

PWNHealth, LLC
Internet Privacy Policy/ Terms of Use
Effective Date: September 1, 2015

This **Privacy Policy & Terms of Use** ("Privacy Policy"), effective September 1, 2015 describes PWNHealth, LLC's ("PWN") online data collection practices and how we use and protect your personal information collected online. This Policy applies only to the information collected on the website at www.pwnhealth.com ("Website"), and does not apply to information that PWN obtains about you from other sources.

1. **Consent.** By using the Website, you consent to the collection and use of your information in the manner we describe in this Privacy Policy. **IF YOU DO NOT AGREE WITH THESE TERMS, DO NOT USE THIS WEBSITE.**

2. **Changes to our Policy.** We reserve the right to modify or amend this Privacy Policy at any time. All changes to this Privacy Policy will be effective immediately upon their posting to the Website. We will notify you of material changes to this Privacy Policy by conspicuously posting the changes on the Website. Information collected before changes are made will be treated in accordance with the previous Privacy Policy. Continued use of the Website after the effective date of a modified privacy policy will indicate your agreement to any modified terms. Each version of our Privacy Policy will be prominently marked with an effective date.

3. **HIPPA.** PWN's use and disclosure of certain of your information may be subject to the requirements of the Health Insurance Portability and Accountability Act of 1996 and its implementing regulations ("HIPAA") and applicable state law. Any information that you submit to us that constitutes "Protected Health Information," as defined by HIPAA, is subject to HIPAA and applicable state law. The term "Protected Health Information" or "PHI" refers to individually identifiable health information about your past, present or future physical or mental health or condition, the provision of health care to you or the past, present or future payment for such care. If any information collected on this Website constitutes PHI, then our Notice of Privacy Practices included in this Policy will apply.

4. **Personally Identifiable Information.**

a. **Personally Identifiable Information we Collect.** You may generally use this Website without disclosing personally identifiable information. However, use of certain features and functions of the Website may require you to submit personally identifiable information to us.

In your use of the Website, we may collect any information that you voluntarily share with us. This information may also be collected by a third party vendor, supplier or contractor on our behalf.

This information may be collected when you send us emails, voluntarily submit information to us via the Website This information may include your (1) contact information (such as name, address, email address and phone number), (2) age, (3) gender, (4) date of birth, (5) insurance information, (6) health and medical information or other PHI, (7) account numbers, (8) financial and payment information, including credit card and payment card information, and (9) any other information you choose to provide us, subject to applicable laws and the terms of this Privacy Policy.

We may use third party service providers to assist us in collecting and maintaining this personally identifiable information. However, we require such service providers to maintain the confidentiality of such information.

b. How we use Personally Identifiable Information we Collect. We will use personally identifiable information for: (i) the purpose for which you provide it; (ii) as otherwise may be disclosed at the point of collection; and/or (iii) for the purposes described below. In addition, we may use your personal information in the aggregate in a non-identifiable way in order to better understand the services being provided, how to improve these services and how to improve the Website. We may provide this aggregated information to third parties, but when we do so we do not provide any of your information without your express permission.

5. **Non-Personally Identifiable Information.** When you visit our Website, we (or a third party vendor or contractor on our behalf) may passively collect non-personally identifiable information about you.

a. IP Address. Your IP address may be collected. Your "IP address" is usually associated with the network location and physical location from which you enter the Internet. We log IP addresses for systems administration purposes. This information helps us determine how often different areas of our site are visited and we also use this information to personalize the content that is displayed to you on the Website based on your previous visits and the ads that you access. We do not link IP address to any information that is personally identifiable.

b. Cookies. We use cookies to track the use of our Website and to facilitate and enhance your experience on our Website by, among other things, displaying content that is personalized based on your previous visits and the ads that you access. The term "cookies" refers to electronic data stored by your computer browser. The cookies enable us to facilitate your access to different aspects of the Website. For example, by showing when and how you visit our Website, cookies help us to see which pages of the Website are popular and which are not. Cookies can also help us to improve your enjoyment of this Website, for example, by remembering your address or other information when you request information or services on the Website. We also use cookies for analytics, retargeting, and online behavioral advertising as set forth below.

Most web browsers automatically accept cookies, but you can disable this function so that your browser will not accept cookies. Please be aware that if you disable this function, it may impact your use and enjoyment of the Website.

c. Web Beacons and Pixel Tags. The term "web beacons" and "pixel tags" refer to Internet tools, such as transparent images on the Website or in emails that we may send to you that help us to determine whether a page has been viewed or an email opened. A pixel tag is a type of web beacon embedded in an image on the website. In general, any electronic image viewed as part of a web page, including a banner ad, can contain a pixel tag or other web beacon. We may also use these Internet technology tools allow us to track the internet browser most commonly used to access our site and the pages that are most popular, which statistics assist us in making our Website more user-friendly and accessible. Our Website may also have pixel tags from our vendors to help track your visit and set various cookies to manage ad content that may be delivered to you on the Website.

d. Statistical Identifiers and Device Recognition. We (or our vendors on our behalf) may employ statistical identifiers, also known as device recognition tools. These tools may be used to assist in managing the content and advertising on our Website by informing us (without using cookies) of the content that you use and view on the Website. These tools collect various information about your device, such as your screen resolution, browser type, and operating system. Many devices have unique, or near unique, device profiles such that collecting this information allows us and our vendors to determine with a reasonable level of statistical accuracy information on your engagement with our Website and advertisements on our Website, as well as your device when you interact with our Website. We do not tie this statistical information to your personal information.

e. Surveys. We may also ask that you participate in anonymous surveys, which allow us to collect additional data to help us improve our site. Participation in such surveys is voluntary and is not connected to any of your personal information.

f. Analytics. We use non-personally identifiable information in the aggregate to determine how much traffic the Website receives, to statistically analyze Website usage, to improve our content, and to customize the Website's content, layout and services. In addition, we may use your IP address to help diagnose problems with our server, to manage the Website and to enhance the Website based on the usage pattern data we receive.

6. **How we Disclose the Information we Collect.** Your information may be disclosed to or collected by third-party suppliers and service providers specifically involved in the processing of your information received via the Website and as otherwise necessary to manage our Website and provide the services you request. We may also use third party service providers to host the Website and gather and use on our behalf your personal information as contemplated by this Policy and applicable law. All such third

parties are subject to confidentiality obligations in an attempt to protect your information as much as is commercially reasonable.

We may also use or disclose your personal information to resolve disputes, investigate problems, and enforce our Website Terms of Use or any other agreement with PWN.

We may investigate and disclose information from or about you if we have a good faith belief that such investigation or disclosure is (a) reasonably necessary to comply with legal process and law enforcement instructions and orders, such as a search warrant, subpoena, statute, judicial proceeding, or other legal process served on us; (b) helpful to prevent, investigate, or identify possible wrongdoing in connection with the Website; or (c) protect our rights, reputation, property, or that of our users, affiliates, or the public.

If we, or any of our businesses, are sold or disposed of as a going concern, whether by merger, reorganization, sale of assets or otherwise, or in the event of an insolvency, bankruptcy or receivership, any and all personally identifiable information, including your Account information may be one of the assets sold or merged in connection with that transaction. Information about you may also need to be disclosed in connection with a commercial transaction where we are seeking financing, investment, support or funding. In such transactions, personal information will be subject to the promises made in any pre-existing Privacy Policy in effect when the information was obtained.

Except as stated in this Policy, we do not sell, distribute, or release to a third party your personal information without notice to you.

7. **Access to your Personally Identifiable Information.** Upon written request and verification of your identity, we will provide you with your personal information in our possession as well as the personal information, if any, that we have disclosed to third parties. Requests for such information should be sent to the contact information below. You may also update, correct, or delete your personal information in our possession by contacting us.

8. **Handling of Electronic Records and Backup.** In general, we will retain all information collected through the Website for, at a minimum, the length of time permitted by law. However, we will delete any personally identifiable information in our database upon your request or as otherwise required by law. We may retain non-personally identifiable information indefinitely.

We maintain backup files as a protection against natural disasters, equipment failures, or other disruptions. Backup files protect you and us because they lower the risk of losing valuable data. Backup files may contain records with your personal information. Removing a record from our active files and databases does not remove that record from any backup systems. Such backup data will eventually be passively deleted as backup records are erased through the normal recycling of backup files. In the meantime, as long as backup records exist, they receive the same security protections as our other records.

9. **Destruction of PHI.** A record of all files containing protected health information that are destroyed or disposed will be made and retained permanently by PWN. Permanent retention is required because the records of destruction/disposal may become necessary to demonstrate that the consumer information records were destroyed/disposed of in the regular course of business. Records of destruction/disposal should include:

- Date of destruction/disposal.
- Method of destruction/disposal.
- Description of the destroyed/disposed record series or medium.
- Inclusive dates covered.
- A statement that the consumer information records were destroyed/disposed of in the normal course of business.
- The signatures of the individuals supervising and witnessing the destruction/disposal.

10. **Security.** Communications between your browser and portions of the Website containing personally identifiable information may be protected with various forms of encryption. This encryption is to help protect your information while it is being transmitted. Once we receive your information we strive to maintain the physical and electronic security of your personal information using commercially reasonable efforts.

HOWEVER, NO DATA TRANSMISSION OVER THE INTERNET OR ANY WIRELESS NETWORK CAN BE GUARANTEED TO BE PERFECTLY SECURED. AS A RESULT, WHILE WE STRIVE TO PROTECT YOUR PERSONAL INFORMATION USING COMMERCIALY AVAILABLE AND INDUSTRY STANDARD TECHNOLOGY, WE CANNOT ENSURE OR GUARANTEE THE SECURITY OF ANY INFORMATION YOU TRANSMIT TO US, AND YOU DO SO AT YOUR OWN RISK.

11. **Security Breach.** If we determine that your personal information has or may reasonably have been disclosed due to a security breach of our systems, we will notify you to the extent required by applicable state and federal law, using your information that we have on file.

12. **Third Party Privacy.** This Privacy Policy applies only to the Website as provided by PWN. This Website may contain links to other websites, which may be subject to a different privacy policy or are otherwise maintained or provided by a third party. We are not responsible for the privacy practices of any third party website you access from this Website. You should review the privacy policy of every website before using the website or submitting any information to the website.

13. **COPYING OR REPRODUCTION OF ANY PORTION OF THIS WEBSITE TO ANY OTHER SERVER, LOCATION, WEBSITE OR ANY THIRD**

PARTY FOR FURTHER REPRODUCTION OR REDISTRIBUTION IS EXPRESSLY PROHIBITED.

Notice of Privacy Practices Regarding Health Information

This notice describes how medical information about you may be used and disclosed, and how you can get access to this information. Please review it carefully.

How we May Use and Disclose your Health Information. We may use your health information and disclose it to appropriate persons, authorities and agencies, as allowed by federal and state law. Please be aware that state and federal law may have more requirements than HIPAA on how we use and disclose your health information. If there are specific, more restrictive requirements, even for some of the purposes listed above, we may not disclose your health information without your written permission as required by such laws. We may also be required by law to obtain your written permission to use and disclose your information related to treatment for a mental illness, developmental disability, or alcohol or drug abuse. We may do this without your written permission for the following limited purposes:

1. Treatment.
2. Payment.
3. Required by Law.
4. Public Health.
5. Reporting Victims of Abuse or Neglect.
6. Health Care Oversight.
7. Legal Proceedings & Law Enforcement.
8. Death.
9. Serious Threats to Health or Safety.

Your Health Information Rights. As a patient or customer who receives health care services from PWNHealth, LLC, you have the right to:

1. Read and copy your health information.
2. Request to correct your health information.
3. Request to restrict certain uses and disclosures of your information. You have the right to request in writing that we restrict how your health information is used or disclosed. For most requests, under the law, we are not required to agree to your request. In some cases, we may not be able to agree to your request because we do not have a way to tell everyone who would need to know about the restriction. There are other instances in which we are not required to agree with your request. We will inform you when we cannot find a way to carry out your request.
4. Receive a record of how we disclosed your information.
5. Receive notification of a breach and obtain a paper copy of this notice.

Contact us at info@pwnhealth.com with any questions or concerns regarding the above.