

# Lolo Health General Privacy Notice

Last updated: November 1, 2021

Innovative Health Ventures, Inc. d/b/a Lolo Health (“Lolo,” “we,” “us,” the “Company” or “our”) respects your rights to privacy. This Privacy Notice describes our practices concerning the data we receive or collect when you visit our website, <https://lolohealth.com> or its successor website (our “Website”), or install or use our mobile application platform (the “Platform”) or any of the mobile applications (the “Apps”) of Lolo or any of our third-party service vendors or their subcontractors or affiliates (our “Service Vendors”) that are accessible to you (collectively, the “Services”).

This Privacy Notice supplements and forms a part of the Lolo Health End User Terms of Service (the “Terms”). Capitalized terms not defined in this Privacy Notice have the meaning given to them in the Terms. To the extent there is any conflict between the Terms and this Privacy Notice, this Privacy Notice controls. If you have questions regarding this Privacy Notice, please direct such questions to [info@lolohealth.com](mailto:info@lolohealth.com). We reserve the right to modify our Privacy Policy from time to time.

This Privacy Notice does not apply to:

- Third party sites or applications to which we provide access through our Platform. These sites or applications set their own privacy policies and practices independent of Lolo. We encourage you to review the privacy policies of these sites and applications before you access, enroll in, or use them; and
- Your health plan’s privacy practices as they relate to protected health information (“PHI”) as defined under the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”), as amended. Please refer to your health plan’s notice of privacy practices for information about how your health plan handles PHI.

## Personal Health Information

The Services may involve the transmission of certain personal data which could be considered PHI, including, without limitation, your name, contact information, date of birth, social security number, your health plan(s) and provider(s) (e.g., medical, dental, and vision), and information about your medical diagnoses, treatment, and claims, as well as the name, contact information, date of birth, social security number, health plan(s) and provider(s), and medical diagnosis, treatment, and claims information about your spouse and dependent(s).

## Users through Self-insured Employers

The Company acts as a “business associate,” as defined by HIPAA, with respect to self-insured employers who are our Employer Clients (as defined below), which are subject to HIPAA as “covered entities.” The Company may also act as a “business associate” to our Service Vendors. As required by HIPAA, the Company executes a business associate agreement with our self-insured Employer Clients and has executed a business associate agreement with our Service Vendors. If you are an employee (or dependent of an employee) of one of our self-insured Employer Clients, the business associate agreements govern such Employer Client’s disclosure of your PHI to the Company and the Company’s and our Service Vendors’ use and disclosure of your PHI.

## Individual Subscribers and Users through Employers That Are Not Self-Insured

If you are an individual (or dependent of an individual) who has subscribed for Services on your (or their) own and not through an Employer Client, or if you are an employee (or dependent of an employee) of one of our Employer Clients that insures its employees through third-party insurers, then neither the Company nor any Service Vendor is a covered entity or a business associate, as defined under HIPAA.

## HIPAA Authorization

If you are an individual (or dependent of an individual) who has subscribed for Services on your (or their) own and not through an Employer Client, or if you are an employee (or dependent of an employee) of one of our Employer Clients that is not self-insured, then you must explicitly authorize other covered entities to disclose your PHI to the

Company and/or our Service Vendors, and for the Company and/or our Service Vendors to receive, maintain, use, and disclose your PHI, in order for Lolo to be able to provide the full Services made available to you through the Platform. There may also be situations in which you (as an employee or dependent of an employee of one of our self-insured Employer Clients) must explicitly authorize other covered entities to disclose your PHI to the Company or our Service Vendors, and for the Company and/or our Service Vendors to receive, maintain, use, or disclose your PHI. In both situations, the Company and/or our applicable Service Vendor would present you the opportunity to submit an electronic HIPAA authorization form upon enrollment in the Services. In the event that a health insurer or health care provider requires you to sign an additional authorization form before such insurer or provider will disclose your PHI to the Company and/or any Service Vendor, you will need to sign this additional form before the Company is able to provide the applicable Service to you.

### **Telehealth Services**

Lolo or our Service Vendors contracts with one or more medical practices (collectively, the “Medical Practices”) to make technology available for the performance of online medical consultations and secure messaging (“Telehealth Services”) between Medical Practices’ healthcare professionals and their you as their patients. The collection and use of your PHI by the Medical Practices through the Telehealth Services is governed by the terms and privacy policy provided to you by the applicable Medical Practice and/or Service Vendor through which you access the Telehealth Services, and we encourage you to review the privacy policies of these third-party sites and applications before you access, enroll in, or use the Telehealth Services.

#### **1. WHAT DOES LOLO DO?**

Lolo provides employees (and their dependents) of our third-party employer-subscribed clients (our “Employer Clients”), as well as individuals (and their dependents) who subscribe on their own and not through an Employer Client, access to a marketplace platform of health point solutions and other services made available by Lolo and our Service Vendors. For more information about Lolo, please see the About Us section of our Website.

#### **2. HOW WE COLLECT AND USE YOUR PERSONAL INFORMATION**

##### **Registration Information**

When you sign up for any App, you provide us with your email address and password.

##### **Contact Forms, Chats & Demo Requests**

When you contact us by email at [support@lolohealth.com](mailto:support@lolohealth.com) or any email address on any App or website of our Service Vendors, or by phone at any phone number on our Website or any App, or by chat through any App or our Website, you may choose to provide us or our Service Vendors with certain personal information. In addition, if you request a demo of the Services, we or our Service Vendors may collect the contact information needed to get in touch with you. If you decide to sign up with us, we may collect information that will help us present you with information relevant to your interests.

##### **Questionnaires & Surveys**

On occasion upon entering our Website or using the Platform or any Apps, you may be asked to complete an online survey or questionnaire. These surveys and questionnaires may seek information about your opinions, attitudes, preferences, interests, and online activities.

##### **Cookies**

Cookies are small packets of data that a website stores on your computer’s hard drive or on your mobile device (whichever you are using at the time) so that your computer or mobile device will “remember” information about your visit. We use a combination of first-party and third-party cookies on our Website. First-party cookies are

served from the lolohealth.com domain and are used as technically necessary to provide the Website and to enable certain features, such as to remember your log-in details. For use of third-party cookies (and related “tracking technologies,” such as pixel tags), please see “Third-Party Tracking Technologies” below. If you do not want us to place a cookie on your hard drive or mobile device, you may be able to turn that feature off on your computer or mobile device. Please consult your Internet browser’s documentation for information on how to do this. However, if you decide not to accept cookies from us, the Website may not function properly.

### **Third-Party Tracking Technologies**

We may use different third-party service providers that utilize tracking technologies, such as cookies and pixel tags. These tracking technologies may track general statistics about the usage of our Website and may collect your IP address as part of its tracking functionality. This information is reported only in aggregate without your individual IP address.

### **Other Automatically Collected Information**

To assist visitors with technical problems, we may collect local web configuration information, including browser type, operating system, and various other browser settings. In addition, our web servers automatically collect limited information about your computer or mobile device when you visit our Website or Apps. This information may include the type of browser software you use, the operating system you’re running, the IP address assigned to your computer, mobile device or Internet connection, the IP address of the website, if any, that referred you to our Website or Apps, and your type of mobile device. Our and our Service Vendors’ technical staff may also use this information to assist customers with technical problems.

### **Health Plan Data That We Receive**

If (1) you are an individual (or dependent of an individual) who has subscribed for Services on your (or their) own and not through an Employer Client, then your carrier may provide us and/or our Service Vendors with the following personal information about employee health plans and records in order for us and our Service Vendors to provide the Services to you, or (2) you are an employee (or dependent of an employee) of one of our Employer Clients, then the Employer Client through which you have been given access to our Services, or their third-party benefits administrators or carriers (as applicable), may provide us and/or our Service Vendors with the following personal information about employee health plans and records in order for us and our Service Vendors to provide the Services to you:

- Your full name
- Your date of birth
- Your social security number
- Your email address
- Your health plan(s) and provider(s) (e.g., medical, dental, and vision)
- The full name, date of birth, social security number, employer, and email address of your dependent(s)

### **3. HOW WE KEEP YOUR PERSONAL INFORMATION SECURE**

We maintain, and require our Service Vendors to maintain, administrative, technical, and physical safeguards in an effort to protect against unauthorized disclosure, use, alteration, or destruction of any personal information you may provide to us or our Service Vendors through our Website or any App. However, please be aware that regardless of any security measures used by us or our Service Vendors, we cannot guarantee the absolute protection and security of any personal information stored with us or with any third parties.

#### **4. DISCLOSURES OF YOUR PERSONAL INFORMATION**

We may share your personal information with third parties including our Service Vendors, other third-party service providers, regulatory bodies, and under valid court orders. In addition, our Service Vendors may share your personal information with us. We may also share personal information when we believe that disclosure is necessary or appropriate to prevent physical harm or financial loss in connection with an investigation of suspected or actual illegal activity. We reserve the right to transfer any information we have about you in the event we sell or transfer all or a portion of our business or assets. Should such a sale or transfer occur, we will use reasonable efforts to direct the transferee to use the personal information you have provided through our Website or any App in a manner that is consistent with this Privacy Notice.

We will, at all times, only use or disclose your personal information that constitutes PHI in accordance with the Health Insurance Portability Act of 1996 (HIPAA) and our legal and any applicable contractual obligations as a business associate.

#### **5. RETENTION OF YOUR PERSONAL INFORMATION**

We will only retain your personal information for as long as necessary to fulfil the purposes for which it was collected, including for the purposes of providing the Services, resolving disputes, establishing legal defenses, conducting audits, pursuing legitimate business purposes, enforcing our agreements and complying with applicable laws and any regulatory, accounting, or reporting requirements. In some circumstances, you may ask us to delete your personal information: see the Your Privacy Rights section for further information. In some circumstances, we may anonymize your personal information (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you. When we no longer need to retain your personal information as described above, we will destroy, erase, or de-identify it in accordance with our data retention policies and applicable law.

#### **6. YOUR PRIVACY RIGHTS**

You may send us an email at [privacy@lolohealth.com](mailto:privacy@lolohealth.com) to request access to, correct, or delete any personal information that you have provided to us. However, we may not accommodate a request to change information if we believe the change would violate any law or legal or contractual requirement or cause the information to be incorrect.

#### **7. CALIFORNIA RESIDENTS**

California residents may have additional personal information rights and choices under the California Consumer Privacy Act (CCPA). Please see our CCPA Privacy Notice for more information. We do not monitor, recognize, or honor any opt-out or do not track mechanisms, including general web browser “Do Not Track” settings and/or signals.

#### **8. THIRD-PARTY LINKS**

Our Website or any of the Apps may contain links to third-party websites that are not subject to this Privacy Notice. If you visit these websites, we encourage you to read their privacy policies before providing them with any personal information.

#### **9. TELEPHONE NUMBERS AND TEXT MESSAGING**

By providing your mobile number, you are agreeing to be contacted by or on behalf of the Company or our Service Vendors at the mobile number you have provided, including calls and text messages, to receive informational Service-related messages, as permitted by law. Please note, that if you withdraw your consent, some Services features and certain Services may no longer be available to you. Keep in mind that if you stop receiving text messages from us or our Service Vendors you may not receive important and helpful information and reminders about your use of and access to the Services.

## **10. CHILDREN**

Children under the age of eighteen (18) years old are prohibited from using the Services. In compliance with applicable law, we do not knowingly collect personal information from children under the age of 13 through the Website or any App. If you are under 13, please do not give us any personal information. We encourage parents and legal guardians to monitor their children's Internet usage and to help enforce our Privacy Notice by instructing their children to never provide us personal information. If you have reason to believe that a child under the age of 13 has provided personal information to us, please contact us, and we will endeavor to delete that personal information from our databases.

## **11. CHANGES TO THIS PRIVACY POLICY**

This Privacy Notice is effective as of the date stated at the top of this Privacy Notice. We may change this Privacy Notice from time to time. If we make changes to the Privacy Notice, the revised Privacy Notice will be posted on the Website with the effective date. You can see when this Privacy Notice was last updated by checking the "last updated" date displayed at the top of this Privacy Notice. If you are a registered user of the Platform, we will also provide you with notice of the modification before the date the new Privacy Notice becomes effective. By accessing and using the Website or any App for which this Privacy Notice applies after we notify you of such changes to this Privacy Notice, you are deemed to have accepted such changes. Please refer back to this Privacy Notice on a regular basis.

## **12. CONTACT US**

If you have questions regarding this Privacy Notice, please direct such questions to [privacy@lolohealth.com](mailto:privacy@lolohealth.com). You may also write to us at: Lolo Health, PO Box 27613, Golden Valley, MN 55427.