

## WEBSITE AND PORTAL PRIVACY POLICY

Effective: March 16, 2020

This privacy policy governs the collection and use of your information via the Medical Center Health System “MCH TeleCare” mobile app, Medical Center Health System “MCH TeleCare” website and/or members-only website (collectively, the “**Platform**”). This Privacy Policy governs only the collection and use of your information via the Platform operated by Medical Center Health System d/b/a Medical Center Hospital, (“**MCH**”) on behalf of MCH Physicians (each, a “**Provider**”). This Privacy Policy does not govern any information you may share directly with the Provider outside of this Platform, such as in the course of a consultation.

### **Agreement to Privacy Policy**

YOUR ACCESS AND USE OF THIS PLATFORM IS SUBJECT TO YOUR AGREEMENT WITH THE BELOW POLICY, ALONG WITH THE WEBSITE TERMS OF USE AND [Patient Registration Agreement, as applicable](#). **[ADD LINKS]** BY USING THIS PLATFORM, YOU EXPRESSLY AGREE TO THE TERMS OF THIS PRIVACY POLICY AND CONSENT TO THE COLLECTION AND USE OF INFORMATION AS DISCUSSED IN THIS PRIVACY POLICY.

IF YOU DO NOT AGREE WITH THE BELOW POLICY, PLEASE DO NOT USE OR ACCESS THIS PLATFORM FOR ANY PURPOSE. PLEASE PRINT A COPY OF THIS PRIVACY POLICY FOR YOUR RECORDS.

### **Modifications to Privacy Policy**

MCH MAY REVISE THIS POLICY REGARDING THE COLLECTION OF INFORMATION AT ANY TIME. SHOULD ANY NEW POLICY TAKE EFFECT, MCH WILL GIVE NOTICE TO YOU AND ALL USERS BY POSTING A NOTICE REGARDING THE NEW POLICY ON THIS PLATFORM, AND THE NEW POLICY WILL APPLY ONLY TO INFORMATION COLLECTED THEREAFTER. NEW POLICIES WILL BE EFFECTIVE AS OF THEIR POSTING UNLESS OTHERWISE STATED.

BY ACCESSING OR USING THIS PLATFORM AFTER SUCH CHANGES ARE POSTED YOU AGREE AND CONSENT TO ALL SUCH CHANGES.

### **Applicability of this Privacy Policy**

This Privacy Policy applies solely to the Platform and provides you information on the specific information that MCH may collect from you via the Platform and how we may use it, whether you are using the Platform as a patient (or legal representative) or a Provider-affiliated physician.

If you are a patient or legal representative, the Providers’ use and disclosure of your identifiable health information is subject to the Providers’ Notice of Privacy Practices {link}. We cannot control any Provider’s use of a patient's identifiable health information. MCH provides this Platform on behalf of the Providers and therefore protects identifiable health information as required by the applicable agreement between MCH and the Providers and in accordance with laws applicable to MCH’s business.

### **Disclosure of Information Practices**

Whether you are a patient (or legal representative) or a Provider-affiliated physician, if we collect information from or about you via the Platform, we will tell you what information we are collecting either at the point of collection or via this Privacy Policy. The amount and type of information that we receive depends on how you use this Platform and the information you choose to submit to us via the Platform.

Whether you are a patient (or legal representative) or a Provider-affiliated physician, we may track use of your user name and may also capture the paths taken as you move from page to page (i.e., your "click stream" activity). When you log in, your user name and password will be logged by our system in an audit log. As a user of the Platform,

you may also choose to use the secure messaging feature of the Platform which will allow the exchange of communications between patients and Providers and which may contain identifiable health information. Communications sent via this feature are recorded and maintained by MCH. Platform users have the ability to view the trail of messages received and sent via their Platform account. MCH does not edit the content of the communications between patients and Providers.

#### Personally Identifiable Information

You may request additional information about the Platform and the Services by submitting your information to us or otherwise contacting us as set forth on the Platform. If you elect to send us your contact information, we will use your contact information to provide you the information you requested and otherwise communicate with you to respond to your inquiry.

#### Identifiable Health Information

If you are a patient or the legal representative of a patient, you must provide certain identifiable health information and medical history in order to complete your registration for Platform to request behavioral health or other medical consultations provided by the Providers (“**Services**”).

If you are a patient (or the legal representative of a patient), we will collect identifiable health information from you during the registration process and in the event you later request information or Services. We may collect any identifiable information that you provide to us, such as your name, address, e-mail address, gender, birth date and phone number. We also need your medical history in order for you to request Services.

When you register for the Platform via the Website, the registration process requires you to choose a user name and password for your account, which you should keep and maintain as confidential. If you choose to share your user name and password you understand that those individuals to whom you share that information will have access to your identifiable health information and will be able to add to your identifiable health information as though they were you. You will be responsible for all activities by users resulting from sharing or not maintaining the confidentiality of your user name or password.

If you are a registered patient user of the Platform, your identifiable health information (or that of the patient for whom you are the legal representative) will become accessible to MCH in order to provide you access to such information through the Platform. This information includes the information you provide to MCH for us to share with Providers and information uploaded to the Platform by Providers related to any Services.

#### Non-Identifiable Health Information

Either MCH or our third party vendor on behalf of MCH may also collect non-identifiable information, which is automatically collected as you browse or otherwise access the Platform. We may collect such information by tracking, or asking our third party vendor to track, your click-stream activity when such information is not tied to a user ID through the use of "cookie" technology or by tracking internet protocol (IP) addresses, as explained below.

#### Cookies

Like many companies, we may use "cookie" technology on and off of the Platform. “Cookies” are small pieces of information that are stored by your browser on your computer’s hard drive. They enhance your online experience by saving your preferences while you are visiting a particular website. The cookies do not contain any identifiable health information and cannot profile your system or collect information from your hard drive.

When you view or access our Platform we may place a cookie on your computer, which may be either temporary or permanent. Temporary cookies are used to complete transactions with this Platform and for other purposes such as counting the number of visits to our certain web pages. These temporary cookies are eliminated when you exit your browser.

A permanent cookie may also be stored on your computer by your browser. When you log in, this type of cookie tells us whether you've visited us before or if you are a new visitor. The cookie doesn't obtain any identifiable health information about you or provide us with any way to contact you, and the cookie doesn't extract any information from your computer.

The "help" portion of the toolbar on most browsers will tell you how to prevent your browser from accepting certain types of cookies, how to have the browser notify you when you receive a new cookie, or how to disable cookies altogether. Please note that disabling temporary cookies may prevent you from using and accessing this Platform. Disabling permanent cookies may also impact your use and access of the Platform and in particular will not allow you to see any personalization on the Platform that you may activate.

In addition, if you visit our Platform again after deleting a cookie, a new cookie may be activated.

Since third parties may use their own cookies when you click on a hypertext link to their site or service, you should carefully review the privacy policy of other sites you link to from our Platform.

#### IP Addresses

We may also log and track IP addresses for systems administration purposes and for reporting usage trends. Your IP address is usually associated with the physical place from which you enter the Internet, the name of the domain and host from which you access the Internet, the browser software you use and your operating system, and may also depend on the date and time you access the Platform. By collecting your IP address, we may record the page that linked you to this Platform, the web pages you visit, the ads you see or click on, and other information about the type of web browser, computer, platform and settings you are using, and any search terms you enter on this Platform. IP addresses are not used to track an individual user's session. This information only helps us determine how often different areas of our Website and Platform are visited.

We may combine non-identifiable information collected automatically (such as through IP addresses, cookies or click-stream monitoring) with any previously submitted personal information that we may have received from you.

#### Geographic Location

We may collect your geographic location based on your IP address and other location-based data. However, we do not collect any device identifications.

#### Analytics

We may also use various third party internet vendors to collect, track and analyze track analytical data regarding Website usage and trends.

#### Surveys

Users of the Platform may have the opportunity to participate through the Platform in various MCH surveys regarding use of the Platform and receipt of the Services.

If you choose not to receive survey invitations through the Platform you may change your privacy settings within the Platform.

Any survey responses that you choose to submit may be aggregated, deidentified and provided or sold to third parties as set forth below.

### **How Will Your Information Be Used And Disclosed?**

We will not sell, share or rent the information that is collected via the Platform to others in ways that differ from what is disclosed in this Privacy Policy.

#### *Identifiable Health Information*

We may use any identifiable health information or other information that you voluntarily provide us in order to provide you with information, products or services that you may request from MCH or the Providers.

If you are a patient or the legal representative of a patient, any identifiable health information that you share via the Platform will be made accessible to the Providers provider and will become a part of the records maintained by MCH on behalf of the Providers, which records are subject to the Providers' Notice of Privacy Practices. Any information generated by the Providers in providing the Services will be provided back to MCH by the Providers and will also become part of the records maintained by MCH. MCH has no control over or responsibility for the Provider's use or disclosure of information that you may provide via the Platform.

We may also use your identifiable information to send you appointment reminders or other notifications regarding the Services. If you elect to provide us a cell phone number, you expressly consent that we can provide these communications to you via text message. Data or text charges may apply. You may change your preferred method of communication in your "My Account" setting.

To the extent permitted by applicable law, MCH may use your information to communicate to you special offers and featured items from third parties, MCH, MCH's affiliates, and/or other suppliers and vendors. If you are receiving additional communications and special offers, you may revoke your authorization to receive such materials from MCH via the Platform at any time by contacting us using the contact information below or as outlined in the applicable communication. We will implement your revocation as soon as is commercially reasonable. MCH cannot control any communications and other materials that you may receive directly from third parties.

We will also use your information to customize your browsing experience and communicate with you and otherwise respond to your questions and suggestions regarding use of the Platform as may be permitted by applicable law.

We will share your information only with the Providers and our suppliers and vendors to the limited extent necessary to provide this Platform and the Services. We require those suppliers and vendors to comply with all applicable data privacy laws and regulations, including HIPAA. We do not sell, lease or rent your identifiable health information.

#### *Non-identifiable Health Information*

The non-identifiable health information we collect may be deidentified and shared with our suppliers and vendors and used in the aggregate to create summary statistics that help us analyze Platform usage trends, assess what information is of most and least importance, determine technical design specifications, arrange the Website in the most user-friendly way, and identify system performance or problem areas.

We may also use your geographic location to provide you with specific content and direct you to your closest service providers to the extent permitted by applicable law.

#### Aggregate Data

We may aggregate and deidentify identifiable health information in accordance with HIPAA, either alone or with other data to create anonymous "aggregate data" regarding the users of our Platform. Aggregate and deidentified data is information that describes the habits, treatment plans, usage patterns and/or demographics of users as a group but does not reveal the identity of particular users. This data will not identify you, but will be used as statistical information to determine such things as user demographics and usage patterns of our Platform. MCH may use aggregate data to understand the needs of our community of users and determine what kinds of programs and services we can help provide. Aggregate data may also be provided or sold to third parties, including to give third party vendors, suppliers, business partners and/or affiliates a picture of our community and services.

#### Other Use and Ownership

We also reserve the right to share your information collected from this Platform with third parties to the extent permitted by applicable law and, in the case of identifiable health information, pursuant to MCH's business associate agreement with the applicable Provider.

MCH maintains full rights to any information collected on this Platform, and may freely collect, use and disclose such information unless prohibited by this Privacy Policy or applicable law.

#### **Transfer of Data**

In the event of a change in control of MCH or sale by MCH of substantially all of its assets or other acquisition, sale, merger or reorganization, any information owned by or in the control of MCH may be transferred and/or sold to such MCH successor, who will comply with the terms of this Privacy Policy.

#### **Security**

While no web site can guarantee security, we maintain physical, administrative, electronic, technical and procedural safeguards to help protect your personal information collected via the Platform as required by applicable law. While we cannot guarantee that loss, misuse or alteration to data will not occur, we use industry standards, such as Secure Socket Layers ("SSL") technology, to help safeguard against such occurrences. In certain areas, the information passed between your browser and our system is encrypted with SSL technology to create a protected connection between you and our website to ensure confidentiality.

Our data center is both physically and electronically secured. Our servers are protected behind the Internet by using firewall and encryption technology. All data is stored and transferred in encrypted formats that exceed standards defined by HIPAA. No data is transferred to users that do not have specific data access keys.

We limit access to personally identifiable information about you to our employees and third-party agents, who we reasonably believe need to have access to your information to provide you with the information or services you request via the Platform.

In the event that a breach in our security systems occurs and there is a possibility that an unauthorized person acquires your personal information, we will notify you of such a breach as may be required by applicable law.

In order to help maintain security, you should never share your user ID or password and should always sign out when you are finished using the Platform.

### **Access**

We will maintain your information and allow you to request updates at any time by logging into your Platform account to access your information. We will also take steps to make sure that any updates that you provide are processed in a timely and complete manner.

### **Third Party Websites**

If you use the Platform to link to another web site, which is not controlled or maintained by MCH, you may decide to disclose personal information at that web site. For example, you might provide your contact information to obtain an information packet from an organization. Please be aware that in contacting that site, or in providing information on that site, that third party may obtain personal information about you. This Privacy Policy does not apply when you leave the Platform and go to a third party web site from the Platform. We structure the Service so that no personal or health information goes in the search string or URL when you move from the Platform to a linked web site. We encourage you to be aware when you leave our Service and to read the privacy statements of each and every site that collects personally identifiable information.

### **What if I am accessing this Platform from outside of the United States?**

If you are visiting our Platform from outside the United States, please be aware that your information may be transferred to, stored or processed in the United States, where our servers are located and our central database is operated. The data protection and other laws of the United States and other countries might not be as comprehensive as those in your country, but please be assured that we take steps to protect your privacy. By using the Platform, you understand that your information may be transferred to our facilities and those third parties with whom we share it as described in this privacy policy.

### **Important Note Regarding Children**

This Website and Platform is not directed toward children under 18 years of age, and MCH does not knowingly collect information from children under 18 through this Website or Platform. Any information submitted via the Platform regarding a minor under the age of 18 must be submitted by the minor's legal representative. To the extent permitted by applicable state law, minors may access their identifiable health information through their physician.

### **What if I have questions or concerns regarding this Privacy Policy?**

If you have any questions about this Privacy Policy or the use of your information by MCH please contact us at

MCHS  
Privacy Officer at (432) 640-1106