

<b>IMD Solutions, Inc. Privacy Policy</b>
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Please read this Privacy Policy (“Privacy Policy”) carefully. To use the Services as defined in our Terms and Conditions, you, as a User of the Services as defined in the IMD Solutions, Inc. Terms and Conditions (“Terms & Conditions”) referenced below, must consent to this Privacy Policy. If you do not consent to the terms of the Privacy Policy, please do not access or use the Services. This notice describes how protected health information about you may be used and disclosed and how you can get access to this information.

**PLEASE REVIEW IT CAREFULLY.**

This Privacy Policy incorporates by reference our HIPAA Notice of Privacy

**Practices.**

**1. INTRODUCTION**

- 1.1.** This Privacy Policy applies when IMD Solutions, Inc. is collecting, processing, holding, storing or disclosing your individually identifiable health information that we collect as a health care provider subject to the Health Insurance Portability and Accountability Act (“HIPAA”) (these entities are often called Covered Entities under HIPAA). Your privacy is important to IMD Solutions, Inc. and IMD Solutions, Inc. is committed to carefully managing your individually identifiable information (“Personal Information”) in connection with the Services that IMD Solutions, Inc. provides.
- 1.2.** **“Personal Information”** means any information that may be used, either alone or in combination with other information, to personally identify an individual, including, but not limited to, a first and last name, a personal profile, an email address or other contact information. This can include all protected information collected through the IMD Solutions, Inc. products, but also collected and processed by IMD Solutions through online activities and services we offer. This Privacy Policy describes the information practices for IMD Solutions, Inc., including what type of information is gathered and tracked, how the information is used, and with whom the information is shared. IMD Solutions, Inc. is committed to protecting the privacy of the data you provide in the Service as appropriate, but at the same time encouraging you to interact with and share information about your progress with other users using the Services.

- 1.3.** IMD Solutions, Inc. is also committed to protecting the privacy of your protected health information (“Protected Health Information”). “Protected Health Information” is a subset of Personal Information that is information about you, including demographic information, that may identify you and that relates to your past, present or future physical or mental health or condition; related health care services; or related to the past, present, or future payment for the provision of health care to you.
- 1.4.** For a description of how we may use and disclose your Protected Health Information to carry out treatment, payment or health care operations and for other purposes that are permitted or required by law, including the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), please refer to our HIPAA Notice of Privacy Practices (“HIPAA Notice”). Any conflict between this Privacy Policy and the HIPAA Notice with respect to such submitted Protected Health Information shall be governed by the HIPAA Notice.
- 1.5.** Each User’s participation is also governed by the IMD Solutions, Inc., Terms and Conditions which is entered into and agreed to by each User prior to using the Website and the Mobile App. Unless we define a term in this Privacy Policy, all capitalized terms used in this Privacy Policy have the same meanings set forth in our Terms & Conditions.

## **2. INFORMATION THAT IMD SOLUTIONS, INC. COLLECTS**

- 2.1. Personal Information.** We have implemented this Privacy Policy because your privacy, and the privacy of other Service users, is important to us. We operate in accordance with applicable data protection legislation and regulations. We recognize the importance of protecting the privacy of Personal Information collected about our users. This Privacy Policy discloses what Personal Information we gather, how we use it, and how you can correct or change it. It is our intention to give you as much control over your Personal Information as possible to preserve your privacy, while still allowing us to utilize that Personal Information in the course of our business to provide you a valuable service.
- 2.2. Consent and Modification.** By using the Service, you consent to the terms of this Privacy Policy and to our processing of Personal Information for the purposes set forth herein. If you do not agree to this Privacy Policy, please do not use the Service. We reserve the right, at our discretion, to change this Privacy Policy at any time, which change shall become effective upon posting by the Company on the Website, the Mobile App, via the Service or sending you an email or other

notification. You will be deemed to have agreed to Additional Terms (as defined in the Terms & Conditions) by your decision to continue accessing the Mobile App or the Website or otherwise using any of the Services following the date in which such Additional Terms become effective. **By using the Services, you also consent to our use of Personal Information both retrospectively and prospectively.**

**2.3. Receipt and Collection of Information.** We collect Personal Information from Users. In each case, you will only be required to provide the Personal Information that we need in order to be able to provide the services you have requested. You may be entitled under data protection laws to access and review the Personal Information that we hold on you, if you provide the necessary consent and background information and pay any mandated fee. All such communications regarding access to your personal data should be addressed to: [Ardelle.stgeorge@stgeorgecarnegie.com](mailto:Ardelle.stgeorge@stgeorgecarnegie.com). Such inquiries should clearly be marked as data protection queries and as being time sensitive. In particular, we receive and/or collect Personal Information from you in the following ways:

**2.3.1.** IMD Solutions, Inc. may collect and process Personal Information when User registers for or uses the Services.

**2.3.2.** IMD Solutions, Inc. uses may collect and process certain Personal Information from User such as the User's name, telephone number, e-mail address, mailing address, telephone number, user name, and password. IMD Solutions, Inc. uses the Users' Personal Information that IMD Solutions, Inc. collects for the following general purposes: to fulfill User's request for use of certain features of the Website and/or the Mobile App, to conduct surveys, and for IMD Solutions, Inc.'s billing purposes.

**2.3.3.** IMD Solutions, Inc. uses may also collect and process Personal Information relating to User's use of the Services and any details of any e-mail correspondence or any other social media interactions that User has with IMD Solutions, Inc. uses. IMD Solutions, Inc. uses will collect only as much Personal Information as IMD Solutions, Inc. needs for the purposes specified in this Privacy Policy, for purposes specified at the time of collection of the Personal Information, or for other purposes that you consent to in the future.

**3. PERSONAL HEALTH INFORMATION.** IMD Solutions, Inc. may obtain your personal health information from your health care provider upon User's request and prior approval. IMD Solutions, Inc. uses may collect certain personal health information [through

connected devices and by other means] such as User's height, weight, blood pressure, blood glucose and gender, and display User's biometrics to User based on these inputs.

**4. DEMOGRAPHIC & NON-IDENTIFYING INFORMATION.** IMD Solutions, Inc. uses may collect and process demographic information from or about User from time to time, such as information about User's gender, age, country, and zip code ("Demographic Information"). IMD Solutions, Inc. may collect this information through various forms and in various places in the Services, including account registration forms, contact forms, or when User otherwise interacts with the Website and/or the Mobile App. To the extent that IMD Solutions, Inc. uses combines any non-personally identifiable Demographic Information with User's Personal Information that IMD Solutions, Inc. collects directly from User on the Website and the Mobile App, IMD Solutions, Inc. will treat the combined data as Personal Information under this Privacy Policy. IMD Solutions, Inc. also collects data about User, including about User's make-up, fitness level, health indicators, and related information that does not identify User and that enables User to fully participate in the Service.

**5. INFORMATION IMD SOLUTIONS, INC. COLLECTS OR STORES AS USER ACCESSES AND USES THE SERVICES.** In addition to any Personal Information or other information that User chooses to submit to IMD Solutions, Inc. via IMD Solutions, Inc.'s Services, IMD Solutions, Inc. and IMD Solutions, Inc.'s third party service providers may use a variety of technologies that automatically (or passively) store or collect certain information whenever User visits or interacts with the Services ("Usage Information"). This Usage Information may be stored or accessed using a variety of technologies that may be downloaded to User's personal computer, browser, laptop, tablet, mobile phone or other device ("Device") whenever User visits or interacts with IMD Solutions, Inc.'s Website or the Mobile App. To the extent IMD Solutions, Inc. associates Usage Information with User's Personal Information IMD Solutions, Inc. collects directly from User on the Website, IMD Solutions, Inc. will treat it as Personal Information.

**6. USAGE INFORMATION.** This Usage Information may include:

- User's IP address, UDID or other unique identifier ("Device Identifier"). A Device Identifier is a number that is automatically assigned to User's Device used to access the Website or Mobile App, and IMD Solutions, Inc.'s computers identify User's Device by its Device Identifier;
- User's Device functionality (including browser, operating system, hardware, mobile network information);
- User's subscription level;

- the URL that referred User to IMD Solutions, Inc.'s Website;
- the areas within IMD Solutions, Inc.'s Website or Mobile App that User visits and User's activities there, including remembering User, User's preferences and pages User requested and/or viewed;
- User's Device location;
- User's Device characteristics; and
- certain other Device data, including the time of day, among other information.

**7. Tracking Technologies.** IMD Solutions, Inc. may use various methods and technologies to store or collect Usage Information ("Tracking Technologies"). Tracking Technologies may set, change, alter or modify settings or configurations on User's Device. This information may be shared with partners in order to accomplish various health and business purposes, including but not limited to a) measuring and improving the user experience, b) capturing user participation and adherence to the treatment logic of the application, c) measuring completion of various milestones tied to health or business outcomes, d) auditing participation and performance of individual participants, for both health and billing purposes.

## **8. USE OF PERSONAL INFORMATION**

**8.1.** Except as set forth in this Privacy Policy or as specifically agreed to by User, IMD Solutions, Inc. will not disclose any information IMD Solutions, Inc. gathers from User. Except as set forth in this Privacy Policy, IMD Solutions, Inc. does not share User's Personal Information with third parties for those third parties' direct marketing purposes. IMD Solutions, Inc. may provide to third parties information about User that does not allow User to be identified or contacted, including where such information is combined with similar information of other users of IMD Solutions, Inc.'s Website, Mobile App and Services. For example, IMD Solutions, Inc. might inform third parties regarding the number of unique users who visit and/or use IMD Solutions, Inc.'s Services, the demographic breakdown of the registered users of IMD Solutions, Inc.'s Services, or the activities that users engage in while on IMD Solutions, Inc.'s Website or Mobile App.

**8.2.** IMD Solutions, Inc. may use User's information that IMD Solutions, Inc. collects about User:

- to contact User occasionally to inform User of new Services features, or news or articles IMD Solutions, Inc. thinks will be of interest to User. IMD Solutions, Inc. may send User regular updates on issues IMD Solutions, Inc. thinks will be of interest to User;

- to contact User with regard to User's use of the Services and, in IMD Solutions, Inc.'s discretion, changes to the Services and/or the service policies;
- for internal business purposes;
- for purposes disclosed at the time User provides User's information or as otherwise set forth in this Privacy Policy;
- to provide User with information or services or process transactions that User has requested or agreed to receive including to send User electronic newsletters;
- to provide User with marketing materials or relevant advertising, promotions and recommendations from IMD Solutions, Inc. or our business partners;
- to enable User to participate in a variety of the Service features;
- to process User's account registration, including verifying User's information is active and valid;
- to identify User as the author of any comments that User sends to IMD Solutions, Inc. to be posted on the Website or Mobile App;
- to ensure that content on the Website and Mobile App is presented in the most effective manner for User and for User's computer or mobile device;
- to provide User with information relating to any events held by IMD Solutions, Inc., where User has consented to be contacted for such purposes; and
- to provide User with access to User's personal account. User can always opt out of utilizing the Service, and accordingly opt out of IMD Solutions, Inc.'s use of User's Personal Information, by sending an email to [Ardelle.stgeorge@stgeorgecarnegie.com](mailto:Ardelle.stgeorge@stgeorgecarnegie.com).

## **9. DISCLOSURE OF INFORMATION TO THIRD PARTIES**

**9.1.** IMD Solutions, Inc. may share User's Personal Information, including performance measurement information associated with User's name that is collected or generated at the Website, Mobile App or through the Services.

**9.2.** Personal Information may occasionally be transferred to third parties who act for IMD Solutions, Inc. for further processing in accordance with the purposes for which the data was originally collected or for purposes to which User has subsequently consented. For example, sometimes a third party may have access to User's Personal Information in order to support IMD Solutions, Inc.'s information technology or to handle mailings on IMD Solutions, Inc.'s behalf. If IMD Solutions, Inc. transfers User's Personal Information to an outside agent or organization for such purpose, IMD Solutions, Inc. will take appropriate

measures in an effort to protect User's privacy and the Personal Information IMD Solutions, Inc. transfer.

**9.3.** IMD Solutions, Inc. may, in IMD Solutions, Inc.'s sole discretion, share or transfer Personal Information where permitted or required by law, to comply with legal process, to interact with anti-fraud databases, to protect User's vital interests, to protect the security or integrity of IMD Solutions, Inc.'s databases or the Website and the Mobile App, to enforce the Terms & Conditions or protect the business or reputation of IMD Solutions, Inc. and/or its Business Customers, to take precautions against legal liability, to protect and defend the rights or property of IMD Solutions, Inc. and/or its Business Customers, for required institutional risk control, or for resolving disputes, inquiries or complaints with respect to User's use of the Website, Mobile App and Services.

**9.4.** IMD Solutions, Inc. reserves the right to disclose and transfer all Personal Information: (i) to an operator of the Website or Mobile App or applicable database provided such entity agrees to be bound by the terms and conditions hereof to the extent applicable; or (ii) to a successor in interest of IMD Solutions, Inc. in connection with a merger, consolidation, restructuring, change of control, the sale of substantially all of IMD Solutions, Inc.'s interests and/or assets or other organizational change, including, during the course of any due diligence process, provided such successor entity agrees to be bound by the terms and conditions hereof.

## **10. USER CONTENT**

**10.1.** "User Content" is any content, materials or information (including without limitation, any text, information, graphics, messages, photos, images or nutritional information), data, questions, comments, suggestions or other content, including personally identifiable information that you upload, send, email, display, perform, distribute, post or otherwise transmit to us, at our request or on your own, on or through the Services.

**10.2.** IMD Solutions, Inc. or others may store, display, reproduce, publish, distribute or otherwise use User Content online or offline in any media or format (currently existing or hereafter developed) and may or may not attribute it to User.

**10.3.** When the User posts information in places accessible to Others, Others may have access to this User Content and may have the ability to share it with third parties. Please think carefully before deciding what information User shares, including Personal Information, in connection with User's User Content. Be aware that public postings (including group messaging with other Users) are not confidential. Please note that IMD Solutions, Inc. does not control who will have access to the information that User chooses

to make public and cannot ensure that parties who have access to such publicly available information will respect User's privacy or keep it secure. IMD Solutions, Inc. is not responsible for the privacy or security of any information that User makes publicly available on the Service, the Mobile App or Website or what others do with information User shares with them on the Mobile App and Website.

**10.4.** IMD Solutions, Inc. is not responsible for the accuracy, use or misuse of any User Content that User discloses or receives from third parties through the Service.

**10.5.** IMD Solutions, Inc. may also publish User's name, voice, likeness and other Personal Information that is part of User's User Content, and IMD Solutions, Inc. may use the content, or any portion of the content, for advertising, marketing, publicity and promotional activities, provided that IMD Solutions, Inc. will not exercise such rights as to any User Content which identifies User in a public manner unless User provides a separate consent to IMD Solutions, Inc. in writing (email is sufficient) authorizing such use.

**11. ANONYMOUS INFORMATION.** We may use Anonymous Information (as defined below), or disclose it to third party service providers, to provide and improve the Service. We may also disclose Anonymous Information (with or without compensation) to third parties, including advertisers and partners, for purposes including, but not limited to, targeting advertisements. "Anonymous Information" means information which does not enable identification of an individual user, such as aggregated information about use of the Service. By using the Services, you also consent to our use of Anonymous Information both retrospectively and prospectively.

**12. INFORMATION COLLECTION AND CHILDREN.** The Service is neither directed to nor structured to attract children under the age of 13 years. Accordingly, we do not intend to collect Personal Information from anyone we know to be under 13 years of age. We will direct potential users under 13 years of age not to use the Service. If we learn that Personal Information of persons less than 13 years of age has been collected without verifiable parental consent, then we will take the appropriate steps to delete this information.

## **13. SECURITY**

**13.1.** The security of your Personal Information is important to us. We follow generally accepted industry standards, including the use of appropriate administrative, physical and technical safeguards, to protect the Personal Information submitted to us. However, no method of transmission over the Internet, or method of electronic storage, is 100% secure. Therefore, while we strive to use commercially acceptable means to protect Personal Information, we cannot guarantee its absolute security or confidentiality.



**13.2.** Please be aware that certain Personal Information and other information provided by you in connection with your use of the Services may be stored on your device (even if we do not collect that information). You are solely responsible for maintaining the security of your device from unauthorized access.

**14. AMENDMENTS.** IMD Solutions, Inc. reserves the right to amend this Privacy Policy at any time as needed with notice provided to User. Changes will take effect upon User's acceptance of the modified terms and User's continued use of the Website, Mobile App and/or Services. Last Updated: October 30, 2020 Notice of HIPAA Privacy Practices This publication of this Notice of Privacy Practices ("Notice") is required by the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"). It describes how the IMD Solutions, Inc. Diabetes Prevention and Weight Loss program that IMD Solutions, Inc., P.B.C. provides (collectively, "IMD Solutions, Inc.," "we," "us," or "our") may use and disclose your "Protected Health Information," which is defined as information about you, including demographic information, that may identify you and that relates to your past, present or future physical or mental health or condition; related health care services; or related to the past, present, or future payment for the provision of health care to you. HIPAA requires us to adhere by the terms of this Notice of Privacy Practices. We may change the terms of our notice at any time and those revised terms will apply to your Protected Health Information. You acknowledge receipt of this Notice by accepting our Terms & Conditions for using the Services provided by IMD Solutions, Inc.. As set out in our Privacy Policy, you have agreed to our **Privacy Policy by use of the Services.**

## **15. UTILIZATION OF PROTECTED HEALTH INFORMATION**

**15.1.** Your Protected Health Information may be used and disclosed by IMD Solutions, Inc. and its business associates (collectively, "IMD Solutions, Inc.") as defined in our Privacy Policy, and by others outside IMD Solutions, Inc. that are involved in your care and treatment for the purpose of providing health care services to you.

**15.2.** Examples of usage of your Protected Health Information includes, but is not limited to, the following:

- *Payment:* Your Protected Health Information may be used to obtain payment for your health care services from third parties.

- *Support Operational Activities:* Including, but not limited to, quality assessment activities, review activities, training, licensing, and conducting or arranging for other business activities.

- *Sharing with Business Associates:* We may share your Protected Health Information with "business associates" or other third parties that perform billing and

healthcare services for IMD Solutions, Inc. We have in place business associates agreements that protect the privacy of your Protected Health Information.

● *Disclosure Required By Law:* Such use or disclosure will be made in compliance with the law and you will be notified by us of such use.

● *Public Health:* We may disclose your Protected Health Information for public health activities and purposes to a public health authority that is permitted by law to collect or receive the information.

● *Health Oversight:* Similarly, we may disclose Protected Health Information to a health oversight agency for activities authorized by law, such as audits, investigations, and inspections. Oversight agencies seeking this information include government agencies that oversee the health care system, government benefit programs, other government regulatory programs and civil rights laws.

● *Law Enforcement:* We may disclose Protected Health Information, so long as applicable legal requirements are met, for law enforcement purposes.

● *Threat to Public Safety:* Consistent with applicable federal and state laws, we may disclose your Protected Health Information if we believe that the use or disclosure is necessary to prevent or lessen a serious and imminent threat to the health or safety of a person or the public.

● *Information Not Personally Identifiable.* We may use or disclose your Protected Health Information in ways that do not personally reveal your identity. 3. By using the Services, you consent to our use of Protected Health Information as described herein both retrospectively and prospectively.

## **16. INSPECTION OF PROTECTED HEALTH INFORMATION AND RESTRICTIONS ON ITS USE**

**16.1.** You have the right to inspect and copy your Protected Health Information subject to applicable legal restrictions. You may inspect and obtain a copy of your Protected Health Information as long as we maintain it.

**16.2.** You have the right to request a restriction on the use or disclosure of your Protected Health Information. This means you may ask us not to use or disclose any part of your Protected Health Information for the purposes of treatment, payment or healthcare operations. If IMD Solutions, Inc. believes it is in your best interest to permit use and disclosure of your Protected Health Information, however, your Protected Health Information will not be restricted.

**16.3.** You have the right to request to receive confidential communications of your Protected Health Information from IMD Solutions, Inc. by alternative means or at an alternative location and we will accommodate reasonable requests.

**17. ELECTRONIC COMMUNICATIONS.** You may always contact us at [Ardelle.stgeorge@stgeorgecarnegie.com](mailto:Ardelle.stgeorge@stgeorgecarnegie.com) and choose to communicate with us electronically. However, we warn you that we can make no guarantee that the email will be or will remain encrypted during the data transfer, and that there may be some level of risk that the information in the email could be read by a third party. By communicating with us via email, and, especially by making a request(s) to receive your information via unencrypted email, you acknowledge that you are aware that email is not a secure method of communication, and that you agree to the risks.

**18. COMPLAINTS.** You may complain to us or to the Secretary of Health and Human Services if you believe your privacy rights have been violated by us. You may file a complaint with us by notifying our Privacy Contact of your complaint by delivering your complaint to the following address: Complaints IMD Solutions, Inc. by Email to Zachary Smith at: [zsmith0615@gmail.com](mailto:zsmith0615@gmail.com).