

Marketing. We do not rent, sell, or share Personal Information about you that we collect on the Service with other people or unaffiliated companies for their direct marketing purposes, unless we have your explicit permission.

Legal and Similar Disclosures. We may access, preserve, and disclose collected information, if we believe doing so is required or appropriate to: comply with law enforcement requests and legal process, such as a court order or subpoena; respond to your requests; comply with the law; or protect your, our, or others' rights, property, or safety.

Merger, Sale, or Other Asset Transfers. If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, sale of OutcomeMD assets, or transition of service to another provider, your information may be disclosed in connection with the negotiation of such transaction, and/or sold or transferred as part of such a transaction as permitted by law and/or contract. We cannot control how such entities may use or disclose such information.

With Your Permission. We may also disclose your Personal Information with your permission.

Social Media. The Services include social media features and widgets. These features may collect your IP address, the URL of the page you are visiting, and may set a cookie to enable the feature to function properly. Social media features and widgets are either hosted by a third party or hosted directly on the websites. Your interactions with these features are governed by the privacy policy of the applicable company providing it. You also understand that if you share your healthcare information on a social media platform or website that your healthcare information will likely not be protected by privacy laws.

YOUR CHOICES AND INFORMATION RETENTION

Subject to applicable law and our agreements with healthcare clinicians, you may have the right to request access to and be informed about the information we maintain about you, update and correct inaccuracies in your information, and have the information deleted, as appropriate. If you wish to request access or an update to the information that we have concerning you, please email us at support@outcomemd.com. Your rights to your information may be limited in some circumstances by applicable legal requirements and our agreements with healthcare clinicians. Note however that if you exercise your right of deletion, if you decline to share certain information with us, or if you withdraw your consent to our use of certain information, we may not be able to provide to you some of the features and functionalities of the Service.

You may use the Service to update your communications preferences or you may submit a request to support@outcomemd.com. Even after you opt out of receiving certain messages from us, you may continue to receive administrative messages from us regarding the Service as long as you or your healthcare provider or doctor has an account to use the Service. You may turn off push notifications through your device settings.

You may terminate your account at any time by following the procedures detailed on the Service or by contacting customer support at support@outcomemd.com. We will retain information in accordance with any agreements we have with applicable healthcare clinicians.

We will continue to use de-identified and/or aggregated information, for business purposes as permitted under applicable law and to comply with our legal obligations, agreements with healthcare clinicians, resolve disputes, enforce our rights, or similar purposes.

The Service may contain links to external websites or services. Your use of any third-party site or service, including the submission of personal information, will be governed by the terms and conditions of the such third party. OUTCOMEMD IS NOT RESPONSIBLE FOR THE PRACTICES OR CONTENT OF ANY THIRD-PARTY, EVEN IF WE PROVIDE A LINK FROM OUR SERVICE.

INFORMATION SECURITY

We seek to use reasonable organizational, technical, and administrative measures to protect your information, including to secure protected health information in compliance with HIPAA. Unfortunately, no data transmission or storage system can be guaranteed to be 100% secure. If you have reason to believe that your interaction with us is no longer secure (for example, if you feel that the security of any account with us has been compromised), please immediately notify us of the problem by contacting us using the contact information below.

By using the Service or providing Personal Information to us, you agree that we may communicate with you electronically regarding security, privacy, and administrative issues relating to your use of the Service. If we learn of a security system's breach, we may attempt to notify you electronically by posting a notice on the Service or sending an email to you.

CHILDREN'S PRIVACY

The Service is intended to be used by adults. Parents may submit personal information about, their children under 13.

The Service is not directed to children under the age of 13. The Service is intended to be used by adults. Parents may use the service to record information about their family members, who may be children under the age of 13. We do not permit individuals to create accounts if they submit a birth date that indicates they are under the age of 13.

If you learn that your child has provided us with personal information without your consent, you may alert us at support@outcomemd.com. If we learn that we have collected any personal information from children under 13, we will promptly take steps to delete such information.

INTERNATIONAL USERS

Data is processed and stored in the United States.

The Service may be made available to users outside of the United States. If you are using the Service, you agree to the transfer of your information to the United States and processing globally. By providing your information, you consent to any transfer and processing in accordance with this Privacy Policy. We will comply with privacy requirements or obligations that are applicable to us providing the Service in the country where you are located, provided that this commitment

UPDATE YOUR INFORMATION OR POSE A QUESTION OR SUGGESTION

If you would like to request that we update or correct any information that you have provided to us through your use of the Service or otherwise, or if you have suggestions for improving this Privacy Policy, please send an email to support@outcomemd.com.

CHANGES TO OUR PRIVACY POLICY AND PRACTICES

We may revise this Privacy Policy, so review it periodically.

Posting of Revised Privacy Policy. We will post any adjustments to the Privacy Policy on this web page, and the revised version will be effective when it is posted.

New Uses of Personal Information. From time to time, we may desire to use Personal Information for uses not previously disclosed in our Privacy Policy. If our practices change regarding previously collected Personal Information in a way that would be materially less restrictive than stated in the version of this Privacy Policy in effect at the time we collected the information, we will make reasonable efforts to provide notice and obtain consent to any such uses as may be required by law.

Contact Information

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Effective Date: **September 8, 2020**