

# PRIVACY POLICY for Better Choices, Better Health® Web Site

***IMPORTANT- PLEASE READ THIS PRIVACY POLICY CAREFULLY AS IT CONTAINS IMPORTANT INFORMATION REGARDING USE OF INFORMATION YOU DISCLOSE ON THIS WEB SITE.***

Welcome to the Better Choices, Better Health® Online Web Site (the "Web Site") operated by ABK Ventures Inc. d/b/a Canary Health ("CANARY HEALTH", "we" or "us"). The Web Site contains the Better Choices, Better Health online self-management program, originally developed as the Chronic Disease Self-Management Program (© 2007-2012 The Board of Trustees of the Leland Stanford Junior University), a self-management course developed at Stanford University for individuals 18 years or older living with long-term conditions.

CANARY HEALTH created this Privacy Policy in support of our commitment to the user's online privacy. This Privacy Policy discloses our information-gathering and disseminating practices for this Web Site. We urge you to read this Privacy Policy carefully. For an explanation of capitalized terms used in this Privacy Policy, please refer to the definitions at the end.

## Privacy Policy

Protecting the privacy of the user's information collected by the Web Site is critically important to CANARY HEALTH. We value and respect your trust and believe you have a right to know about how we collect and secure information we collect about you. We use commercially reasonable privacy and security protections to help keep your Personal Data private and confidential while using the Web Site.

This Privacy Policy applies to this Web Site only. The Web Site contains links to other web sites. Once you enter another web site (whether through a service or content link), be aware that CANARY HEALTH is not responsible for the privacy practices of such other web sites. We encourage you to look for and review the privacy statements of each and every web site that you visit through a link on CANARY HEALTH's Web Site.

### **What Information is Collected and How Is It Used?**

The Web Site may collect Personal Data from you through several means, including from information you provide in registering with the Web Site to participate in our sponsored programs and workshops, participating in a survey about your health, mood and activities, contributing to discussion boards with your facilitators, moderators and peer participants, as well as planning and tracking tools, and an electronic post office.

While CANARY HEALTH encourages participants to share personal experiences and opinions, it is entirely voluntary and you are not obligated to disclose details about your chronic condition. You are also allowed and encouraged to use an alias or "screen name" (fictitious name) to identify yourself on the Web Site, further protecting your privacy from your peer participants. Only those individuals responsible for managing, overseeing and administering the Web Site, and those to whom you have given consent will be able to view your actual name and contact information.

Except as provided in this Privacy Policy, CANARY HEALTH will not sell or share your Personal Data for marketing purposes without your consent.

CANARY HEALTH will maintain the privacy and confidentiality of your Personal Data as provided by applicable law. Personal Data will be maintained on CANARY HEALTH servers for the Program Period.

CANARY HEALTH may combine, in a non-identifiable format, the Personal Data you provide with information from other users to create aggregate data that may be disclosed to third parties and used by CANARY HEALTH for any lawful purpose. This aggregate data does not contain any personal identifiers that could be used to contact or identify you, such as name, address, or telephone number. This aggregate data may be maintained by CANARY HEALTH for the period of time deemed appropriate by CANARY HEALTH.

For persons participating through the Oregon Educators Benefit Board, Personal Data, which includes your name, birthdate, E-number, class cost, and whether or not you attended and/or completed a workshop will be shared with the Oregon Educators Benefit Board in an identifiable format, and will be transmitted over a secured electronic system. The Personal Data listed above is provided to verify workshop eligibility, enrollment and completion and for payment purposes.

For persons participating through the Public Employees' Benefit Board (PEBB), limited Personal Data, which includes your name, birthdate, whether or not you completed a workshop will be shared with PEBB in an identifiable format, and will be transmitted over a secured electronic system. The Personal Data listed above is provided to verify workshop eligibility, enrollment and completion.

For persons participating through Government Employees Health Association (GEHA) or one of its subsidiaries, Personal Data, which includes your name, ethnicity, race, birthdate, gender, health conditions, zip code and whether or not you attended and/or completed a workshop will be shared with GEHA in an identifiable format, and will be transmitted over a secured electronic system. The Personal Data listed above is provided to verify workshop eligibility, enrollment and completion, coordinate services, and for reporting purposes. For persons participating in wellness programs who request confirmation that they have satisfied a wellness program activity, GEHA will share information with the sponsor of the wellness program, which may be the person's employer or employer's health benefits coordinator. Information provided will include health plan enrollment status, status of workshop completion, and workshop enrollment and completion dates. Information that will not be shared includes postings in the discussion center, goals and action plans, individual internet tools in the workshop and any other electronic communication within the workshop platform.

For individuals enrolled in the Better Choices Better Health Program (BCBH) via SmartHealth, your participation is funded by a grant to the Washington State Department of Social and Health Services (DSHS) from the Administration for Community Living (ACL), which is a division of the U.S. Department of Health and Human Services. To verify participation and perform program evaluation, Personal Data will be shared with ACL or its contractors, DSHS, and the Washington State Health Care Authority's Public Employees Benefits (PEB) Program via a secured electronic system. The Personal Data shared may include your BCBH participant identification, your responses to the voluntary participant information survey, workshop participation, and discussion board participation.

For persons participating through Kaiser Permanente Southern California, Personal Data, which includes your name, birthdate, registration code, and whether or not you attended and/or completed a workshop will be shared with Kaiser Permanente Southern California in an identifiable format, and will be transmitted over a secured electronic system. The Personal Data listed above is provided to verify workshop eligibility, enrollment and completion.

For persons enrolled through New Mexico Health Connection ("NMHC"), personal data, which includes your name, ethnicity, race, birthdate, gender, health conditions, zip code and whether or not you attended and/or completed a workshop will be shared with NMHC in an identifiable format, and will be transmitted over a secured electronic system. The personal data listed above will be used to verify workshop enrollment, attendance, and completion. This information will be used by NMHC to analyze and assess information-seeking outcomes. Information that will not be shared includes

postings in the discussion center, goals and action plans, individual internet tools in the workshop and any other electronic communication within the workshop platform.

For individuals enrolled in the Better Choices Better Health Program (BCBH) via the New Mexico Retiree Health Care Authority landing page, <http://enroll-nmrhca.selfmanage.org>, your participation is funded by a grant to the New Mexico Department Of Health (NMDOH) from the Administration for Community Living (ACL), which is a division of the U.S. Department of Health and Human Services. To verify participation and perform program evaluation, Personal Data will be shared with ACL or its contractors. The Personal Data shared may include your BCBH participant identification, your responses to the voluntary participant information survey, workshop participation, and discussion board participation.

You acknowledge that you have read and agree to the Privacy Policy by clicking on the checkbox and clicking "SUBMIT" tab at the end of this registration form. Checking the box and clicking "SUBMIT" on the registration form is sufficient as your signature and date and therefore an acceptance of the terms layout above.

## Disclosure of Personal Data

Except as set forth in this Privacy Policy or as specifically agreed to by you, CANARY HEALTH will not disclose any Personal Data it gathers from you on the Web Site, provided that We may release Personal Data to third parties: (1) to comply with valid legal requirements such as a law, regulation, search warrant, subpoena or court order; (2) to certain contractors or partners for the purposes set forth below; (3) in special cases, such as in response to a physical threat to you or others, to protect personal safety or property or defend or assert legal rights or (4) in special cases, with your consent. In the event that we are legally compelled to disclose your Personal Data to a third party, we will attempt to notify you unless doing so would violate the law or court order. In addition, we may disclose Personal Data as described below.

### A. Disclosure to CANARY HEALTH Health Operations and Maintenance Contractors

CANARY HEALTH operations and maintenance contractors sometimes have limited access to your Personal Data in the course of providing products or services to CANARY HEALTH. These contractors include vendors and suppliers that provide us with technology, services, and/or content related to operation and maintenance of the Web Site. Access to your Personal Data by these contractors is limited to the information reasonably necessary for the contractor to perform its function for CANARY HEALTH. We also contractually require that our operations and maintenance contractors 1) protect the privacy of Personal Data consistent with this Privacy Policy, and 2) not use or disclose Personal Data for any purpose other than providing CANARY HEALTH with products and services.

### B. Disclosure to Program Mentors, Facilitators and other Workshop Moderators

Personal Data you share on this Web Site may be disclosed to workshop facilitators, mentors and other moderators in connection with the workshop in which you participate.

However, note that CANARY HEALTH and its workshop facilitators, mentors and other moderators assume no duty to identify or report any potential threats of imminent harm to your health or wellbeing or that of third parties based on information you or other users share on this Web Site.

## Disclosure to Linked Sites

For your convenience there are links to other web sites operated by forms other than

CANARY HEALTH ("Third Party Web Sites"). CANARY HEALTH does not disclose your Personal Data to these Third Party Web Sites without obtaining your consent. CANARY HEALTH does not endorse and is not responsible for the privacy practices of these sites.

## Community Post Office, Blogs and other Public Forums

The Web Site features several community areas and other public forums where users with similar interests or medical conditions can share information and support one another or where users can post questions for comments. We also offer online discussions moderated by facilitators. Our communities are open to all workshop participants and should not be considered private.

**Any information you share in any online community area or online discussion is by design open to workshop participants and is not private. You should think carefully before posting any Personal Data in any public forum.**

## Security for Personal Data and Non-Identifiable Information

Our Web Site and database servers are hosted in a secured physical and network environment in the United States. Reasonable efforts are made to secure web servers, networks, host operating systems and databases against unauthorized access. We use a variety of security measures to protect Personal Data when stored or transmitted by CANARY HEALTH, including Secure Socket Layer (SSL) Encryption. In order to take advantage of encryption, you must have an Internet browser that supports 128-bit Encryption . Despite CANARY HEALTH's efforts to protect your Personal Data, there is always some risk that an unauthorized third party may find a way around our security systems or that transmissions of your information over the Internet will be intercepted.

Please remember that no security measures are foolproof; and CANARY HEALTH cannot guarantee that information will be protected in all situations. We will make reasonable efforts to protect your Personal Data from unauthorized access.

## Terms of Use

This Privacy Policy co-exists with our Terms of Use, and together both policies govern your use of this Web Site. By accessing, browsing or using the Web Site you acknowledge that you have read, understand and agree to this Privacy Policy and our Terms of Use. We encourage you to familiarize yourself with both this Privacy Policy and our Terms of Use. The Web Site Terms of Use may be found as a link on the page where this Privacy Policy is posted. If you do not agree with these terms (including any revisions to them), please do not use the Web Site.

## Changes to This Privacy Policy

We may change this Privacy Policy at any time by posting revisions to our Web Site. Your use of this Web Site constitutes acceptance of the provisions of this Privacy Policy and your continued usage after such changes are posted constitutes acceptance of each revised Privacy Policy.

# Privacy Policy for Children

This Web Site is not designed to attract or be used by children under the age of 13. We do not knowingly collect Personal Data from anyone under the age of 13 unless we first obtain permission from that child's parent or legal guardian.

## How to Contact Us

For more information about our privacy practices (including compliance with applicable law) contact us by email at [privacy@canaryhealth.com](mailto:privacy@canaryhealth.com) or write to us at 11500 Olympic Blvd. Ste 455, Los Angeles CA 90064

## DEFINITIONS

"Encryption" means the translation of data into a secret code. Encryption is the most effective way to achieve data security. To read an encrypted file, you must have access to a secret key or password that enables you to decrypt it.

"Firewall" means a system designed to prevent unauthorized access to or from a public or private network. Firewalls can be implemented in both hardware and software, or a combination of both. Firewalls are frequently used to prevent unauthorized Internet users from accessing private portions of public networks. All messages entering or leaving the network pass through the Firewall, which examines each message and blocks those that do not meet the specified security criteria.

"Personal Data" means information that is identifiable to a particular individual. Examples of Personal Data include your name, home address, telephone number, and email address. If other pieces of information are linked to Personal Data, they may also become Personal Data.

"Program Period" means at least 15 months after the conclusion of any workshop in which you participate utilizing the Web Site.

"Secure Sockets Layer" (SSL) means a security protocol for transmitting private information via the Internet. SSL works by using a private key to encrypt data that's transferred over the SSL connection. URLs that utilize an SSL connection start with https: instead of http.

"Cookie" means a data file that is stored on the hard drive of the computer you use to view a web site. Cookies are placed by that site or by a third party with a presence on the site and are accessible only by the party or site that placed the Cookie (i.e. a Cookie placed on your computer by CANARY HEALTH isn't accessed by any other site you visit but a Cookie placed on your computer by an advertiser may be accessed by any site on which that same advertiser has a presence). Cookies can contain pieces of Personal Data. Cookies are used to make the site easier to use. For example, if you check a box to ask that we store your user name on your computer so that you don't have to enter it each time you visit the site, it's stored in a Cookie on your computer.