

## **PRIVACY POLICY**

Conceptual MindWorks, Inc. (together with its affiliates, its agents, and any of its business partners and contractors, “*CMI*”), which provides the Sevocity electronic medical record system and the Medical Office Connect patient portal, respects the privacy of others. This Privacy Policy explains CMI’s privacy practices for the CMI website located at <https://www.medicalofficeconnect.com:8444/PatientPortal> (together with its pages and features, “*Site*”) and any possible mobile applications (together with its pages and features, “*App*” and, together with the Site, the “*Platform*”) by providing you and any person helping you visit, access, register with or use the Platform (collectively, “*you*” or “*your*”) with an overview of the following:

- The type of information about you that CMI collects through the Platform;
- How that information is collected;
- How that information is used;
- Who will have access to that information; and
- CMI’s security measures for protecting that information.

THIS PRIVACY POLICY APPLIES TO INFORMATION COLLECTED THROUGH THE PLATFORM. CAREFULLY READ THIS PRIVACY POLICY IN ITS ENTIRETY.

WHEN YOU CREATE, REGISTER OR LOG INTO AN ACCOUNT THROUGH THE PLATFORM, YOU ARE AUTOMATICALLY ACCEPTING AND AGREEING TO THE MOST-RECENT VERSION OF THIS PRIVACY POLICY, AS WELL AS THE PLATFORM’S [TERMS AND CONDITIONS](#).

SIMILARLY, BY VISITING, ACCESSING, REGISTERING WITH OR USING THE PLATFORM, YOU ARE AUTOMATICALLY ACCEPTING AND AGREEING TO THE MOST-RECENT VERSION OF THIS PRIVACY POLICY, AS WELL AS THE PLATFORM’S [TERMS AND CONDITIONS](#), AND YOUR CONTINUING VISIT, ACCESS OR USE OF THE PLATFORM REAFFIRMS YOUR ACCEPTANCE AND AGREEMENT IN EACH INSTANCE.

As used herein, the term “*personal information*” means information that would allow someone to specifically identify you or contact you physically or online (e.g., your name, physical address, telephone number, email address, social security number); and the term “*non-personal information*” means any information other than personal information that CMI may collect from you.

### **1. A SPECIAL NOTE ABOUT MINORS.**

The Platform is a general audience website intended for use by adults. The Platform is not designed or intended to attract, and is not directed to, children under eighteen (18) years of age, let alone children under thirteen (13) years of age. CMI does not collect personal information through the Platform from any person it actually knows to be under thirteen (13) years of age, except where the minor’s parent or guardian has approved of its inclusion pursuant to the Platform’s [Terms and Conditions](#) and this Privacy Policy. If CMI obtains actual knowledge that it has collected personal

information through the Platform from a person under thirteen (13) years of age without the consent of the minor's parent or guardian, then it will use reasonable efforts to refrain from further using such personal information or maintaining it in retrievable form.

Furthermore, if you are under eighteen (18) years of age, then you (or your parent or legal guardian) may at any time request that CMI remove content or information about you that is posted on the Platform. Please submit any such request ("***Request for Removal of Minor Information***") to any one of the following:

By mail: Conceptual MindWorks, Inc., 13409 NW Military Hwy, Suite 201, San Antonio, TX 78231, with a subject line of "Removal of Minor Information."

By email: [finance@teamcmi.com](mailto:finance@teamcmi.com), with a subject line of "Removal of Minor Information."

For each Request for Removal of Minor Information, please state "Removal of Minor Information" in the email or letter subject line, and clearly state the following in the body:

- a. The nature of your request;
- b. The identity of the content or information to be removed;
- c. Where such content or information is found on the Platform;
- d. That the request is related to the "Removal of Minor Information;"
- e. Your name, street address, city, state, zip code and email address; and
- f. Whether you prefer to receive a response to your request by mail or email.

If you send a Request for Removal of Minor Information by mail, then please do so by U.S. Certified Mail, Return Receipt Requested to allow for confirmation of mailing, delivery and tracking. CMI will not accept any Request for Removal of Minor Information via telephone or facsimile. CMI is not responsible for failing to comply with any Request for Removal of Minor Information that is incomplete, incorrectly labeled or incorrectly sent.

PLEASE NOTE THAT THE AFOREMENTIONED REMOVAL DOES NOT ENSURE COMPLETE OR COMPREHENSIVE REMOVAL OF SUCH CONTENT OR INFORMATION POSTED ON THE PLATFORM.

Also, please note that CMI is not required to erase or otherwise eliminate, or to enable erasure or elimination of, such content or information in certain circumstances, such as, for example, when an international, federal, state, or local law, rule or regulation requires CMI to maintain the content or information; when the content or information is stored on or posted to the Platform by a third party other than you (including any content or information posted by you that was stored, republished or reposted by the third party); when CMI anonymizes the content or information, so that you cannot be individually identified; when you do not follow the aforementioned instructions for requesting the removal of the content or information; and when you have received compensation or other consideration for providing the content or information.

The foregoing is a description of CMI's voluntary practices concerning the collection of personal information through the Platform from certain minors, and is not intended to be an admission that CMI is subject to the Children's Online Privacy Protection Act, the Federal Trade Commission's Children's Online Privacy Protection Rule(s), or any similar international, federal, state, or local laws, rules, or regulations.

## 2. CATEGORIES OF INFORMATION COLLECTED.

CMI may collect personal and non-personal information about you through the Platform and/or any electronic medical record platforms lawfully accessed and used by CMI.

- a. **Categories of Information Collected Through the Platform.** The categories of personal and non-personal information collected from you through the Platform might include your:

Name (first, last and/or middle) and unique identifiers (e.g., username);

Login information for the Platform (e.g., username, password, security questions and answers);

Home contact information (e.g., mailing address, email address, telephone number, fax number);

Gender;

Date of birth;

Electronic signature;

Photographic or video image to the extent provided by you to CMI;

Medical history, including your current medication and the results of any intake documentation, questionnaires, surveys, information requests, interviews, or other documentary, text, video, or audio interactions related to the provision of health services;

Other information concerning your health, fitness, and wellness, including data relating to your sleep, exercise, diet, nutritional supplements, and other significant life events you are currently undergoing;

Billing and payment information (e.g., payor or payee name, checking account number, credit card number, expiration date, verification code, account holder name, cardholder name, billing address, mailing address, tax ID number, billing history);

Business contact information (e.g., company, title, mailing address, email address, telephone number, facsimile number, tax ID number);

Computer, mobile device, and/or browser information (e.g., IP address, mobile device ID information, operating system, connection speed, bandwidth, browser type, referring/existing web pages, web page requests, cookie information, hardware attributes, software attributes);

Third-party website, network, platform, server and/or application information (e.g., Facebook, Twitter, Instagram);

Usage activity concerning your interactions with the Platform and/or third-party websites, networks, platforms, servers or applications accessed through the Platform (e.g., number of clicks on a page or feature, amount of time spent on a page or feature, identity of third-party websites, networks, platforms, servers and applications being accessed through the Platform);

Usage activity concerning products and services provided to or accessed by you on or through the Platform (e.g., viewing habits, viewing preferences, viewing history, title selections, favorites, streams, downloads, demographics and closed captioning selections);

Transactional information (e.g., offers, orders, pricing, payments, purchaser, seller, item information, shipping terms, comments, ratings, feedback and instant messages and/or other communications made within or through the Platform);

Information about third parties that you refer to CMI (e.g., name, email and/or other contact information, relationship);

Information set forth in the Platform's online account registration, subscriber profile, and/or subscriber directory forms completed by you; and/or

Statements or content (e.g., comments, videos, photographs, images), and information about such statements or content, which you submit or publish on or through the Platform, or which are accessed via your public or linked social media pages (e.g., Facebook, Twitter, Instagram).

- b. **Categories of Other Information Collected From Your Mobile Device.** If you use your mobile device to visit, access or use the Platform, then additional categories of personal and non-personal information collected from you through the Platform might include:

Your name associated with your mobile device;

Your telephone number associated with your mobile device;

Your geolocation;

Your mobile device ID information;

With your express consent, your contacts and/or contact information (e.g., names, telephone numbers, physical addresses, email addresses, photos) stored on your mobile device; and/or

With your express consent, information about third-party software applications on your mobile device (including, without limitation, general software apps, downloadable software apps, social media apps).

c. **Categories of Information Collection from Physician Practices.** You understand, acknowledge, and agree that the Platform serves as an intermediary platform pursuant to which certain physician practice customers of CMI (each, a “*Practice*”) contract with CMI for purposes of having access to the Platform to input information about the Practice’s patients. If you are a patient of such a Practice, you acknowledge and agree that certain information about you will be collected by the Practice and provided to CMI.

### 3. HOW INFORMATION IS COLLECTED.

CMI might collect personal and non-personal information from you when you visit, access or use the Platform; when you register with or subscribe to the Platform; when you register for or subscribe to the products and/or services of CMI online through the Platform; when you “sign in,” “log in,” or the like to the Platform; when you allow the Platform to access, upload, download, import or export content found on or through, or to otherwise interact with, your computer or mobile device (or any other device you may use to visit, access or use the Platform) or online accounts with third-party websites, networks, platforms, servers or applications (e.g., your online social media accounts, your cloud drives and servers, your mobile device service provider); or whenever CMI asks you for such information, such as, for example, when you process a payment through the Platform, or when you answer an online survey or questionnaire.

In addition, if you or a third party sends CMI a comment, message or other communication (such as, by way of example only, email, letter, fax, phone call, or voice message) about you or your activities on or through the Platform, then CMI may collect any personal or non-personal information provided therein or therewith.

Finally, CMI might use various tracking, data aggregation and/or data analysis technologies, including, for example, the following:

Cookies, which are small data files (e.g., text files) stored on the browser or device you use to view a website or message. They may help store user preferences and activity, and may allow a website to recognize a particular browser or device. There are several types of cookies, including, for example, browser cookies, session cookies, and persistent cookies. Cookies may record information you access on one page of a website to simplify subsequent interaction with that website, or to help streamline your transactions on related pages of that website. Most major browsers are set up so that they will initially accept cookies, but you might be able to adjust your browser’s or device’s preferences to issue you an alert when a cookie is downloaded, or to block, reject, disable, delete or manage the use of some or all cookies on your browser or device.

Flash cookies, which are cookies written using Adobe Flash, and which may be permanently stored on your device. Like regular cookies, Flash cookies may help store user preferences and activity, and may allow a website to recognize a particular browser or device. Flash cookies are not managed by the same browser settings that are used for regular cookies.

Web beacons, which are pieces of code embedded in a website or email to monitor your activity on the website or your opening of the email, and which can pass along information such as the IP address of the computer or device you use to view the website or open the email, the URL page on which the web beacon is located, the type of browser that was used to access the website, and previously set cookie values. Web beacons are sometimes used to collect advertising data, such as counting page views, promotion views or advertising responses. Disabling your computer's, device's or browser's cookies may prevent some web beacons from tracking or recording certain information about your activities.

Scripts, which are pieces of code embedded in a website to define how the website behaves in response to certain key or click requests sent by the user. Scripts are sometimes used to collect information about the user's interactions with the website, such as the links the user clicks on. Scripts are often times temporarily downloaded to the user's computer or device from the Platform's server, active only while the user is connected to the Platform, and deactivated or deleted when the user disconnects from the website.

Analytic tools and services, which are sometimes offered by third parties, and which track, measure and/or generate information about a website's or program's traffic, sales, audience and similar information, and which may be used for various reasons, such as, for example, statistical research, marketing research, and content ratings research, and conversion tracking. Examples of the analytic tools and services which CMI might use include Google Analytics and Taplytics. CMI may also use other third-party analytic tools and services.

Please be advised that if you choose to block, reject, disable, delete or change the management settings for any or all of the aforementioned technologies and/or other tracking, data aggregation and data analysis technologies, then certain areas of the Platform might not function properly.

By visiting, accessing or using the Platform, you acknowledge and agree in each instance that you are giving CMI permission to monitor or otherwise track your activities on the Platform, and that CMI may use the aforementioned technologies and/or other tracking, data aggregation and data analysis technologies.

#### **4. USE OF INFORMATION COLLECTED.**

CMI may use the personal and/or non-personal information it collects from you through the Platform in a variety of ways, such as, for example, to:

Fulfill your requests;

Process any payments that may be required on the Platform from time to time;

Facilitate your movement through the Platform;

Facilitate your use of the Platform and/or its respective products and/or services;

Send you communications like, for example, administrative emails, answers to your questions and updates about the Platform;

Provide you with information about CMI, and/or its businesses, products and services by letter, email, text, telephone or other forms of communication;

Provide you with information about third-party businesses, products and services by letter, email, text, telephone or other forms of communication;

Improve the Platform and its content, features and/or services;

Improve the products, services, marketing and/or promotional efforts of CMI;

Create new products, services, marketing and/or promotions for CMI;

Market the businesses, products and/or services of CMI;

Help personalize user experiences with the Platform and its products and/or services;

Analyze traffic to and through the Platform;

Analyze user behavior and activity on or through the Platform;

Conduct research and measurement activities for purposes of product and service research and development, advertising claim substantiation, market research, and other activities related to CMI and the Platform and its products and/or services;

Monitor the activities of you and others on or through the Platform;

Place and track orders for prescription drugs and other products on your behalf;

Protect or enforce CMI's rights and properties; and/or

Protect or enforce the rights and properties of others (which may include you).

CMI reserves the right to use your personal and non-personal information when:

Required by applicable law, court order or other governmental authority (including, without limitation and by way of example only, in response to a subpoena or other legal process); or

CMI believes in good faith that such use is otherwise necessary or advisable (including, without limitation and by way of example only, to investigate, prevent, or take legal action against someone who may be causing injury to, interfering with, or threatening the rights, obligations or properties of CMI, a user of the Platform, which may include you, or anyone else who may be harmed by such activities, or to further CMI's legitimate business interests).

## **5. DISCLAIMER OF CCPA APPLICABILITY.**

CMI is not subject to regulation under the California Consumer Privacy Act of 2018 (“*CCPA*”). Therefore, even if you are a California resident and CMI may have personal information about you that is the type of the information subject to the CCPA, the CCPA is not applicable to CMI or to our relationship with you.

## **6. SHARING OF INFORMATION COLLECTED.**

CMI reserves the right to share your personal information with CMI’s employees, agents, administrators, accountants, financial advisors and legal advisors; with any healthcare providers who might provide you with health or healthcare-related services; with pharmacies or other vendors that may fill your prescription drugs or other product orders; and with those third parties who help manage, administer, distribute and/or operate the Platform and its products, services and/or features (e.g., web hosting companies, website administrators, mobile app distribution platforms, support services companies, credit card or other payment processing companies), as needed in order for them to perform such services.

In certain cases, CMI may be required to disclose personal information to investigate, prevent, or take action concerning: (a) legal requests; (b) the enforcement of CMI’s [Terms and Conditions](#); (3) the protection of CMI’s rights, property, or personal safety or the rights, property, or personal safety of our users and the public; (4) our exercise of legal rights; and (5) any other disclosure required by law.

CMI does not limit the ways in which it may use or share non-personal information because non-personal information does not identify you. For example, CMI may freely share non-personal information with its affiliates, suppliers and representatives, as well as with other individuals, businesses, and government entities.

You may choose to share certain information and/or follow other users on the Platform. You may choose to share your contact information with other users or provide it publicly.

## **7. DATA RETENTION.**

CMI may retain your personal information and non-personal information for as long as it believes necessary, regardless of whether or not you continue to use the Platform; as long as necessary to comply with its legal obligations, resolve disputes and/or enforce its agreements; and/or as long as needed to provide you with the products and/or services of the Platform. CMI may dispose of or delete any such personal information or non-personal information at any time, except as set forth in any other agreement or document executed by CMI or as required by law.

## **8. THIRD PARTY APPLICATIONS AND NETWORKS.**

The Platform and/or any communications sent through or as a function of the Platform may contain links to third-party websites, networks, platforms, servers and/or applications. TO THE FULLEST EXTENT PERMITTED BY LAW, CMI IS NOT RESPONSIBLE FOR, AND YOU HEREBY RELEASE CMI FROM ANY AND ALL LIABILITY WHICH MAY ARISE FROM, SUCH THIRD PARTY WEBSITES, NETWORKS, PLATFORMS, SERVERS AND APPLICATIONS (INCLUDING, WITHOUT LIMITATION, THE PRIVACY



POLICIES AND PRACTICES OF SUCH THIRD-PARTY WEBSITES, NETWORKS, PLATFORMS, SERVERS, AND APPLICATIONS).

You may have the opportunity to access the Platform using your online user accounts with certain third-party websites, networks, platforms, servers or applications, which may be subject to separate privacy policies pertaining to those third-party websites, networks, platforms, servers or applications. CMI may also collect information from those third-party websites, networks, platforms, servers or applications (such as, for example, your name, gender, date of birth and personal interests, when you “like” or click links provided by or through those third-party websites, networks, platforms, servers, or applications and other information available through your online account or page with those third-party websites, networks, platforms, servers or applications). IT IS YOUR RESPONSIBILITY TO CAREFULLY READ, ACCEPT AND COMPLY WITH THE RELEVANT TERMS OF USE, WAIVERS, AND PRIVACY POLICIES ASSOCIATED WITH THOSE THIRD-PARTY WEBSITES, NETWORKS, PLATFORMS, SERVERS AND APPLICATIONS.

## 9. SECURITY.

CMI implements security measures to help protect the personal information it collects through the Platform. To the extent applicable, CMI may also encrypt the transmission of information through the Platform by using secure socket layer (SSL) technology.

REGARDLESS OF THE FOREGOING, PLEASE OBSERVE THAT “PERFECT” OR “100%” SECURITY DOES NOT EXIST ON THE INTERNET. THEREFORE, YOUR ACCESS AND USE OF THE PLATFORM, AND YOUR OPENING OF ANY COMMUNICATIONS SENT THROUGH OR AS A FUNCTION OF THE PLATFORM, ARE DONE AT YOUR OWN RISK.

To help maintain the security of your personal information, CMI asks that you please notify it immediately of any unauthorized visit, access or use of the Platform, or the loss or unauthorized use of your user access information for the Platform (e.g., username or password).

## 10. RETENTION, REVIEW, AND CHANGE OF INFORMATION COLLECTED.

You may request at any time that CMI provide you with an opportunity to review and change your personal information collected through the Platform or to no longer use your personal information to provide you with any products or services. Please submit any such request (“***Request Concerning Personal Information***”) to any one of the following:

By mail:           Conceptual MindWorks, Inc., 13409 NW Military Hwy, Suite 201, San Antonio, TX 78231, with a subject line of “Your Personal Information.”

By email:         [finance@teamcmi.com](mailto:finance@teamcmi.com), with a subject line of “Your Personal Information.”

For each Request Concerning Personal Information, please state “Your Personal Information” in the email or letter subject line, and clearly state the following in the body:

- a.       The nature of your request;
- b.       That the request is related to “Your Personal Information;”

- c. Your name, street address, city, state, zip code and email address; and
- d. Whether you prefer to receive a response to your request by mail or email.

If you send a Request Concerning Personal Information by mail, then please do so by U.S. Certified Mail, Return Receipt Requested to allow for confirmation of mailing, delivery and tracking. CMI will not accept a Request Concerning Personal Information via telephone or facsimile. CMI is not responsible for any Request Concerning Personal Information that is incomplete, incorrectly labeled, or incorrectly sent.

You are solely responsible for the accuracy and content of your personal information, and for keeping your personal information current and correct.

#### **11. YOUR CALIFORNIA PRIVACY RIGHTS.**

If you are a resident of the State of California and CMI has an established business relationship with you, then, pursuant to Section 1798.83 of the California Civil Code, you have the right to request the following at any time: (a) information from CMI free of charge regarding the manner in which CMI shares certain personal information collected through the Platform with third parties who use such information for direct marketing purposes; and (b) the discontinuation (or opt-out) of CMI's sharing of such information with such third parties. Please submit any such request ("*California Privacy Rights Request*") to any one of the following:

- By mail: Conceptual MindWorks, Inc., 13409 NW Military Hwy, Suite 201, San Antonio, TX 78231, with a subject line of "Your California Privacy Rights."
- By email: [finance@teamcmi.com](mailto:finance@teamcmi.com), with a subject line of "Your California Privacy Rights."

For each California Privacy Rights Request, please state "Your California Privacy Rights" in the email or letter subject line, and clearly state the following in the body:

- a. The nature of your request;
- b. That the request is related to "Your California Privacy Rights;"
- c. Your name, street address, city, state, zip code and email address; and
- d. Whether you prefer to receive a response to your request by mail or email.

If you send a California Privacy Rights Request by mail, then please do so by U.S. Certified Mail, Return Receipt Requested to allow for confirmation of mailing, delivery and tracking. CMI will not accept a California Privacy Rights Request via telephone or fax; and is not responsible for a California Privacy Rights Request that is incomplete, incorrectly labeled or incorrectly sent.

You are solely responsible for the accuracy and content of your personal information, and for keeping your personal information current and correct.

Further, CMI does not respond to “do not track” (DNT) signals.

Finally, as explained further above, CMI does not authorize third parties to collect your personal information when you use the Platform, except as expressly stated in this Privacy Policy. TO THE FULLEST EXTENT PERMITTED BY LAW, CMI IS NOT RESPONSIBLE FOR, AND YOU HEREBY RELEASE CMI FROM ANY AND ALL LIABILITY WHICH MAY ARISE FROM, SUCH THIRD PARTIES’ UNAUTHORIZED COLLECTION OF YOUR PERSONAL INFORMATION.

## **12. IMPORTANT NOTICE TO NON-US RESIDENTS.**

The Platform is operated in the United States. Please be aware that your Personal Information may be transferred to, processed, maintained and used on computers, servers and systems located outside of your state, province, country or other governmental jurisdiction where the privacy laws may not be as protective as those in your country of origin. If you are located outside of the United States and choose to use the Platform, then you do so at your own risk.

## **13. MODIFICATIONS OF THIS PRIVACY POLICY.**

CMI MAY SUPPLEMENT, AMEND, OR OTHERWISE MODIFY THIS PRIVACY POLICY AT ANY TIME WITHOUT NOTICE TO YOU. SUCH SUPPLEMENTS, AMENDMENTS AND OTHER MODIFICATIONS WILL BE POSTED ON THIS OR A SIMILAR PAGE OF THE PLATFORM, AND SHALL BE DEEMED EFFECTIVE AS OF THEIR STATED EFFECTIVE OR MODIFICATION DATES. IT IS YOUR RESPONSIBILITY TO CAREFULLY REVIEW THIS PRIVACY POLICY EACH TIME YOU VISIT, ACCESS OR USE THE PLATFORM.

AGAIN, BY VISITING, ACCESSING OR USING THE PLATFORM, YOU ARE AUTOMATICALLY ACCEPTING AND AGREEING TO THE MOST-RECENT VERSION OF THIS PRIVACY POLICY, AS WELL AS THE MOST-RECENT VERSION OF THE PLATFORM’S [TERMS AND CONDITIONS](#), AND YOUR CONTINUING VISIT, ACCESS OR USE OF THE PLATFORM REAFFIRMS YOUR ACCEPTANCE AND AGREEMENT IN EACH INSTANCE.

## **14. MERGERS, ACQUISITIONS, AND OTHER BUSINESS TRANSACTIONS.**

CMI may decide to sell, buy, merge, or otherwise reorganize its business. If that occurs, you will be notified via email or a prominent notice on our website of any ownership change and any changes in the use of your personal information. These types of transactions may involve the disclosure of personal information to prospective or actual purchasers, or receiving it from sellers. We seek appropriate protection for personal information in these types of transactions.

## **15. SEVERABILITY.**

If any term or condition of this Privacy Policy is deemed invalid or unenforceable by a court of law with binding authority, then the remaining terms and conditions shall not be affected, and the court shall reform the invalidated or unenforceable term or condition to the maximum extent permitted under the law and consistent with the intent of this Privacy Policy.

## **16. CONTACT US.**

Please direct any questions you may have about this Privacy Policy and/or the Platform to any one of the following:

By mail: Conceptual MindWorks, Inc., 13409 NW Military Hwy, Suite 201, San Antonio, TX 78231, with a subject line of “Privacy Policy.”

By email: [finance@teamcmi.com](mailto:finance@teamcmi.com), with a subject line of “Privacy Policy.”

The foregoing contact information may change from time-to-time by supplementation, amendment, or modification of this Privacy Policy.

**17. MODIFICATION DATE.**

This Privacy Policy was last modified on February 1, 2022.