

## **SweetWater Health, LLC Privacy Policy**

PLEASE READ THIS PRIVACY POLICY CAREFULLY BEFORE USING THIS WEBSITE.

SweetWater Health, LLC (“Company”) is committed to protecting the privacy and security of our customers and visitors to our website at [www.beathealthy.com](http://www.beathealthy.com) (the “Website”). This Privacy Policy states Company’s commitment to maintain each member’s right to the privacy, confidentiality and security of their personal information and any other information he or she may provide to Company through our Website or mobile application, or any other communications with Company.

YOU ACKNOWLEDGE AND AGREE THAT COMPANY IS NOT A HEALTH CARE PROVIDER AND THEREFORE IS NOT SUBJECT TO THE HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) WHICH REGULATES HEALTH CARE PROVIDERS. WHILE COMPANY IS NOT REQUIRED TO COMPLY WITH HIPAA, COMPANY HAS USED THE HIPAA REGULATIONS AS A GUIDELINE FOR ITS OWN POLICIES AND PROCEDURES WITH RESPECT TO YOUR PROTECTED HEALTH INFORMATION.

BY YOUR COMPLETION OF THE ELECTRONIC ACCEPTANCE PROCESS AND YOUR CONTINUED USE OF THIS SITE AND MOBILE APPLICATION THEREAFTER, YOU REPRESENT AND WARRANT THAT YOU: (i) ARE AUTHORIZED TO SIGN FOR AND BIND THE CONTRACTING PARTY AND (ii) AGREE TO BE BOUND BY ALL OF THE TERMS AND CONDITIONS OF THIS PRIVACY POLICY. IF YOU ARE NOT AUTHORIZED TO SIGN FOR AND BIND THE CONTRACTING PARTY, OR OTHERWISE DO NOT AGREE WITH THE TERMS AND CONDITIONS OF THIS PRIVACY POLICY, CLICK THE “I DECLINE” BUTTON. COMPANY RESERVES THE RIGHT TO MODIFY THIS PRIVACY POLICY AT ANY TIME AND WILL NOTIFY YOU OF ANY SUCH CHANGES BY EMAIL. PLEASE NOTE THAT THE USE OF PERSONAL INFORMATION THAT WE COLLECT IS SUBJECT TO OUR PRIVACY POLICY THEN IN EFFECT.

### **PERSONAL INFORMATION**

“Personal Information” means any information that may be used to identify an individual, including, but not limited to, a first and last name, the individual’s session information or other information, home or other physical address, an email address, phone number or other contact information, whether at work or at home.

### **SECURITY**

Company has security measures in place to protect the loss, misuse, and alteration of the information stored on the website server system. Firewalls and other industry standard security measures deemed appropriate are in place to prevent unauthorized access to equipment and servers. All systems are continuously monitored for suspicious activity to prevent any breaches in security.

Company employs the highest levels of secure socket layers (SSL) security protocol and digital certificate authentication, standard industry tools used to provide data encryption and source authentication when personal data is collected. SSL encrypts the Personal Information transmitted from a user’s computer to Company and protects the transmission of personal and financial information over the Internet. Unfortunately, no data transmission

over the Internet can be guaranteed to be 100% secure. As a result, while we strive to protect your information, Company cannot ensure or warrant the security of any information you transmit to us, and you do so at your own risk.

### ACCESS TO SESSIONS/RECORDS

When you subscribe to our services, you will provide your email and a password (together, your "Access Codes"). These Access Codes will be used to identify you when communicating with Company or its agents and to allow online access to your records via our Website. You agree that it is your responsibility to safeguard the confidentiality of your Access Codes both online and offline. You will need your Access Code to view your records and to make any changes to any Personal Information, including, but not limited to, any sessions or other information that you may have provided to Company. It is your responsibility to guard and maintain the security of your Access Codes at all times.

### COLLECTION OF PERSONAL INFORMATION

Company does not collect your Personal Information unless you voluntarily provide it to us on our Website, through any direct communications with us, or by registering to become a member of Company. Company does not maintain financial information about you such as your credit card or checking account numbers and only uses such information to complete your purchases and transactions. Such financial information may be transferred to a financial partner responsible for the security, approval and completion of the transaction.

We may collect certain anonymous or non-identifiable information about you when you visit or upload your session to our Website or when you answer our questionnaires or surveys. We may share such anonymous or aggregate information with trusted third parties or use such information to shape and direct the creation and maintenance of content on this Website or to improve the service levels of the Website.

We also may use cookies on our Website for performance and reliability. A cookie is a small file stored on the Website user's computer or Web server and is used to aid Web page navigation. A session cookie is a temporary file created whenever a website is accessed and is self-terminated based either on an expiration date (e.g. 3 hours from creation of the cookie) or by closing the Web browser. A persistent cookie is a permanent file and must be deleted manually. Company does not use persistent cookies.

You can set your browser to notify you when you receive a cookie, in order to give you the chance to determine whether or not to accept it. If you do not accept cookies, some pages of this Website may not display properly or you may not be permitted to access certain information.

### PURPOSES FOR WHICH WE WILL USE PERSONAL INFORMATION

We make every effort to identify the purposes for which we will collect Personal Information at or before the time the information is collected. We will use your Personal Information only for the purposes disclosed at the time of collection or as otherwise set out in this Privacy Policy, unless we have your consent for another use, or unless such other use is authorized or required by law.

Our policy is to collect Personal Information from you for the following purposes:

- (a) to provide services and promote and market our services to you, and to improve those services;
- (b) to maintain a commercial relationship with you and to communicate with you (which may include: providing services, advertising, promotions, and account verification);
- (c) to identify your needs and/or preferences;
- (d) to meet legal and regulatory requirements;
- (e) to administer, maintain, manage, and improve our business operations; and
- (f) as otherwise required by law.

#### SHARING OF PERSONAL INFORMATION

Company may share Personal Information with third party vendors, who we contract with to provide services and information to our members. Company uses commercially reasonable efforts to ensure the contract with such vendors only permits the vendor to use the member data collected in the Company data center or handled by them for purposes authorized by the member. All such vendors must comply with our Privacy Policy.

Company may disclose Personal Information if required to do so by law or in the good faith belief that such action is necessary to: (1) to comply with legal process served on Company or this Website; (2) protect and defend the rights or property of Company; or (3) act in urgent circumstances to protect the personal safety or life of users of Company, its websites or the public. If Company should ever file for bankruptcy or merge with another company, we may transfer the information you provide to us on this Website to our successor entity if such entity intends to continue to provide services similar to those provided by Company.

Except as provided above, we will not share any of your Personal Information to any third party without your permission.

#### ACCESS TO YOUR PERSONAL INFORMATION

You can review, update, delete, or correct your Personal Information on file with us online or in person at any time. To access your Personal Information, we require a written request; unless you login and update your Personal Information yourself directly. Upon receipt of any written request, we will take commercially reasonable steps to provide you with the opportunity to access any such information.

#### EMAIL REQUESTS FOR PERSONAL INFORMATION

We will never initiate a request for Personal Information by email or pop-up window. If you receive a request by email or pop-up window, please do not respond and notify us as set forth below.

If you ever believe that you have been a victim of fraud, please report it to the police and take all available actions to protect yourself. Also, please notify us, so that we can take all possible actions to protect you and the other users of this Website.

## CHILDREN

We are committed to protecting the privacy of children. In furtherance of this commitment we restrict the use of our Website to adults only; however, children over the age of fourteen (14) may be registered by their parent or guardian to use the service, provided that such parent or guardian manage the Personal Information for such child directly. The parent or guardian is responsible for providing supervision to ensure the minor's authentication information is kept secure and the credibility of the health record is maintained. Children under the age of fourteen (14) are not permitted to use this Website.

We do not knowingly or intentionally collect Personal Information from children under the age of thirteen (13).

## CONTACT WITH YOU

We may use your email address to contact you from time to time, in order to send notices required by law, to provide information regarding this Website, or to resolve any complaint or suspicious transactions. We also reserve the right to mail or email information to you about our services, to provide offers to customers, or to send out our newsletter to you. You may at any time choose to unsubscribe (or "opt-out") of any of our mailings, either by adjusting your membership settings or by contacting us at [info@sweetwaterhrv.com](mailto:info@sweetwaterhrv.com)

## THIRD PARTIES

This Website may contain links to other websites for informational purposes. Company is not responsible for the privacy practices of any websites linked from this Website.

## SECURITY CONTACT

Company has an established a security officer to oversee all privacy and security issues. If you have any questions or issues with security or concerns with improperly handled Personal Information, contact our privacy and security officer at:

Email: [security@sweetwaterhrv.com](mailto:security@sweetwaterhrv.com)

If you have any questions about Company's Website practices or your dealings with Company, you can email us at [support@sweetwaterhrv.com](mailto:support@sweetwaterhrv.com).

## EFFECTIVE DATE

This privacy policy was last modified on 4/23/14.