

## PRIVACY POLICY

Effective Date of Terms: June 2018

### INTRODUCTION

This privacy policy is designed to inform users of our website, products and/or services, such as Kyruus ProviderMatch (collectively, the "Service") about how we gather and use personal information collected by us in connection with use of the Service. We will take reasonable steps to protect user privacy consistent with the guidelines set forth in this policy and with applicable U.S. laws. In this policy, "user," "your" or "you" refers to any individual or entity using the Service, whether by browsing the Service, registering with us by creating an account, or participating in any other activities available through the Service. BY ACCESSING OR USING THE SERVICE, YOU ACKNOWLEDGE THAT YOU HAVE READ, UNDERSTAND, AND AGREE TO BE BOUND BY THIS PRIVACY POLICY AND OUR TERMS OF SERVICE. IF YOU DO NOT AGREE TO THESE TERMS, DO NOT USE THE SERVICE.

### WHAT INFORMATION DO WE COLLECT?

#### PERSONAL INFORMATION:

We collect the following personal information in connection with the Service: (a) when you register to use the Service or submit any information through the Service, whether in your individual capacity or on behalf of an organization, we collect the personal information that is disclosed on our online registration form or otherwise submitted through the Service, such as your name, title, organizational affiliation, address, telephone, and email address; (b) if you communicate with us by email, we will collect your email address; and (c) if you use our online search, booking, or related capabilities offered with Kyruus' ProviderMatch, a description of a potential diagnosis, condition, symptom or other descriptive terms, information about your medical appointments, or other information relating to your health, preferences, or clinical activities which may be displayed in Kyruus ProviderMatch. All of this information is referred to in this Policy as "Personal Information".

#### PROVIDER PROFILE INFORMATION:

We collect, from publicly available sources, from our hospital and institutional clients and from providers themselves, information relating to the professional activities of providers, including education, specialty, affiliations with institutions, editorial and publishing responsibilities, consulting arrangements, industry interactions, disciplinary records, malpractice lawsuits and other lawsuits, and other categories of information displayed in Kyruus ProviderMatch (collectively, the "Provider Profile").

#### WEB TRACKING INFORMATION:

We may use web tracking technologies such as cookies, web beacons, pixel tags and clear GIFs in order to operate the Service efficiently and to collect data related to your usage of and interaction with the Service. Such collected data ("Web Tracking Information") may include the address of the websites you visited before and after you visited the Service, your geographic location, the search terms you used, the date and time of your visit, the type of browser you are using, your Internet Protocol (IP) address, what pages in the Service you visit and what links you clicked on, and whether you opened email communications we send to you. If you use a mobile device to access our Service, we may also collect information about the geographical location from which you accessed the Service. In order to collect Web Tracking Information and to make your use of the Service more efficient, we may store cookies on your computer. These cookies will be stored (1) until the user closes the browser, (2) until the user logs off the Service, or (3) until they expire. We may also use web tracking technologies that are placed in web pages on the Service or in email communications to collect

information about actions that users take when they interact with the Service or such email communications. Web Tracking Information may include data, such as IP address data, that is unique to you. You may be able to modify your browser settings to alter which web tracking technologies are permitted when you use the Service, but this may affect the performance of the Service. Likewise, most mobile devices allow you to disable the ability for geo-location to be collected from your mobile device, but this may also affect the performance of the Service.

## HOW DO WE USE THE INFORMATION WE COLLECT?

### PERSONAL INFORMATION:

We will use and store Personal Information for the purpose of delivering the Service to you, and to analyze and enhance the operation of the Service. We may also use Personal Information for the operational and administrative purposes of the Service.

We may use the Personal Information you provide or that we collect about you, as well as non-personally identifiable information, to fulfill your requests for our products, programs, and services, to respond to your inquiries about our offerings, and to offer you other products, programs or services that we believe may be of interest to you. We sometimes use this information to communicate with you.

By posting messages, uploading files, inputting data, or engaging in any other form of communication through this service, you are granting us the license set forth in our Terms of Service.

### PROVIDER PROFILES:

Provider Profiles form part of the Service and are delivered to subscribers as part of the Service. The Service provides hospitals and healthcare organizations ("Institutions") and third parties with healthcare information products and services for use in referral management and patient access application.

### WEB TRACKING INFORMATION:

We use Web Tracking Information to administer the Service and to understand how well our Service is working, to store your user preferences, to develop statistical information on usage of the Services, and to analyze the productivity of users of the Service. This allows us to determine which features visitors like best to help us improve our Service, to personalize your user experience, and to measure overall effectiveness.

### AGGREGATED INFORMATION:

We will also create usage, statistical, anonymized and/or aggregated data (collectively, "aggregated data") relating to our users and the Service for analytical purposes. Aggregated data includes data derived from Personal Information and Provider Profiles and also data collected by Kyruus from other sources; in its anonymized or aggregated form, it does not relate to or identify any individual. This data is used to understand our customer and user base and to develop, improve and market our services.

### LEGAL EXCEPTION:

Notwithstanding the above, we may in any event use Personal Information, Provider Profiles and any other information collected through the Service to the extent required by law or legal process, to resolve disputes, to enforce our agreements (including this Privacy Policy and the Terms of Service) with you, or if in our reasonable discretion use is necessary to protect our legal rights or to protect third parties.

## EMAIL COMMUNICATIONS:

If you register and provide your email address, we will send you administrative and promotional emails, including newsletters. If you wish to opt out of newsletters and promotional emails, you may do so by following the "unsubscribe" instructions in the email. All users receive administrative emails, so you cannot opt out of them while you remain registered.

## WHAT INFORMATION DO WE DISCLOSE TO THIRD PARTIES?

### PERSONAL INFORMATION:

We will not disclose your Personal Information to any third parties except as follows:

- (i) to third party contractors engaged to provide services on our behalf ("Contractors"), such as analyzing data and usage of the Service, operating the Service or providing support and maintenance services for the Service, performing marketing support, or providing customer service. We enter into agreements with all Contractors that require Contractors to use the Personal Information they receive only to perform services for us; and
- (ii) when we have your consent to share the information.

### PROVIDER PROFILES:

Provider Profiles form part of Kyruus' services and are made available to Kyruus' subscribers and customers as part of Kyruus' services. We disclose Provider Profile information to Contractors to analyze the performance of the Service and the behavior of users, and to operate and improve the Service. Provider Profile information may also be disclosed to third parties as part of mailing lists and datasets licensed and sold to third parties who may wish to buy services from, or sell services to, users of the Service. Providers may elect not to participate in the Kyruus Service and therefore not confirm or update any of their Provider Profile information. In such event, the relevant Provider Profile will only include information obtained from public sources and third parties other than the provider.

### WEB TRACKING INFORMATION:

We disclose Web Tracking Information to Contractors, in order to analyze the performance of the Service and the behavior of users, and to operate and improve the Service. Certain Web Tracking information that is not correlated to individual user Personal Information, such as the popularity ranking of certain pages of the Service, may be published on the Service and so disclosed to all users of the Service. Kyruus may disclose to its institutional and corporate subscribers how the users of the Service affiliated with the subscriber use the Service.

### AGGREGATED INFORMATION:

We may disclose aggregated data that does not contain Personal Information or Provider Profiles to third parties, such as potential customers, business partners, advertisers, and funding sources, in order to describe our business, operations, products, and services.

### NETWORK OPERATORS:

Use of the Service may involve use of the services of third party search engine operators or telecommunications carriers. Such operators are not our contractors, and any information that such operators collect in connection with your use of the Service is not "Personal Information" and is not subject to this Privacy Policy. We are not responsible for the acts or omissions of such operators.

## ADDITIONAL DISCLOSURES:

We reserve the right to disclose any information we collect in connection with the Service, including Personal Information and Provider Profiles, (a) to any successor to our business as a result of any merger, acquisition, asset sale or similar transaction; and (b) to any law enforcement, judicial authority, or governmental or regulatory authority, to the extent required by law or if in our reasonable discretion disclosure is necessary to enforce or protect our legal rights or to protect third parties.

## PRIVACY SETTINGS/OPT OUT

If you would like your Personal Information or geographical location data permanently removed from our database, please contact us at [support@kyruus.com](mailto:support@kyruus.com). We will delete your account and you will no longer receive marketing email from Kyruus. Your removal from the mailing list or database will not remove records of past transactions or delete information stored in our data backups and archives. If you are a provider, deleting your Kyruus account will terminate marketing email from Kyruus. Your Provider Profile will be marked to indicate that you are no longer updating the profile, but it will not be deleted, as Kyruus regards Provider Profiles as public business information of the provider. If you opt-out of allowing Kyruus to collect geographical location data, the performance of the Service may be affected and you may not be able to access certain applications within the Service. If you are a User accessing the Service on behalf of an organization, the organization may require Personal Information or tracking of geographical location data in order to deliver the Service. Data on past transactions and data stored in backups and archives will be maintained and/or deleted in the ordinary course of Kyruus' business. Kyruus may still contact users who have deleted their information for administrative purposes. Please note that this opt-out process may take some time to complete, consistent with applicable law.

## CALIFORNIA ONLINE PRIVACY PROTECTION ACT NOTICE

On September 27, 2013, California enacted A.B. 370, amending the California Online Privacy Protection Act to require website operators like Kyruus to disclose how Kyruus responds to "Do Not Track Signals"; and whether third parties collect personally identifiable information about users when they visit Kyruus.

(1) Kyruus does not respond to "do not track" signals.

(2) Kyruus does not authorize the collection of personally identifiable information from Kyruus users for third party use through advertising technologies without separate member consent.

## ACCESS AND UPDATING OF INFORMATION

Kyruus is happy to allow you to review or amend your email address, contact details or Provider Profile information held in our database, at any time. Please contact us by sending an email to: [support@kyruus.com](mailto:support@kyruus.com) or by using your settings panel in your account online.

From time to time, we may update this Privacy Policy without prior notice. We encourage you to periodically check back and review this statement so that you always will know what information we collect, how we use it, and to whom we disclose it. You can find out when this Privacy Policy was last updated by referring to the "Effective Date" legend at the top of this page. Use of the Site or the Service after the Effective Date constitutes your acceptance of the revised terms and conditions of the Privacy Policy then in effect.

## GENERAL

### SECURITY:

We have put in place appropriate physical, electronic, and managerial procedures and security precautions to protect the security and integrity of your Personal Information in accordance with this policy and applicable law. However, no Internet transmission is completely secure, and we cannot guarantee that security breaches will not occur. Without limitation of the foregoing, we are not responsible for the actions of hackers and other unauthorized third parties that breach our reasonable security procedures.

### THIRD PARTY ACTIVITY (INCLUDING LINKS AND COOKIES):

The Service may contain links to other websites, cookies or other materials from, or may be operated by, parties other than Kyruus, whose information practices may be different than ours. Kyruus is not responsible for the privacy practices, the content or the actions of those third parties. This Privacy Policy applies solely to information collected by Kyruus in connection with the Service.

### AMENDMENTS:

Kyruus may modify or amend this policy from time to time. If we make any material changes, as determined by Kyruus, in the way in which Personal Information, Provider Profile information or Web Tracking Information is collected, used or transferred, we will notify you of these changes by modification of this Privacy Policy, which will be available for review by you at the Service. Notwithstanding any modifications we may make, any Personal Information and Web Tracking Information collected by Kyruus from you will be treated in accordance with the privacy policy in effect at the time information was collected, unless we obtain your consent otherwise.

### CHILDREN:

Kyruus does not knowingly collect or maintain personally identifiable information from persons under 13 years of age, and no part of the Service is directed at persons under 13. If you are under 13 years of age, then please do not use the Service. If Kyruus learns that personally identifiable information of persons less than 13 years of age has been collected without verifiable parental consent, then Kyruus will take the appropriate steps to delete this information. To make such a request, or if you have any questions or concerns about the Privacy Policy for the Service or its implementation, please contact us at [support@kyruus.com](mailto:support@kyruus.com).

### SERVICE VISITORS FROM OUTSIDE THE UNITED STATES:

Kyruus and its servers are located in the United States and are subject to the applicable state and federal laws of the United States. Those who choose to access the Service do so on their own initiative and at their own risk, and are responsible for complying with all local laws, rules and regulations. We may limit the Service's availability, in whole or in part, to any person, geographic area or jurisdiction we choose, at any time and in our sole discretion. We do not represent or warrant that the Service, or any part thereof, is appropriate or available for use in any other jurisdiction. If you choose to access or use the Service, you consent to the use and disclosure of information in accordance with this privacy policy and subject to such laws.