

# Included Health Privacy Policy

**Effective Date:** May 10, 2023

**We are pleased to announce that Grand Rounds, Inc., Doctor On Demand, Inc., and Included Health Communities are now part of Included Health, Inc.**

We encourage you to read this document to understand the terms, policies, and more that apply to you when you use our websites, products, or services, including how we process your personal information and how you can update and manage that information.

## Included Health Privacy Policy

Included Health, Inc. (“**Included Health**”, “**Company**”, “**we**”, “**us**”, or “**our**”) operates the websites located at [includedhealth.com](https://includedhealth.com) and [doctorondemand.com](https://doctorondemand.com), and other websites, products, services, and mobile applications with links to this Privacy Policy, including without limitation the Doctor On Demand webpages and secure applications (collectively, the “**Sites**” or “**Websites**”, unless otherwise specified). Users of the Sites or Services are referred below as “**Users**”, “**Members**”, “**you**”, “**your**”, or “**yours**”.

We offer online telehealth services enabling our Members to report their health history and engage independent healthcare professionals (“**Healthcare Professionals**”) to obtain medical and healthcare services, as well as provide behavioral health coaching from Coaches (“**Coaches**”) who do not provide professional or clinical services.

The Healthcare Professionals who deliver Services through Included Health are independent professionals practicing within several groups of independently owned professional practices (collectively, “**Doctor On Demand Professionals**”). Please refer to the Doctor On Demand Professionals [Notice of Privacy Practices](#) to learn more about these groups and how they’re organized.

Please note that Users in different regions may be subject to different data protection laws, regulations, and standards. As such, this document has a section dedicated to California consumers, as well as a section dedicated to consumers subject to European Union jurisdiction.

Please read this Privacy Policy carefully before using the Sites or Services. By visiting or using any of the Sites or Services, you are accepting the practices described in this Privacy Policy, as well as the

Included Health Terms of Service and other terms, agreements, statements of rights, consent forms, and policies referenced above, as applicable. If you do not agree to this Privacy Policy, or any of the documents referenced above, please do not use the Sites or Services.

When visiting or using any of the Sites or Services, including Doctor On Demand by Included Health (“**Doctor On Demand**”), or any other website or mobile application that reference or link to this Privacy Policy, your information will be processed by Included Health for the purposes stated below, and in accordance with the Doctor On Demand Notice of Privacy Practices, where applicable and legally permissible.

## **What is the purpose of this Privacy Policy?**

This Privacy Policy discloses Included Health’s personal information gathering and dissemination practices with respect to the Sites, as well as any other websites, mobile applications, or other products and services provided by us that link to this Privacy Policy. When we use the term “**personal information**” in this Privacy Policy, we mean information that on its own, or in combination with other information, could reasonably identify you.

We have also created this Privacy Policy to demonstrate our commitment to privacy. We recognize that when you provide us with information about yourself that you trust us to act in a responsible manner with that information. We are committed to making sure we earn that trust.

The personal information we receive or obtain through your use of the Services may be subject to different state and federal privacy laws, including the Health Insurance Portability and Accountability Act of 1996 and its implementing regulations (“HIPAA”). Descriptions in this Privacy Policy regarding our collection, use and disclosure of personal information may be subject to or further restricted by the requirements of these laws. In addition, where Included Health collects, creates, maintains, uses and discloses Protected Health Information (“PHI”), which is personally identifiable health information protected by HIPAA, we may be and likely are subject to certain agreements, including with health plans and health care providers. In those cases, our collection, creation, maintenance, use and disclosure of PHI will be in accordance with such agreements and your health plan’s (“Plan”) Notice of Privacy Practices, where applicable. As such, references below to HIPAA, PHI, and related are provided for informational purposes. For official notices concerning, or for more information or questions about, the use and disclosure of your PHI, please refer to your Plan’s Notice of Privacy Practices, as applicable.

## **What information do we collect from users and how is it used?**

The following describes the types of personal and other information Included Health may collect about you, and how we may use and maintain that information, including, but not limited to:

- **Eligibility, claims, medical history, and other Employer data.** If you are eligible for our Services through your employer, Plan, or labor union (collectively, your “**Employer**”), your Employer may provide to us directly or via a third-party data required to verify your eligibility, to allow us to communicate with you, and to understand your health. This information may include your name, email address, phone number, Service eligibility data, carrier membership data, biometric data, medical history and claims data, and information used to verify your identity (such as birthday, partial social security number, and/or employee ID number).
- **Registration.** Before you can utilize certain services that we offer on the Sites or otherwise, we may ask that you register with the Sites and provide us with your email address, a password, your first and last name and other contact information and personal details. We request this information for identification purposes, to communicate with you regarding your account, and to facilitate the functioning of certain services.
- **Forms.** To fully utilize the services we offer, you may be required to fill out forms that will contain personal information such as your name, address, telephone number, social security number, account information, employment, health status and other personal information relevant to your health insurance coverage, diagnosis and treatment.
- **Surveys.** At various points in your Member experience with us, you may be presented with optional surveys intended to measure your Service experience in some way.
- **Medical Records.** To support the medical professionals giving second opinions regarding your health, you may be required to provide us with past and current medical records, description of symptoms, a medical history and life-style descriptions.
- **Correspondence.** If you correspond with us, including postal, email, in-app chat or messaging, phone, or video, we may retain those records.
- **Technical information and usage information.** Like many other websites, we collect information about users’ devices (such as browser and device types, device identification numbers, or other online identifiers) and users’ utilization and navigation of our Sites. This information helps us to design our Sites to better suit our users’ needs. For example, our Sites will track the URL that you visited before you came to our Sites, the URL to which you next go and your Internet Protocol (IP) address. We use your IP address to help diagnose problems with our server and to administer our Sites. Your IP address also is used to help identify you and to gather broad demographic information.
- **Information Collected With Cookies.** Like most major websites, we use cookies on certain pages of our Sites. Cookies make using the Internet easier by, among other things, saving your preferences for you. For example, a cookie lets the Sites remember that you’ve registered, which allows us to speed up your future activities at our Sites, and which allows you to enter your registration information less frequently while visiting our Sites. We may also use cookies to deliver content tailored to your interests. Our cookies may enable us to relate your use of our Sites to personally identifying information that you previously submitted, such as calling you by name when you return to our Sites. If your browser is set to reject cookies, or if your browser notifies you that you are about to receive a cookie and you reject it, then your use of the Sites may not be as efficient or as enjoyable as it would be if the cookie were enabled. The information that we collect

with cookies allows us to improve our marketing and promotional efforts, to statistically analyze Sites' usage, to improve our content and product offerings and to customize our Sites' content, layout and services. You may learn more about specific cookies later in this document.

- **Included Health Communities.** For users of Included Health Communities (“**Communities**”), in addition to other types of information described above (such as contact information), we also collect: information users provide directly to us, including by registering for events through the Sites, when requesting support, by contacting us with inquiries or comments, or accessing the Communities Site pages; usage information, such as website traffic patterns; location information, meaning information used to locate the device the user uses to access Communities services (e.g., the location of the device derived from GPS or WiFi use, the location derived from the IP address of the device or internet services used to access Communities services, and other information made available by a user or others that indicates the current or prior location of the user); and any other information that users may provide to us that can be used to identify them. We may also collect personal information about Communities users from other sources, including from employers, which we may combine with the information we collect directly from users to help us tailor communications and improve the Communities services. In connection with the Communities services, we also use information collected from users to connect users with healthcare service providers or organizations and enhance user experiences, such as by tailoring content and remembering user preferences.

## **To whom does Included Health disclose information about you that we collect?**

Included Health will not share, rent, sell or otherwise disclose any of the personally identifiable information that we collect about you, except when we have your permission or in any of the following situations:

- If you have requested a Service, we may use information about you to fulfill such requests (including providing that information to third parties). We may also at any time review your case, your medical records from prior to and after your interaction with the Sites, and any records created as a result of Services received. We may share information about you, your care, and your use of Services to your healthcare payor, or as necessary to implement plan designs described to you in your applicable Plan documentation, or on your request. If your Plan provides incentives for utilization of services, we will share information required to implement such incentives. We may request courtesy notices from your treating physician(s) and/or request additional medical records from them, including records pertaining to care you received after receiving the services. We may review these records for, among other purposes, reviewing the quality of service you received, reviewing the quality of service provided by the physicians and medical professionals treating you (including the physicians and medical professionals to whom you may have received a referral), to better understand the course of treatment for your condition(s) including information regarding outcomes and costs, and to improve treatments and recommendations for people with similar or

different conditions. We will take care to minimize personally identifying information in this process. We may also use anonymous information gathered, including information from your medical records, to generate conclusions about the healthcare process, particular conditions, and other matters. We and our affiliated physicians and researchers may publish this anonymous information in journals, websites and other locations. However, we will not publish your name or any identifying information about you without your permission; we will use only anonymous data for any public purpose.

- We may disclose information that we collect about you to our third-party contractors who perform services for us in order to provide certain services or to complete or confirm a transaction that you conduct with us.
- We may use information we know about you to contact you to inform you about relevant services, including by telephone, text message, email, or direct mail.
- We may disclose the results of anonymized aggregated data about you for marketing or promotional purposes (for instance, that a certain percentage of our Sites' users are living in a particular state of the United States). In these situations, we do not disclose to these entities any information that could be used to personally identify you. Certain information, such as your password, is not disclosed to marketing advertisers at all, even in aggregate form.
- We may disclose information about you as part of a merger, acquisition or other sale or transfer of its assets or business. We do not guarantee that any entity receiving such information in connection with one of these transactions will comply with all terms of this Privacy Policy.
- We may disclose information about you for purposes such as to provide services available on the Sites; to coordinate with insurance, reinsurance and excess or stop loss insurers; to enforce our Members' rights; to protect against actual or potential fraud; to resolve Member inquiries or disputes; to receive payments; to carry out our business; to protect the confidentiality or security of our records; to administer preventive health and case management programs; to perform auditing and ratemaking functions; to enable our service providers to perform marketing services on our behalf and inform Users about our own products or services; to comply with federal or state laws and other applicable legal requirements.
- We may disclose your information, to the extent permitted by law, in court or in the stages leading to possible legal action arising from improper use of this website, application or services, or due to a dispute you initiate in connection with the related services.
- Moreover, we may be legally obligated to disclose information about you to the government or to third parties under certain circumstances, such as in connection with illegal activity on our Sites or to respond to a subpoena, court order or other legal process. We reserve the right to release information that we collect to law enforcement or other government officials, as we, in our sole and absolute discretion, deem necessary, appropriate or as required under law, such as your statement to hurt yourself or others.
- For users of Communities, we also disclose personal information to providers with whom the users have a relationship or with whom users request that we facilitate a consultation or appointment as part of Communities' services.

If you use our Sites or Services outside of the United States, information that we collect about you will be transferred to servers inside the United States, which may involve the transfer of information out of countries located in the European Economic Area. By allowing us to collect information about you, you consent to such transfer and processing of your data.

## **Your Rights Under HIPAA Regarding Protected Health Information**

This section excludes Services performed by or associated with the Doctor On Demand Professionals. For more information, please see the Doctor On Demand [Notice of Privacy Practices](#).

You have certain rights regarding your protected health information under HIPAA that may be available to you. For official notice concerning these rights, you should refer to your Plan's Notice of Privacy Practices.

To exercise these rights, you may contact your Plan at the contact information listed in your Plan's Notice of Privacy Practices or follow the instructions below under "**How to exercise your privacy rights**". Where applicable, we will respond to your request in accordance with the business associate agreement we have with your Plan. In the event of any inconsistency between the below summary, and your Plan's Notice of Privacy Practices, we will follow your Plan's Notice of Privacy Practices as applicable, unless we are otherwise instructed by your Plan, subject to a relevant business associate agreement.

## **What security measures do the Sites employ?**

To help protect the privacy of data you transmit through the Sites, where personally identifiable information is requested, Included Health also uses technology designed to encrypt the information that you input before it is sent to us using Secure Sockets Layer (SSL) technology or similar encryption technology. In addition, we take steps to protect the user data we collect against unauthorized access. However, you should keep in mind that the Sites and our services are run on software, hardware and networks, any component of which may, from time to time, require maintenance or experience problems or breaches of security beyond our control.

Please also be aware that despite our best intentions and the guidelines outlined in this Privacy Policy, no data transmission over the Internet or encryption method can be guaranteed to be 100% secure.

## **How can you correct or update information that we collect about you?**

You may correct or update information collected about you by managing your account profile, contacting us via the contact information below, or submitting a privacy request as laid out below under "How to exercise your privacy rights". We will respond in accordance with our agreements and

legal requirements. If necessary, we may retain original and updated information for reasons such as technical constraints, dispute resolution, troubleshooting and agreement enforcement.

## **What are the policies of linked Sites and other third parties?**

This Privacy Policy only addresses the use and disclosure of certain information Included Health collects from or about you. You should be aware that when you are on the Sites, you can be directed to other websites that are beyond our control, and we are not responsible for the privacy practices of third parties or the content of linked websites. We encourage you to read the posted privacy policy whenever interacting with any website.

## **How will I know about changes in the Privacy Policy?**

Included Health's Sites are owned and operated by Included Health. Our Sites are continually under development and changes to the Sites or Services may be made at any time. We reserve the right to revise or remove any part of this Policy in our sole discretion at any time and without prior notice to you, unless where legally required. Thus, you should visit this page periodically for changes. Any changes to this Policy are effective upon posting to the Sites, unless otherwise specified. If you disagree with this Policy, your sole remedy is to discontinue your use of the Sites and Services. Your continued use after a change has been posted constitutes your acceptance of the changes.

## **What is our policy on children users of our Sites?**

Included Health does not knowingly collect or maintain personally identifiable information from persons under 13 years old, and no part of our Sites is directed to persons under 13. IF YOU ARE UNDER 13 YEARS OF AGE, PLEASE DO NOT USE OR ACCESS OUR SITES AT ANY TIME OR IN ANY MANNER, except where allowed in accordance with our [Terms of Service](#). Where permitted, any personal information relating to those children will be health information governed by this Privacy Policy or the applicable Notice of Privacy Practices.

If you are a parent or guardian and discover that your child under the age of 13, or equivalent minimum age depending on jurisdiction, has obtained an Included Health account, then you may alert us using the contact information below under "Contact Us" and request that we delete that child's personal information from our systems. If we learn that we have collected the personal information of a child under 13, or equivalent minimum age depending on jurisdiction, outside the above circumstances we will take steps to delete the information as soon as possible, except where prohibited by applicable law.

We do collect from employers information regarding Members of all ages, so that we may know who is eligible to receive Services. A parent/guardian may request that we stop processing that information

if eligible under CCPA or GDPR, as further described below, however you should contact your Employer if you would like that information no longer provided to health carriers.

## **What law governs my use of the Sites and Included Health's services?**

By choosing to visit Included Health's Sites, use our Services, or otherwise provide information to us, you agree that any dispute over privacy or the terms contained in this Privacy Policy will be governed by the law of the State of California. You also agree to abide by any limitation on damages contained in our Terms of Service or other agreement that we have with you.

## **Additional Information About This Privacy Statement**

Our Sites are owned and operated by Included Health. The terms indicated in this Privacy Policy will remain effective, even if the Member's coverage is terminated, to the extent we retain information about a Member.

## **Information about Particular Services**

Please note that the descriptions below concerning particular services *may not* apply to all services, sites, or mobile applications provided by Included Health.

### **Analytics**

The services contained in this section enable us to monitor and analyze web traffic and can be used to keep track of User behavior.

#### *Google Analytics (Google Inc.)*

Google Analytics is a web analysis service provided by Google Inc. ("Google"). Google utilizes the Data collected to track and examine the use of this Application, to prepare reports on its activities and share them with other Google services.

Google may use the Data collected to contextualize and personalize the ads of its own advertising network.

Personal Data collected: Cookies and Usage data.

Place of processing: US - [Google Privacy Policy](#) - [Google Opt Out](#)

*Display Advertising extension for Google Analytics (Google Inc.)*



Google Analytics on this Application might use Google's Interest-based advertising, 3rd-party audience data and information from the DoubleClick Cookie to extend analytics with demographics, interests and ads interaction data.

Personal Data collected: Cookies and Usage data.

Place of processing: US - [Google Advertising Privacy Policy](#) - [Google Advertising Opt Out](#)

### **Analytics collected directly (This Website)**

This Website uses an internal analytics system that does not involve third parties.

Personal Data collected: Cookies and Usage Data.

*Google Tag Manager (Google Inc.)*

Google Tag Manager is an analytics service provided by Google Inc.

Personal Data collected: Cookies and Usage data.

Place of processing: US - [Google Tag Manager Privacy Policy](#)

### **LinkedIn conversion tracking (LinkedIn Corporation)**

LinkedIn conversion tracking is an analytics service provided by LinkedIn Corporation that connects data from the LinkedIn advertising network with actions performed on this Website.

Personal Data collected: Cookies and Usage Data, Tracking Pixel.

Place of processing: US - [LinkedIn Privacy Policy](#)

### **Content Commenting**

Content commenting services allow Users to make and publish their comments on the contents of this Website.

Depending on the settings chosen by Included Health, Users may also leave anonymous comments. If there is an email address among the Personal Data provided by the User, it may be used to send notifications of comments on the same content. Users are responsible for the content of their own comments.

If a content commenting service provided by third parties is installed, it may still collect web traffic data for the pages where the comment service is installed, even when Users do not use the content commenting service.

### **Displaying content from external platforms**

This type of service allows you to view content hosted on external platforms directly from the pages of this Website and interact with them.

This type of service might still collect web traffic data for the pages where the service is installed, even when Users do not use it.

### **Infrastructure monitoring**

This type of service allows this Website to monitor the use and behavior of its components so its performance, operation, maintenance and troubleshooting can be improved.

Which Personal Data are processed depends on the characteristics and mode of implementation of these services, whose function is to filter the activities of this Website.

### **Managing contacts and sending messages**

This type of service makes it possible to manage a database of email contacts, phone contacts or any other contact information to communicate with the User.

These services may also collect data concerning the date and time when the message was viewed by the User, as well as when the User interacted with it, such as by clicking on links included in the message.

#### *Marketo Email Marketing (Marketo, Inc.)*

Marketo Email Marketing is an email address management and message sending service provided by Marketo, Inc.

Personal Data collected: email address and Usage data.

Place of processing: US - [Marketo Privacy Policy](#)

### **Interaction with external social networks and platforms**

This type of service allows interaction with social networks or other external platforms directly from the pages of this Application.

The interaction and information obtained through this Application are always subject to the User's privacy settings for each social network.

This type of service might still collect traffic data for the pages where the service is installed, even when Users do not use it.

### **Remarketing and Behavioral Targeting**

This type of service allows this Application and its partners to inform, optimize and serve advertising based on past use of this Application by the User.

This activity is performed by tracking Usage Data and by using Cookies, information that is transferred to the partners that manage the remarketing and behavioral targeting activity.

#### *Remarketing through Google Analytics for Display Advertising (Google Inc.)*

Google Analytics for Display Advertising is a Remarketing and Behavioral Targeting service provided by Google Inc. that connects the tracking activity performed by Google Analytics and its Cookies with the Adwords advertising network and the Doubleclick Cookie.

Personal Data collected: Cookies and Usage data.

Place of processing: US - [Privacy Policy](#) - [Opt Out](#)

#### *LinkedIn Website Retargeting (LinkedIn Corporation)*

LinkedIn Website Retargeting is a remarketing and behavioral targeting service provided by LinkedIn Corporation that connects the activity of this Website with the LinkedIn advertising network.

Personal Data collected: Cookies and Usage Data.

Place of processing: US - [LinkedIn Website Retargeting Privacy Policy](#) - [LinkedIn Website Retargeting Opt Out](#)

### **User database management**

This type of services allows Included Health to build user profiles by starting from an email address, a personal name, or other information that the User provides to this Application, as well as to track User

activities through analytics features. This Personal Data may also be matched with publicly available information about the User (such as social networks' profiles) and used to build private profiles that Included Health can display and use for improving this Application.

Some of these services may also enable the sending of timed messages to the User, such as emails based on specific actions performed on this Application.

#### *Marketo Lead Generation (Marketo, Inc.)*

Marketo Lead Generation is a User database management service provided by Marketo, Inc.

Personal Data collected: email address and various types of Data as specified in the privacy policy of the service.

Place of processing: US - [Marketo Lead Generation Privacy Policy](#)

### **Heat mapping and session recording**

Heat Mapping services are used to display the areas of a page where Users most frequently move the mouse or click. This shows where the points of interest are. These services make it possible to monitor and analyze web traffic and keep track of User behavior.

Some of these services may record sessions and make them available for later visual playback.

### **Contacting the User**

#### **Contact form (this Website)**

By filling in any contact form with their Data, the User authorizes this Website to use these details to reply to requests for information, quotes or any other kind of request as indicated by the form's header.

Personal Data collected: various types of Data.

### **System logs and maintenance**

For operation and maintenance purposes, this Website and any third-party services may collect files that record interaction with this Website (System logs) use other Personal Data (such as the IP Address) for this purpose. Logging data may be collected in order to assist with troubleshooting crashes and other issues.

## **Web Beacons**

A web beacon (also referred to as clear gif, pixel tag or single-pixel gif) is a transparent graphic image used in tandem with cookies that enables us to record a user's actions.

Included Health uses web beacons to count users who have visited certain pages, verify system and server integrity and for similar statistical measures. Included Health may also use pixel tags in HTML-based emails sent to its users to track which emails are opened by recipients.

## **Data Retention**

Included Health retains personal information, subject to this Policy, only for as long as necessary for the purposes for which the data was collected and processed.

Data collected for the provision of Services is retained for the longer of as needed to provide Services; as specified in a relevant agreement (e.g., with your Plan); or as otherwise required, including by applicable law or regulation.

## **Additional Information for EU / EEC Users**

The disclosures in this section are only applicable to individuals in the European Economic Area, Switzerland, and the United Kingdom. This part of the document integrates with and supplements the information contained in the rest of the Privacy Policy.

### **Data Is required to provide services**

Unless otherwise specified, all Personal Data (as defined under the GDPR) requested is mandatory and your choice to not provide such Personal Data may make it impossible to provide services to you. In cases where we have made clear that some Personal Data is not mandatory, you are free not to communicate this Personal Data without any consequences on the availability or the functioning of the service. If you are uncertain about which Personal Data is mandatory then you are welcome to contact Included Health at the contact details below under "Contact Us".

### **Additional information about your Personal Data**

In addition to the information contained in this privacy policy, upon your request we may provide you with additional and contextual information concerning particular services or the collection and processing of Personal Data.

### **Your GDPR rights**

Solely to the extent applicable to us, if you are subject to the GDPR, you may have certain rights and protections about the collection, sharing, and use of your Personal Data including as follows:

- **Right to Access Your Personal Data:** You can ask us for a copy of the Personal Data we have about you.
- **Right to Rectification/Correction:** You can also ask us to change, correct, or update your Personal Data in certain cases, especially if it is inaccurate.
- **Right to Erasure/Right to be Forgotten:** You can ask us to stop using or erase all or some of your Personal Data (if we have no legal right to keep using it).
- **Right to Data Portability:** You can ask us for a copy of the Personal Data you provided to us in a commonly used and machine-readable format.
- **Right to Object or Restrict Processing:** You can object to or ask us to restrict processing under certain circumstances.

Requests should be sent to the Data Controller via the contact details below under “Contact Us”

### **Additional information regarding methods of processing**

We take security measures to prevent unauthorized access, disclosure, modification, or unauthorized destruction of the Personal Data. The Personal Data processing is carried out using computers and/or IT enabled tools, following organizational procedures and modes strictly related to the purposes indicated. In addition to us, in some cases, the Personal Data may be accessible to certain types of persons in charge, involved with the operation of this Website (administration, sales, marketing, legal, system administration) or external parties (such as third-party technical service providers, mail carriers, hosting providers, IT companies, communications agencies) appointed, if necessary, as Data Processors by us. If applicable, this list may be requested and by a GDPR-covered Person from us at any time.

### **Legal basis for processing**

We may process Personal Data relating to Users if one of the following applies:

- Users or their agents (including group sponsors and employers) have given their consent for one or more specific purposes. Note: Under some legislations we may be allowed to process Personal Data until the User objects to such processing (“opt-out”), without having to rely on consent or any other of the following legal bases;
- provision of Personal Data is necessary for the performance of an agreement with the User or an authorized agent of the User (such as a group sponsor or employer) and/or for any pre contractual obligations thereof;
- processing is necessary for compliance with a legal obligation to which we are subject;

- processing is related to a task that is carried out in the public interest or in the exercise of official authority vested in us;
- processing is necessary for the purposes of the legitimate interests pursued by us or by a third party.

In any case, we will gladly help to clarify the specific legal basis that applies to the processing, and in particular whether the provision of Personal Data is a statutory or contractual requirement, or a requirement necessary to enter into a contract.

### **Place of processing**

Personal Data is processed at our operating offices, in data centers located in the United States and in any other places where the parties involved in the processing are located. The United States has different (and sometimes lesser) privacy protections than other jurisdictions. By providing Personal Data, using this website, using mobile applications provided by us, or requesting services, you consent to the transfer of your Personal Data to the United States and the processing of such Personal Data in the United States.

### **Retention time**

Personal Data shall be processed and stored as noted above under Data Retention.

Where Personal Data is processed subject to the General Data Protection Regulation, such Personal Data collected for the purposes of our legitimate interests shall be retained as long as needed to fulfill such purposes, including but not limited to retention of records of completed services as required by law, regulation and healthcare practice and for the other reasons described in this policy.

Users may find specific information regarding the legitimate interests pursued by us within the relevant sections of this document or by contacting us at the contact details below under “Contact Us”.

Furthermore, we may be obliged to retain Personal Data for a longer period whenever required to do so for the performance of a legal obligation (including but not limited to retention of records of healthcare services performed or recommended) or upon order of an authority.

### **Purposes of processing**

Personal Data about you is collected to allow us to provide services to you, as well as for the following purposes: Analytics, Remarketing and behavioral targeting, Interaction with external social networks and platforms, Managing contacts and sending messages, User database management, Heat mapping session recording, Content commenting, Displaying content from external platforms, Content

performance and features testing (A/B testing), Generation models of medical and clinical conditions, Generation models of physician and clinical performance, Infrastructure monitoring and Contacting the User.

### **Information not contained in this policy**

More details concerning the collection or processing of Personal Data may be requested from the Data Controller at any time. Please see the contact information below under “Contact Us”.

### **Data Protection Officer**

The Data Protection Officer shall be the HIPAA Privacy Officer.

### **Legal Basis**

This privacy statement has been prepared based on provisions of multiple legislations, including Art. 13/14 of Regulation (EU) 2016/679 (General Data Protection Regulation or “GDPR”).

## **Additional Information for California Consumers**

This part of the document integrates with and supplements the information contained in the rest of the Privacy Policy, and applies to any personal information processed by Included Health of Users who are consumers, residing in the state of California, United States of America, and subject to The California Consumer Privacy Act of 2018. For such consumers, these provisions supersede any other possibly divergent or conflicting provisions contained in the Privacy Policy.

This section of the Policy uses the term “**personal information**” as it is defined in CCPA.

## **Categories of personal information collected, disclosed or sold**

Please refer to the list above under “What information do we collect from users and how is it used?”

## **How we use the information we collect: sharing and disclosing of your personal information with third parties for a business purpose**

We may disclose the personal information we collect about you to a third party for business purposes. In this case, we enter a written agreement with such third party that requires the recipient to both keep the personal information confidential and not use it for any purpose(s) other than those necessary for the performance of the agreement.



We may also disclose your personal information to third parties when you explicitly ask or authorize us to do so, in order to provide you with our Service.

To find out more about the purposes of processing, please refer to the relevant section of this document.

## **Your right to opt out of the sale of personal information**

We do not sell Member information, including lists of Members or any personal information of Members otherwise.

To the extent our website uses third party cookies and these cookies collect personal information, such collection may in some cases be considered a “sale” of personal information for purposes of the CCPA.

You have the right to opt out of the sale of your personal information. This means that whenever you request us to stop selling your data, we will abide by your request.

You can opt out of such sales. Such requests can be made freely, at any time, without submitting any verifiable request by following the below instructions.

## **Instructions to opt out of the sale of personal information**

On our Sites are cookie banners with a button labeled “Do not sell my data.” This button was added in order to comply with the CCPA, and it offers information about our use of these third-party cookies, and provides consumers an opportunity to opt-out of certain of these cookies.

Should you wish to opt-out of these cookies, please click on the “Do not sell my data” button on the banner that pops up. This will result in the placement of an opt-out cookie on your device browser.

If you’d like to know more, you can contact us at the contact details below under “Contact Us”.

## **What are the purposes for which we use your personal information?**

We may use your personal information to allow us to render services to you and your Employer (if applicable), the operational functioning of the Sites and features thereof (all together, “business purposes”).

We may also use your personal information for other reasons such as for commercial purposes as well as for complying with the law and defending our rights before the competent authorities where our

rights and interests are threatened or we suffer an actual damage.

## **Your California privacy rights**

### **The right to know and to portability**

You have the right to request that we disclose to you:

- the categories and sources of the personal information that we collect about you, the purposes for which we use your information and with whom such information is shared;
- in case of sale of personal information or disclosure for a business purpose, two separate lists where we disclose:
  - for sales, the personal information categories purchased by each category of recipient; and
  - for disclosures for a business purpose, the personal information categories obtained by each category of recipient.
- The disclosure described above will be limited to the personal information collected or used over the past 12 months.

If we deliver our response electronically, the information enclosed will be “portable”, i.e. delivered in an easily usable format to enable you to transmit the information to another entity without hindrance - provided that this is technically feasible.

### **The right to request the deletion of your personal information**

You have the right to request that we delete any of your personal information, subject to exceptions set forth by the law (such as, including but not limited to, where the information is used to identify and repair errors on this Website, to detect security incidents and protect against fraudulent or illegal activities, to exercise certain rights etc.). For example, we cannot delete information that explains medical treatment decisions, as we are legally obligated to keep such information.

If no legal exception applies, as a result of exercising your right, we will delete your personal information and direct any of our service providers to do so.

## **How to exercise your privacy rights**

### **How to make a request**

At Included Health, member and consumer privacy are very important to us. As a result, before we process any requests we first must verify your identity and ensure we have enough information. To

exercise rights described throughout the Privacy Policy, you must submit to us a “**verifiable request**” by:

- providing sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative; and
- describing your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

With that in mind, at this time:

- Requests from Members are considered verified if submitted using our Services. If you are an existing Member, please submit your request either by calling us and confirming your identity, or by submitting via the application (e.g., using the chat service, or via an open case). If, however, there is indication or suspicion of fraud or other malicious activity on the Member’s account, we may suspend reliance on these verification methods and defer to other methods to confirm authenticity.
- You may alternatively contact us via the information provided below under “Contact Us”. However, please note that emailed requests are not considered verified, and we may request additional information from you (that we would already have in our records) in order to confirm your identity.
- We may also recognize verified requests submitted on an individual’s behalf by “**Authorized Agents**”. To be valid, we must receive from the Agent a signed authorization from the individual on whose behalf the Agent is acting. We will also need to verify the authorization with the consumer.
- For “**household**” requests subject to the CCPA, we will need to verify each household Member’s individual identity and current status as household members.
- And we will not process any requests of children under 13 years of age without verifiable consents from their parents or legal guardians.

We will not respond to or process any unverified request. This is all done to protect your confidentiality and ensure, to the best of our ability, that we only process such requests for the right persons.

You can submit a maximum number of 2 requests over a period of 12 months.

If you choose to exercise your privacy rights, you will not receive discriminatory treatment or a lesser degree of service from us.

## **How and when we are expected to handle your request**

Unless otherwise specified in this Policy, the following applies for timing and expectations around how and when we will respond to your requests. If our response to a privacy request is restricted by an

agreement between us and your Employer, we will process your requests in accordance with that agreement and related authorization. Otherwise, the following applies.

To the best of our ability, we will confirm receipt of your verifiable request within 10 days and provide information about how we will process your request.

For CCPA-related requests, we will respond to your request within 45 days of its receipt, and for all other requests within 30 days of receipt. Should we need more time, we will explain to you the reasons why, and how much more time we need. In this regard, please note that we may take up to 90 days to fulfill your request.

Our CCPA disclosures will cover the preceding 12 month period.

Should we deny your request, we will explain to you the reasons behind our denial.

We do not charge a fee to process or respond to your verifiable request unless such request is manifestly unfounded or excessive. In such cases, we may charge a reasonable fee, or refuse to act on the request. In either case, we will communicate our choices and explain the reasons behind it.

## Contact Us

If you have questions, want to submit a request, have concerns about this Policy or Included Health's Privacy Practices, or would like to report a violation, see the below contact options:

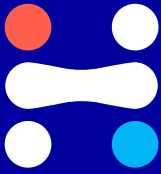
- You may contact us by mail at:

Included Health, Inc.  
c/o Privacy Officer  
1 California Street, Ste. 2300  
San Francisco, CA 94111

- You may email us at [privacy@includedhealth.com](mailto:privacy@includedhealth.com).
- If you are registered, you may click [here](#) to contact support or submit a message through the "chat" experience once logged-in.
- Or you may call our general support toll free line at (855) 431-5533.

Call us: [855-431-5533](tel:855-431-5533)





## Who we help

- Buyers
- Employers
- Health Plans
- Consultants
- Labor & Trust
- Members

## Our Solutions

- All-Included Care™
- Health Navigation
- Mental Health
- Virtual Primary Care
- Online Urgent Care
- Expert Opinions
- Black Health
- LGBTQ+ Health

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- About Us
- Careers
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