

WEBSITE and INTERNET PRIVACY POLICY

This Internet Privacy Policy (“Privacy Policy”) describes ChartFill, Inc. d/b/a iPatientAxis (“iPatientAxis”) online data collection practices and how we use and protect your personal information collected online. This Privacy Policy applies only to the information collected on the general website (<https://www.ipatientaxis.com/>) and does not apply to information that iPatientAxis obtains about you from other sources. We are committed to protecting your privacy online. Please read the information below to learn the following regarding your use of this site.

YOUR CONSENT:

By using the Website, you consent to the collection and use of your information in the manner we describe in this Privacy Policy. You acknowledge receipt of this Privacy Policy by accessing or using our site and agree to be bound by all of its terms and conditions. IF YOU DO NOT AGREE TO THESE TERMS, PLEASE DO NOT ACCESS OR USE THIS SITE.

CHANGES TO OUR POLICY:

We reserve the right to change this Privacy Policy at any time. Such changes, modifications, additions, or deletions shall be effective immediately upon notice thereof, which may be given by posting the revised Privacy Policy on this page. You acknowledge and agree that it is your responsibility to review this site and this Privacy Policy periodically and to be aware of any modifications. Each version of our Privacy Policy will be prominently marked with an effective date. Your continued use of the site after such modifications will constitute your: (a) acknowledgment of the modified Privacy Policy; and (b) agreement to abide and be bound by the modified Privacy Policy.

TYPES OF INFORMATION COLLECTED:

We currently do not collect information about users of or visitors to iPatientAxis.com. However, if you communicate to us through iPatientAxis.com, we will collect any information you provide us. 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 information using commercially available and industry standard encryption technology, we cannot ensure or guarantee the security of any information you transmit to us, and you do so at your own risk. Accordingly, we respectfully request that you NOT provide any Protected Health Information (“PHI”), or electronic Protected Health Information (“ePHI”) to us using the iPatientAxis.com website, as any PHI/ePHI disclosed to us using this website is not secured nor safeguarded; we certainly want to ensure the appropriate administrative, physical, and technical safeguards are in place for you to protect your own information.

Federal, State, and Other Privacy Laws:

1. HIPAA/HITECH: iPatientAxis protects and secures all PHI/ePHI through administrative, physical, and technical safeguards consistent with the requirements of Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) [45 C.F.R. Parts 160, 162, 164], and its implementing rules and regulations, as well as the mandates of the Health Information Technology for Economic and Clinical Health Act (“HITECH”) [42 U.S.C. 13001, et. seq.].

a. iPatientAxis has a responsibility to protect individually identifiable health information under the regulations implementing HIPAA/HITECH as well as other federal and state laws protecting the confidentiality of personally identifiable information, and under general professional ethics. As such, iPatientAxis has adopted administrative, physical, and technical safeguards to comply with HIPAA/HITECH.

2. GDPR: iPatientAxis also take appropriate safeguards to protect Personal Data (“PD”) and other information that may be subject to the General Data Protection Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (“GDPR”) requiring the protection of natural persons with regard to the processing of personal data and on the free movement of such data.

a. It is the policy of iPatientAxis to remain compliant with the Privacy Notice Requirements of GDPR as it pertains to individuals within the European Union as designated by the European Commission or Swiss Federal Data Protection Authority and particularly on the protection of natural persons with regard to the processing of personal data and on the free movement of such data. All personnel of iPatientAxis whom are responsible for processing, importing, or exporting personal data, including PHI of individuals who are patients that are being or have been treated by International Medical Record Providers, comply with the GDPR. The Chief Privacy Officer of iPatientAxis is the Controller for GDPR compliance and ensures that Personal Data is processed on behalf of a patient in accordance with GDPR and iPatientAxis standard policies on privacy and security and protecting health information.

3. SHIELD: iPatientAxis has also developed, implemented, and maintains a data security program consistent with the New York State Stop Hacks and Improve Electronic Data Security (“SHIELD”) Act [N.Y. General Business Law §899-aa and §899-bb, and N.Y. Technology Law §208] that includes Administrative, Physical, and Technical Safeguards that provide reasonable safeguards to protect the security, confidentiality and integrity of private information.

a. iPatientAxis is obligated to disclose any breach of the security of its data systems to New York residents whose “private information” was, or is reasonably likely to have been, accessed or acquired without authorization by a third party consistent with NY General Business Law §899-aa. The disclosure must be made without unreasonable delay, and, in certain instances, disclosure may also need to be made to law enforcement and the New York Attorney General within five (5) business days of notifying the United States Secretary of the Department of Health and Human Services of a breach of information.

b. iPatientAxis Chief Privacy Officer is designated as the appropriate individual to confirm that the corporation has a Data Security Program that is continuously updated by the Information Security Officer (or Acting Information Security Officer) and distributed for training to the Security and Compliance personnel of the corporation. In addition, iPatientAxis Chief Privacy Officer is designated as the appropriate individual to provide any required breach notification to a customer, patient, consumer, Secretary of the United States Health

and Human Services, or the New York State Attorney General.

4. CCPA: iPatientAxis is considered a business associate of healthcare covered entities such as hospitals and medical facilities. Accordingly, protected health information that is collected by a covered entity or business associate is governed by the privacy, security, and breach notification rules of HIPAA, HITECH, and the State of California Confidentiality of Medical Information Act (Part 2.6 (commencing with Section 56) of Division 1). Notwithstanding, iPatientAxis has also developed and implemented a California Consumer Privacy Policy that is compliant with California Consumer Privacy Act of 2018 (“CCPA”) [California Civil Code 1798.100, et. seq.].

a. iPatientAxis does not sell any Personal Information or otherwise collect, retain, use or disclose Personal Information for any purpose other than the services it provides as a business associate to its clients who are healthcare covered entities. Notwithstanding, iPatientAxis may retain, use or disclose Personal Information for the following purposes pursuant to the CCPA: (i) to process or maintain Personal Information on behalf of a Covered Entity as defined by HIPAA/HITECH and in compliance with the State of California Confidentiality of Medical Information Act (Part 2.6 (commencing with Section 56) of Division 1), and the CCPA; (ii) to retain and employ a Service Provider as a subcontractor, where the subcontractor meets the requirements for a Service Provider under the CCPA; (iii) for internal use by iPatientAxis to build or improve the quality of its services, provided that the use does not include building or modifying household or consumer profiles to use in providing services to another Business or correcting or augmenting data acquired from another source; (iv) to detect data security incidents, or protect against fraudulent or illegal activity; or (v) for the purposes enumerated in Cal. Civ. Code section 1798.145(a):

- (1) Comply with federal, state, or local laws.
- (2) Comply with a civil, criminal, or regulatory inquiry, investigation, subpoena, or summons by federal, state, or local authorities.
- (3) Cooperate with law enforcement agencies concerning conduct or activity that the business, service provider, or third party reasonably and in good faith believes may violate federal, state, or local law.
- (4) Exercise or defend legal claims.
- (5) Collect, use, retain, sell, or disclose consumer information that is deidentified or in the aggregate consumer information.
- (6) Collect or sell a consumer's personal information if every aspect of that commercial conduct takes place wholly outside of California. For purposes of this title, commercial conduct takes place wholly outside of California if the business collected that information while the consumer was outside of California, no part of the sale of the consumer's personal information occurred in California, and no personal information collected while the consumer was in California is sold. This paragraph shall not permit a business from storing, including on a device, personal information about a consumer when the consumer is in California and then

collecting that personal information when the consumer and stored personal information is outside of California.

b. Consistent with Cal. Civ. Code section 1798.145(c)(1), protected health information that is collected by a covered entity or business associate is governed by the privacy, security, and breach notification rules of HIPAA, HITECH, and the State of California Confidentiality of Medical Information Act (Part 2.6 (commencing with Section 56) of Division 1). iPatientAxis has implemented and maintains reasonable security measures, procedures and practices appropriate to the nature of the Personal Information and as required by the CCPA and any other applicable laws in connection with the Personal Information to protect such information from unauthorized access, destruction, use, modification or disclosure. iPatientAxis will timely provide all information and cooperation reasonably necessary in the event of a security incident or a breach of Personal Information, and will take all measures and actions necessary to remedy or mitigate the effects of a security incident or breach of personal Information. Regardless of the federal, state, or other privacy law that may also protect your privacy, iPatientAxis does not disclose your information to others. Occasionally, we may be required by law enforcement, government agencies, or judicial authorities to provide identifiable information to the appropriate governmental authorities. We will disclose information upon receipt of a court order, subpoena, or to cooperate with a law enforcement or government agency investigation. We fully cooperate with law enforcement agencies in identifying those who use our services for illegal activities. We reserve the right to report to law enforcement agencies any activities that we in good faith believe to be unlawful.

USER CHOICES ON COLLECTION AND USE OF INFORMATION; RIGHT TO OBJECT OR OPT OUT:

We may, from time to time, send emails regarding our services. In addition, if you indicated through contacts with us, that you are interested in receiving offers or information from us and our partners, we may occasionally send you direct mail or emails about services we feel may be of interest to you. iPatientAxis will send you these direct mailings and only if you indicated that you do not object to these offers and/or desire to opt out of receiving such communication. On occasion a contracted vendor may be used to send the direct mailings. If you do not want to receive such mailings, simply tell us when you give us your information.

PRIVACY POLICIES OF THIRD-PARTY SITES:

Except as otherwise discussed in this Privacy Policy, this document only addresses the use and disclosure of information we collect from you. Other sites accessible through our site have their own privacy policies, data collection, use and disclosure practices. Please consult each site's privacy policy. We are not responsible for the policies or practices of any third-party website you access from this Website including facebook.com, LinkedIn.com, YouTube.com and others that we may utilize on our site.

NO MEDICAL CARE NOR ADVICE

iPatientAxis does not provide medical care and cannot guarantee clinical outcomes. The

information contained in the Website, newsletters, emails or other information or content provided by iPatientAxis, is neither intended nor implied to constitute medical advice, diagnosis or treatment. We do not endorse, sponsor or recommend any of the third parties referenced on the Website, newsletters, emails or other information or content provided by us, nor any products, services, treatments, information or content provided by such third parties.

MISCELLANEOUS PROVISIONS AND DISCLAIMERS:

Errors and/or omissions in the website, are unintentional and excepted. iPatientAxis assumes no responsibility, and shall not be liable for any damage or injury to you, your computer or other personal property including, but not limited to, damages caused by viruses that infect your computer equipment or other property on account of your access to our Website or from your downloading of any materials, data, text, images, video or audio, or other items from the Website. All responsibility and liability for any damages caused by viruses contained within the electronic files of this site are disclaimed. The user is advised to make his/her own arrangements for protection of his/her computer resources from such viruses. Some links in this Website may lead to websites which are not under our control. You should understand that providing a link does not mean that we have looked at all those sites, that we have checked them out, or that we endorse them. External sites are not endorsed by us and we make no representation or warranty as to the contents contained in any such external website. When you visit any of those websites you will leave our website and we will accept no responsibility or liability in respect of the material or any website which is not under our control. We disclaim any responsibility if some website you link to has material on it that offends you in any way. Any advertisements seen on the site is not an indication of the responsibility of iPatientAxis for any content on such advertisement and we provide hyperlinks of such advertisements to their respective sites without any knowledge or responsibility for such provision. Such advertisements are displayed purely as a business contract between the advertiser and ourselves to lend space on our website's pages for a specified period of time. This website is provided as a service to our visitors. We reserve the right to delete, modify or supplement the content of this website at any time for any reason without notification to anyone. Any and all portions of this disclaimer shall automatically apply to all modifications, additions, improvements and/or Amendments as they appear on the website.

CHILDREN UNDER THE AGE OF 13:

We believe in the importance of protecting the privacy of children online. The Children's Online Privacy Protection Act ("COPPA") governs information gathered online from or about children under the age of 13. No part of the Website, or any services made available through the Website, are designed, or intended to attract or solicit children under the age of 13. No personal information is knowingly collected from any person under the age of 13. If you believe that we have received information from a child under age 13, please contact us immediately toll free at (855-486-5055) and direct such communication to Alan Lockwood, Esq., Chief General Counsel.

PRIVACY AND SECURITY

iPatientAxis is committed to preserving the security and privacy of all data and information. Our Compliance Team closely monitors the security and privacy of all information to ensure proper requirements are met. If you have a concern about the privacy and security of any health information, you may reach our **Compliance Team** at (855-486-5055) for further information. Written communication may also be directed to our **Compliance Team** at 2060 Brighton-Henrietta Townline Rd. Rochester, NY 14623

CONTACT INFORMATION:

If you have any questions about this Privacy Policy, the practices of this site, or your dealings with this site, please contact us by sending correspondence to:

Compliance Team

iPatientAxis

2060 Brighton-Henrietta Townline Rd.

Rochester, NY 14623

Telephone: (855-486-5055)