

PRIVACY POLICY

Last Modified: October 6, 2023

Welcome to the web site(s) (the “Site” or “Sites”) or mobile apps (the “Apps”) of Prediction Health Inc., doing business as PredictionHealth (“PredictionHealth”, “we”, “us” and/or “our”). This Site is operated by PredictionHealth and has been created to provide information about our company and our physician support services, mobile applications and related platforms, products and services (together with the Sites and/or the Apps, the “Services”) to our Service visitors and users (“you”, “your”).

This Privacy Policy hereby incorporates by this reference our Terms of Use and any additional updates, revisions, supplements, modifications and additional rules, polices, terms and conditions (collectively referred to in this Agreement as “Additional Terms”). Except as otherwise indicated, any reference herein to the “Privacy Policy” shall include the Terms of Use and Additional Terms.

Please read this Privacy Policy carefully. By creating an account, providing information to us (by any means, whether in correspondence, via our Site, Apps, or otherwise), signing this Privacy Policy, or continuing to use the Services, you acknowledge that you have read, understood, and agree to be bound by this Privacy Policy. You “sign” and accepts this Privacy Policy by clicking “I agree” on the account creation screen or signing an applicable order form, proposal, statement of work, or other separate legal agreement that specifically references this Privacy Policy.

If you do not agree with this Privacy Policy or our practices, you may not use our Services. This Privacy Policy may change from time to time and your continued use of our Services constitutes your acceptance of those changes. We encourage you to review this Privacy Policy periodically.

1. What this Policy Covers.

This Privacy Policy covers important information on who we are, how and why we collect, store, use, and share information relating to an identified or identifiable individual or their household, including health and medical information about our Customers’ patients (“Personal Information”) and other information that is collected from users of the Services. It also explains your rights in relation to your Personal Information and how to contact us in the event you have a complaint.

Personal Information does not include information (including Personal Information) you provide to us that we have aggregated. Personal Information may be collected about our customers, prospective customers, visitors to the Site or Apps, and end users of the Services. You can choose not to provide us with certain information, but by doing so, you may not be able to take advantage of many of the features and functionality of our Services.

The Services are intended for use by physicians and other health care providers only (“Customers”). If you are a Customer accessing or using the site on behalf of a company or other legal entity, you represent and warrant that you have the authority to bind such entity to this agreement, in which case references to “you” or “your” in this Privacy Policy will refer to both the individual and any such legal entity using the Sites, Apps, or any of the Services.

Our Customers are responsible for maintaining their own privacy policies governing the collection, use and disclosure of Personal Information and for obtaining the necessary authorizations and consents before any Personal Information is made available to us for use in accordance with this Privacy Policy, including for further training of artificial intelligence models.

You understand and agree that PredictionHealth and its authorized business partners, affiliates, subsidiaries or agents may collect, maintain, and process information provided by you, on and through the Services, including through the use of artificial intelligence. You represent and warrant that you have permission to share any information you elect to provide to PredictionHealth, you consent to such information being used and shared with third parties, as described in this Privacy Policy, and that such information is accurate, current, non-misleading, and consistent and relevant for the purpose for which you are providing information.

2. Personal Information We Collect About You.

We may collect and use the following Personal Information that identifies, relates to, describes, is reasonable capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual or household:

- contact and registration information from Customer employee signing up on behalf of the Customer.
- names, email addresses and other business contact information about individuals who we consider to be prospective Customers and business partners (“Prospects”). PredictionHealth uses third-party service providers in order to collect, store and process Personal Information about Prospects.
- protected health information about our Customer’s patients (e.g. diagnoses, physician name, address, email, and phone number, physician notes and treatment recommendations from our Customers).
- information regarding your preferences related to us or our Site.
- information regarding how you became aware of our Services.
- information about the device and browser you use, your network connection, your IP address, and information about the cookies installed on your device.
- Geolocation data (e.g. physical location or movements) if you use our Chrome extension.
- sensitive Personal Information including the contents of your mail, email, chat messages, and text messages which may be shared with a third party, but solely to the extent necessary for PredictionHealth to provide the Services.
- Demographic information about our Customer’s patients (such as age, race, ethnicity, ancestry, marital status, gender, and biological sex) to the extent such information is incorporated into the medical records of our Customer’s patients.

This Personal Information is required to provide Services to you. If you do not provide Personal Information we ask for, it may delay or prevent us from providing Services to you.

By voluntarily providing us with Personal Information, you are consenting to our use of it in accordance with this Privacy Policy. If you provide Personal Information to the Services, you acknowledge and agree that such Personal Information may be transferred from your current location to the offices and servers of PredictionHealth and the authorized third parties referred to herein located in the United States.

3. Other Information

- **Non-Identifiable Data:** When you interact with PredictionHealth through the Services, we receive and store certain personally non-identifiable information. Such information, which is collected passively using various technologies, cannot presently be used to specifically identify you as an individual. PredictionHealth may store such information itself or such information may be included in databases owned and maintained by PredictionHealth affiliates, agents or service providers. The Services may use such information and pool it with other information on an aggregated basis to track, for example, the total number of visitors to our Site or App downloads, the number of visitors to each page of our Site, and the domain names of our visitors' internet service providers. It is important to note that no Personal Information is available or used in this process.
- **Cookies:** In operating the Services, we may use a technology called "cookies." A cookie is a piece of information that the computer that hosts our Services gives to your browser when you access the Services. Our cookies help provide additional functionality to the Services and help us analyze Services usage more accurately. For instance, our Site may set a cookie on your browser that allows you to access the Services without needing to remember and then enter a password more than once during a visit to the Site. In all cases in which we use cookies, we will not collect Personal Information except with your permission. On most web browsers, you will find a "help" section on the toolbar. Please refer to this section for information on how to receive notification when you are receiving a new cookie and how to turn cookies off. We recommend that you leave cookies turned on because they allow you to take advantage of some of the Service features.
- **Log Files:** Like many internet and mobile services, we may automatically gather certain information about our Services traffic and store it in log files. This information includes mobile device identifiers, browser type, IP address, mobile or internet service provider, referring/exit pages, operating system, date/time stamp, and clickstream data. We use this information, which does not identify individual users, to analyze trends, to administer the Services, to track users' movements around the Services.

We also store in our log files information identifying users who have accessed data that we process and store about our Customer's patients, and any changes they make to such data. We use this information to comply with legal obligations relating to such information and to keep a record of such changes. We may also use it to improve our

Services. We may link this automatically collected information to Personal Information. Device identifiers may be tied to Personal Information to troubleshoot access issues.

We may use third-party tracking services that use log files, cookies, and possibly other techniques to track non-Personal Information about visitors to the Services in the aggregate. These third-party tracking services capture usage and volume statistics as well as geographical location data to compile usage reports and maps for optimization and troubleshooting purposes.

- Aggregated Personal Information: In an ongoing effort to better understand and serve the users of the Services, PredictionHealth may conduct research on its Customer demographics, interests and behavior based on the Personal Information and other information provided to us. This research may be compiled and analyzed on an aggregate basis, and PredictionHealth may share this aggregate data with its affiliates, agents and business partners. This aggregate information does not identify you personally. PredictionHealth may also disclose aggregated user statistics in order to describe our Services to current and prospective business partners, and to other third parties for other lawful purposes.

4. How Your Personal Information is Collected.

We collect most of this Personal Information directly from you—in person, by telephone, text or email and/or via our Services. However, we may also collect information:

- Directly from a third party (e.g., a referring Customer or Customer’s electronic medical record system and databases as Customer’s due diligence providers); and
- From cookies and other browser extensions and artificial intelligence on our Site and Apps.

5. How and Why We Use Your Personal Information.

Under data protection law, we can only use your Personal Information if we have a proper reason for doing so, e.g.:

- To comply with our legal and regulatory obligations;
- For the performance of our contract with you or to take steps at your request before entering into a contract;
- To identify Prospects and locate contact information to contact Prospects about our Services;
- To help diagnose technical problems for analytics and for quality control purposes
- For our legitimate interests or those of a third party; or

- Where you have given consent.

A legitimate interest is when we have a business or commercial reason to use your information, so long as this is not overridden by your own rights and interests.

The table below explains what we use (process) your Personal Information for and our reasons for doing so:

What we use your Personal Information for	Our reasons
To provide Services to you	For the performance of our contract with you or to take steps at your request before entering into a contract
Other processing necessary to comply with professional, legal and regulatory obligations that apply to our business, e.g. under health regulation or rules issued by our professional regulator	To comply with our legal and regulatory obligations
Operational reasons, such as improving efficiency, training, and quality control of our artificial intelligence Services and creating new artificial intelligence products and services	For our legitimate interests or those of a third party, e.g. to be as efficient as we can so we can deliver the best service for you and at the best price
Statistical analysis to help us manage our business, e.g. in relation to our financial performance, customer base, product range or other efficiency measures	For our legitimate interests or those of a third party, e.g. to be as efficient as we can so we can deliver the best service for you at the best price
Updating and enhancing Customer records	<p>For the performance of our contract with you or to take steps at your request before entering into a contract</p> <p>To comply with our legal and regulatory obligations</p> <p>For our legitimate interests or those of a third party, e.g. making sure that we can keep in touch with our customers about existing orders and new products</p>

Marketing our services to: <ul style="list-style-type: none"> — existing and former Customers; — third parties who have previously expressed an interest in our services; — third parties with whom we have had no previous dealings. 	For our legitimate interests or those of a third party, e.g. to promote our business to existing and former customers
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6. Promotional Communications.

We may use your Personal Information, to the extent it does not contain Protected Health Information (defined below) to send you updates (by email, text message, telephone or post) about our Services, including exclusive offers, promotions or new Services.

We have a legitimate interest in processing your Personal Information for promotional purposes (see above “How and why we use your Personal Information”). This means we do not usually need your consent to send you promotional communications. However, where consent is needed, we will ask for this consent separately and clearly.

We will always treat your Personal Information with the utmost respect and never sell OR share it with other organizations for marketing purposes.

You have the right to opt out of receiving promotional communications at any time by:

- Contacting us; or
- Using the “unsubscribe” link in emails or “STOP” number in texts.

We may ask you to confirm or update your marketing preferences if you instruct us to provide further Services in the future, or if there are changes in the law, regulation, or the structure of our business.

7. Artificial Intelligence, Chatboxes, and Third Party Services.

PredictionHealth’s Services use automated processing through the power of artificial intelligence in order to help our Customers provide care to their patients. This includes transcribing information, including Personal Information, provided by our Customers, using the Personal Information to make inferences or assumptions about billing codes, and providing assistance to Customers with their clinical documentation through the use of a chatbox and our artificial intelligence features.

Conversations in our chatbox are recorded and monitored. You should not leave the chatbox window unattended.

PredictionHealth uses a Chrome extension to store user login information and pull electronic medical records from our Customer's electronic medical record systems.

8. Information Processed by our Customers.

Our Customers may provide us with Personal Information belonging to their patients or other third parties in connection with their use of our Services. PredictionHealth does not control the content or nature of the information processed by our Customers in connection with their use of our Services. An individual who seeks access, or who seeks to correct, amend, or delete inaccurate Personal Information processed by one of our Customers should direct his/her request to the Customer directly.

9. Processing of Medical Practice Data.

Some of the Personal Information received by PredictionHealth, in connection with the Services, may be provided by Customers that are subject to laws and regulations, such as rules issued under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH), that govern a health care providers' use and disclosure of certain individually identifiable health-related Personal Information ("Protected Health Information").

As a service provider to our Customers we collect and analyze data related to our Customers patient's on their behalf. When we receive Protected Health Information, we may do so as a "Business Associate" of our Customers under an agreement that, among other things, prohibits us from using or disclosing the Protected Health Information in ways that are not permissible by the Customer itself, and requires us to implement certain measures to safeguard the confidentiality, integrity, and availability of the Protected Health Information. When we act as a Business Associate, we may be subject to certain laws and regulations, including certain HIPAA rules that govern our use and disclosure of Protected Health Information and that may be more restrictive than otherwise provided in this Privacy Policy.

To the extent that any of the information we collect in connection with the Services constitutes Protected Health Information under HIPAA, we will comply with the requirements of HIPAA and its implementing regulations. Additionally, PredictionHealth will only process such Protected Health Information upon instruction from such Customer, consistent with our Terms of Use and a Business Associate Agreement with such Customer.

10. Who We Share Your Personal Information With.

We may share Personal Information with:

- Our affiliates;
- Service providers we use to help deliver our Services to you, such as our compliance officers, to the extent they need to review our artificial intelligence generated feedback;

- Other third parties we use to help us run our business, such as website hosts, maintenance services, database management, web analytics, and marketing agencies, to the extent the Personal Information does not contain Protected Health Information;
- Third parties approved by you, including social media sites you choose to link your account to or third-party payment providers, to the extent the Personal Information does not contain Protected Health Information;

We only allow our service providers to handle your Personal Information if we are satisfied they take appropriate measures to protect your Personal Information, including compliance with HIPAA if your Personal Information contains Protected Health Information. We also impose contractual obligations on service providers to ensure they can only use your Personal Information to provide the requested Services to us and to you. We may also share Personal Information with external auditors, e.g. in relation to accreditation and the audit of our accounts.

We may disclose and exchange information with law enforcement agencies and regulatory bodies to (i) comply with our legal and regulatory obligations, (ii) protect and defend the rights or property of PredictionHealth, (iii) act in urgent circumstances to protect the personal safety of users of the Services or the public, or (iv) protect against legal liability.

We may also need to share some Personal Information with other parties, such as potential buyers of some or all of our business or during a re-structuring. We will typically anonymize information, but this may not always be possible. The recipient of the information will be bound by confidentiality obligations.

Other than as described in this Privacy Policy, we will not share your Personal Information with any other third party unless we have your express consent.

11. How Long Your Personal Information Will Be Kept.

We will keep your Personal Information while you have an account with us or while we are providing Services to you. Thereafter, we will keep your Personal Information for as long as is necessary:

- To respond to any questions, complaints or claims made by you or on your behalf;
- To show that we treated you fairly; or
- To keep records required by law.

We will not retain your Personal Information for longer than necessary for the purposes set out in this Privacy Policy. Different retention periods apply for different types of Personal Information. To determine the appropriate retention period for personal information, we consider the amount, nature, and sensitivity of the personal information, the potential risk of harm from unauthorized use or disclosure of the personal information, the purposes for which we process your personal information, and whether we can achieve those purposes through other means, and the applicable legal requirements. When it is no longer necessary to retain your Personal Information, we will delete or anonymize it.

12. Keeping Your Personal Information Secure.

We have appropriate security measures in place to prevent Personal Information from being accidentally lost or used or accessed in an unauthorized way. We limit access to your Personal Information to those who have a genuine business need to access it. Those processing your information will do so only in an authorized manner and are subject to a duty of confidentiality. We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

However, while we strive to protect your privacy, due to many reasons (including inherent security flaws in the internet), you recognize that data transmitted online or stored in a facility where online access is provided cannot be made to be 100% secure and **we cannot guarantee the security of information you disclose to us**. In particular, email sent to or from the Sites may not be secure. As such, you agree any such disclosure of information is at your own risk.

13. Our Services are not intended for use by children under the age of 18.

We do not knowingly collect personal information from children under the age of 18. If you are under 18 do not use our Services or provide any information about yourself including, without limitation, your name, address, email address or any screen name or user name you may use. If we learn that we have collected or received personal information from a child under 13 without verification of parental consent, in compliance with the Children's Online Privacy Protection Act, we will purge such information from our database and cancel the corresponding accounts. If you believe that we may have any information from or about a child under 13, please contact us at the address below. Please visit the FTC's website at www.ftc.gov for tips on protecting children's privacy online.

14. Changes to This Privacy Policy.

This Privacy Policy was published on the date "Last Modified" above.

We may change this Privacy Policy from time to time.– Changes to this Privacy Policy will be made by updating this page. Your continued use of our Services constitutes your acceptance of those changes. Please visit this Privacy Policy regularly to read the current version.

15. How to Contact Us.

Please contact us by post or email if you have any questions about this Privacy Policy or the information we hold about you.

Our contact details are shown below:

PredictionHealth, Inc.

PO Box 158778

Nashville, TN 37215

info@predictionhealth.com