

APALY HEALTH - PRIVACY POLICY

Effective Date: 08/16/2019

1. OVERVIEW

This Privacy Policy describes the types of information Apaly Health Inc. (“Apaly Health,” “our,” “us,” or “we”) collects when you register for or update an individual account or organization account on our Platform, (the “Platform”), or use the Platform, how we use that information and the types of third parties with whom we share that information.

This Privacy Policy does not apply to electronic medical records or other health data that may be stored or transacted through the Apaly Health Platform. Our collection of such information is governed by our Terms of Use Agreement and the Healthcare Services Agreement between Employers and Providers.

2. YOUR ACCEPTANCE OF AND REVISIONS TO THIS PRIVACY POLICY

We reserve the right, in our sole discretion, to modify this Privacy Policy at any time without prior notice to you. When we modify this Privacy Policy, we will post a notice on the Platform that it has been modified. Modifications will be effective as of the effective date that appears on this Privacy Policy. Each time you visit the Platform, you should check the effective date of this Privacy Policy and review any changes made since the last time you visited the Platform. Your continued use of the Platform following any modification to this Privacy Policy will be conclusively deemed to signify your acceptance of the modification. Notwithstanding the foregoing, we will seek your consent to any material changes to this Privacy Policy to the extent required by law.

3. INFORMATION COLLECTED AUTOMATICALLY

We may use server log analysis tools to gather and analyze information regarding the Platform’s usage such as the number of hits received, errors experienced by users, browsers and platforms used to connect to the Platform, your IP address and Internet service provider, the dates and times you visit the Platform, the webpages you visit on the Platform and the websites you visit before or after you visit the Platform. This information may be collected via a number of technologies, including cookies, web beacons, clear GIFs and other means. You can remove certain cookies by following the directions in your Internet browser’s “help” file. If you disable cookies, your ability to use some areas of the Platform may be limited.

The above information belongs to us and is used to improve the content, layout and/or operation of the Platform. We may release this information in the aggregate, for example, by sharing it with our affiliates and authorized service providers or by publishing a report on the usage of the Platform.

4. INFORMATION YOU CHOOSE TO PROVIDE

Personally identifiable information is information that identifies or describes you, including contact information (such as your name, address, telephone number and e-mail address), financial information (such as your social security number and credit card number) and demographic information (such as your age and gender). Apaly Health and our authorized service providers may collect, store and use any personally identifiable information and other information that you choose to provide to us.

5. USE OF YOUR INFORMATION

We may use your personally identifiable information, separately or in combination with other information that you provide to us, for the following purposes:

- To communicate with you about your individual account or an organization account that you are authorized to create on behalf of the applicable organization, as detailed in our Terms of Use, available on the Platform (our “Terms of Use”);
- To alert you to other information about Apaly Health and our affiliates;
- To operate and maintain the Platform and to improve our content and communications with you;
- To enforce our Terms of Use; and
- To detect and protect against error, fraud and any other unauthorized or illegal activities.

6. DISCLOSURE OF YOUR INFORMATION

We may disclose your personally identifiable information and other information to third parties, as follows:

- To our affiliates;
- To our authorized service providers whom we engage to provide services on our behalf;
- To a successor organization in the event of a transaction such as a merger or a sale of all or substantially all of Apaly Health’s assets; and
- In response to a subpoena or court order or a request from a law enforcement or other government agency to establish or exercise our legal rights, to defend against claims or to protect the safety or security of the public or other users of the Platform.

Except as described above, we do not rent, sell or otherwise provide your personally identifiable information to third parties for marketing purposes without your consent.

7. STORAGE OF YOUR INFORMATION; HOW WE PROTECT YOUR INFORMATION

All of the information that we collect from the Platform is processed and stored in the United States by us or our authorized service providers under the laws of the United States, which may not afford the same level of protection as the data protection laws of certain other countries such as the member nations of the European Union.

We follow generally accepted security practices and procedures to protect your personally identifiable information from unauthorized access, use and disclosure, and we also require our authorized service providers to implement and maintain these security practices and procedures. Nevertheless, Internet transmissions are never completely private or secure. You understand that any messages or information you send to the Platform may be read or intercepted by others. If you have any questions about the security of personally identifiable information collected by us, please contact us at: privacy@Apalyhealth.com

8. RETENTION OF YOUR INFORMATION

Your personally identifiable information will be stored and maintained by us or our authorized service providers for as long as we, in our sole discretion, believe is necessary or appropriate (a) to carry out the purpose(s) for which your personally identifiable information was collected or (b) to comply with applicable laws, contracts or other rules or regulations.

9. ACCESS AND ACCURACY

As set forth in our Terms of Use, you must notify us at privacy@Apalyhealth.com of any changes to your personally identifiable information to keep this information accurate, complete and current. We reserve the right to deny access to your personally identifiable information in the following instances: (a) when the denial of access is required by law; (b) when granting you access is reasonably likely to negatively impact other people's privacy; (c) to protect our rights and property; and (d) when such requests are frivolous or made in bad faith.

10. COMMUNICATIONS FROM APALY HEALTH

If, at any time, you prefer not to receive e-mail communications from us, you may "opt-out" of receiving these communications by unsubscribing from these communications by means of the link provided in the e-mail message or by contacting us at optout@Apalyhealth.com. It may take us ten (10) days to process your request.

11. CHILDREN'S PRIVACY

The Platform is intended for adults. Accordingly, we do not knowingly collect information from children under the age of thirteen (13).

12. SPECIAL NOTICE TO CALIFORNIA RESIDENTS

If you are a California resident, under California Law SB 27, you have the right to receive, once a year, information about third parties with whom we have shared your personally identifiable information for the third parties' direct marketing purposes during the previous calendar year and a description of the categories of personally identifiable information shared. To make such a

request, please use the contact information set forth in Section 15 of this Privacy Policy, include the phrase “California Privacy Request” in the subject line, and provide us with your name, address and e-mail address. We will respond to you within thirty (30) days of receiving such a request.

13. DO NOT TRACK

We do not support Do Not Track (“DNT”) with respect to your use of the Platform. DNT is a privacy preference that you can set in your web browser to indicate that you do not want certain information about your online activities collected. For more information on DNT, please visit donottrack.us.

14. LINKS TO THIRD PARTY WEBSITES

The Platform may contain links to other entities’ websites that are not controlled or operated by us. This Privacy Policy does not apply to these websites. Therefore, we encourage you to request and review the privacy policy of each such website prior to visiting the website or disclosing your information to the entity that controls or operates the website.

15. QUESTIONS AND COMMENTS

We welcome questions and comments about this Privacy Policy and our use of your personally identifiable information. Please send your questions and comments to the following e-mail address: privacy@Apalyhealth.com.