

The Clinic by Cleveland Clinic

PRIVACY NOTICE

At The Clinic by Cleveland Clinic your privacy is important to us. Our Privacy Notice describes the information we collect, how we collect the information, the reasons we collect information, and how we share or use the information we collect. This Privacy Notice also describes the choices you have with the information we collect, including how you can manage, update, or request to delete information.

Please take a moment to review this Privacy Notice. You may scroll through this Privacy Notice or use the headings below. It is important that you understand this Privacy Notice. By using our Platform, you are agreeing to the terms of this Privacy Notice. If you have any questions or concerns about this Privacy Notice, you may Contact Us at any time.

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I. Who is The Clinic by Cleveland Clinic?

The Clinic by Cleveland Clinic is a visionary joint venture that combines the unrivaled clinical expertise of Cleveland Clinic with Amwell's industry-leading telehealth platform. Through innovative solutions like our Virtual Second Opinions, we enable easy, secure access to the highest quality medical expertise.

The Clinic is not a medical group or a health care provider. The Clinic provides its users with the ability to obtain telehealth clinical consultations, including virtual second opinion services provided by independent medical practitioners including, but not limited to, American Well Medical Group CA P.C., Amwell Medical Group AK P.C., Amwell Medical Group NJ P.C., Amwell Medical Group TX P.A. (collectively, "**Medical Group**"), The Clinic contracts with the Medical Group, which are

independent medical groups with a network of United States based health care providers (each, a “Provider”) to provide online telehealth clinical consultations, including virtual second opinion services. All of the Providers participating in the Virtual Second Opinion program are Cleveland Clinic Physicians.

II. Key Terms & Definitions and Our Privacy Notice

It is helpful to start by explaining some of our key terms and definitions used in this Privacy Notice.

Key Term	Definition
App	Virtual Second Opinions by Cleveland Clinic, our mobile application
Personal Information	Any information relating to an identified or identifiable individual and any information listed here.
Platform	Our App, Software, Websites, and the non-medical business support services.
Privacy Notice	This privacy policy.
Services	Any of the clinical services provided by the Medical Group or Providers through the connectivity and use of our Platform. The Services are not provided by The Clinic. The Services are provided by the Medical Group and independent Providers and made available through our Websites, App, and Software.
Software	Converge, a licensed software platform, provided by American Well Corporation and Orbital Health.
Terms of Use	Our terms of use located here . Our websites, including: https://virtual2ndopinionbycc.io/ https://globalvso.io/ https://www.clinicbyclevelandclinic.com/ https://my.clevelandclinic.org/online-services/virtual-second-opinions https://go.tc.clinicbyclevelandclinic.com
our “Website(s)”	
“The Clinic by Cleveland Clinic,”	CCAW JV, LLC d/b/a The Clinic by Cleveland Clinic

“The Clinic,” “we,”
“us,” or “our”

When does our Privacy Notice apply?

This Privacy Notice describes the types of information we may collect from you when:

- You visit or use our Platform, including our Website, App, and/or Software;**
- We communicate in e-mail, text message, and other electronic messages between you and us; and**
- We communicate in person, such as on the phone or through a telehealth visit.**

When does our Privacy Notice not apply?

This Privacy Notice does not apply to information collected by any other website operated either by us or by a third party, unless the website is listed above or links to this Privacy Notice. It also does not apply to any website that we may provide a link to or that is accessible from our Platform.

This Privacy Notice does not apply to information collected from users who log-in and authenticate to the password-protected and secure portions of our Platform (the “Secure Platform”). The Secure Platform allows users who obtain the Services (“Customers”) to perform certain functions or obtain the Services (such as telehealth visits from Medical Group or Providers). Information collected and stored by us or added by Customers into the Secure Platforms may be considered Protected Health Information (“PHI”) and/or medical information and is governed by applicable state and federal laws that apply to that information, for example the Health Insurance Portability and Accountability Act (“HIPAA”). How we use and disclose

such PHI is in accordance with the applicable Notice of Privacy Practices provided to you by the Medical Group. We will not use or disclose PHI collected from the Secure Platform or received from Medical Group or the Provider for advertising or marketing.

The Notice of Privacy Practices (and not this Privacy Notice) also applies to Personal Information collected on our Platform if specific symptoms or health conditions are also collected, as such information may be considered PHI under HIPAA.

Our Privacy Notice and Terms of Use.

This Privacy Notice is incorporated into our Terms of Use, which also apply when you use our Platform.

III. Personal Information

What is Personal Information?

Personal Information is information from and about you that may be able to personally identify you. We treat any information that may identify you as Personal Information. For example, your name and e-mail address are Personal Information.

What types of Personal Information do we collect?

We may collect and use the following Personal Information (hereinafter, collectively referred to as “Personal Information”):

Categories of Personal Information

Personal Identifiers

Specific Types of Personal Information Collected

Legal first and last name, mailing address, birth date, and e-mail address.

Information that identifies, relates to, describes, or is capable of being associated with a particular individual	Legal first and last name, mailing address, physical characteristics or description, telephone number, credit card number, debit card number, or other financial information, health or medical information.
Characteristics of protected classifications under California or federal law.	Race, Medical Condition, Genetic Information, Sex/Sex Life, Color, Age, National origin, or Disability
Biometric information	Photos, video, and voice
Internet or other electronic network activity information	IP address, OS version, operating system, and log file.

How do we collect your Personal Information?

We collect most of this Personal Information directly from you. For example, when we speak to you by phone, text message, and e-mail. Additionally, we will collect information from you when you visit our Website or App and fill out forms, use our Software, or purchase the Services.

We may also collect Personal Information in the following ways:

When you register with the Platform or schedule an appointment.

- **When you make payments through the Platform. We do not collect or store financial account information, though we may receive transaction identifiers and summary information that does not include credit card or bank account numbers.**
- **When You Contact Us. When you contact The Clinic by Cleveland Clinic directly, such as when you contact our Customer Support team, we will receive the contents of your message or any attachments you may send to us, as well as any additional information you choose to provide.**
- **Obtaining Prior Medical Records. We may also obtain information related to you when we request medical records on your behalf. This information will be treated as PHI and subject to the Medical Group's Notice of Privacy Practices.**

We will also collect information automatically as you navigate through our Platform. We use the following technologies to automatically collect data:

- Cookies. We and our service providers may use cookies, web beacons, and other technologies to receive and store certain types of information whenever you interact with the Platform or Services through your computer or mobile device. A “cookie” is a small file or piece of data sent from a website and stored on the hard drive of your computer or mobile device. Some of the cookies we use are "session" cookies, meaning that they are automatically deleted from your hard drive after you close your browser at the end of your session. Session cookies are used to optimize performance of the Website and to limit the amount of redundant data that is downloaded during a single session. We also may use "persistent" cookies, which remain on your computer or device unless deleted by you (or by your browser settings). We may use persistent cookies for various purposes, such as statistical analysis of performance to ensure the ongoing quality of our Platform and/or the Services. We and third parties may use session and persistent cookies for analytics and advertising purposes, as described herein. On your computer, you may refuse to accept browser cookies by activating the appropriate setting on your browser, and you may have similar capabilities on your mobile device in the preferences for your operating system or browser. However, if you select this setting you may be unable to access or use certain parts of our Platform or the Services. Unless you have adjusted your browser or operating system setting so that it will refuse cookies, our system will issue cookies when you direct your browser to our Platform.**
- Google Analytics. We use Google Analytics, a web analytics service provided by Google, Inc. (“Google”) to collect certain information relating to your use of our Platform. Google**

Analytics uses cookies, to help our Platform analyze how users use our Website. You can find out more about how Google uses data when you visit our Platform by visiting “How Google uses data when you use our partners' sites or apps”, (located at www.google.com/policies/privacy/partners/). For more information, please visit Google and pages that describe Google Analytics, such as www.google.com/analytics/learn/privacy.html.

Google Ads (AdWords). Google Ads (AdWords) remarketing service is provided by Google Inc. You can opt-out of Google Analytics for Display Advertising and customize the Google Display Network ads by visiting the Google Ads Settings page: <http://www.google.com/settings/ads>.

Google also recommends installing the Google Analytics Opt-out Browser Add-on- <https://tools.google.com/dlpage/gaoptout>- for your web browser. Google Analytics Opt-out Browser Add-on provides visitors with the ability to prevent their data from being collected and used by Google Analytics. For more information on the privacy practices of Google, please visit the Google Privacy Terms web page: <https://policies.google.com/privacy?hl=en>.

HubSpot. We use HubSpot, a service provided by HubSpot, Inc. HubSpot uses web beacons and cookies stored on your computer and enabled to allow us to analyze the use of our websites. HubSpot evaluates the collected information (e.g. IP address, geographical location, type of browser, duration of the visit, and pages accessed) on our behalf in order to generate reports on the visit and the pages visited. You can find more information on the data collected by HubSpot and its processing in HubSpot's privacy policy: <https://legal.hubspot.com/privacy-policy>. You can find more information on the cookies used by HubSpot [here](#) and [here](#). If you generally do not want HubSpot to collect data, you can prevent cookies from being stored at any time using your browser settings.

LinkedIn. We use LinkedIn cookies to, among other activities, store, and track visits across websites. You can find more information on the data collected by LinkedIn by visiting their Privacy Policy: <https://www.linkedin.com/legal/privacy-policy>.

Stripe. We use Stripe as our payment processor. In order to allow Stripe to function properly, a cookie is stored on your browser, which assists Stripe in detecting and preventing fraud. These are considered session cookies and typically only remain

on your browser for 24 hours. For more information on Stripe, please visit their [privacy policy](#).

Survey Monkey. We use SurveyMonkey's web forms to collect user information. These web forms, customized to our specific needs, capture a variety of user data such as user experiences, preferences, and suggestions, thereby providing us with valuable insights to improve our services and products.

Other third-party tools. We use other third-party tools which allow us to track the performance of our Platform. These tools provide us with information about errors, app and website performance, and other technical details we may use to improve our Platform and/or the Services. For more information related to these third-party analytics providers please review How do we collect your Personal Information?

How do we use your Personal Information?

We may use your Personal Information for the following purposes:

- **Operate, maintain, supervise, administer, and enhance our Platform or the Services, including monitoring and analyzing the effectiveness of content on the Platform, aggregate site usage data, and other usage of the Platform and/or the Services such as assisting you in completing the registration process.**
- **Provide the Platform and Services to you, in a custom and user-friendly way.**
- **Provide you with information that you request from us or that may be of interest to you.**
- **Promote and market our Platform and/or the Services to you. For example, we may use your Personal Information, such as your e-mail address, to send you news and newsletters, special**

offers, and promotions, or to otherwise contact you about Products or information we think may interest you. We also may use the information that we learn about you to assist us in advertising our services on third party websites. You can opt-out of receiving these e-mails at any time as described below.

- To provide you notices or about your account.**
- Contact you in response to a request.**
- To notify you about changes to our Platform and/or the Services or any Products we offer or provide through them.**
- Fulfill any other purpose related to the provision or receipt of the Services for which you provide it.**
- To carry out our obligations and enforce our rights arising from any contracts entered into between you and us, including for billing and collection.**
- Anonymize and aggregate information for analytics and reporting.**
- To respond to law enforcement requests, court orders, and subpoenas and to carry out our legal and contractual obligations.**
- Authenticate use, detect fraudulent use, and otherwise maintain the security of our Platform and the safety of others.**
- To administer surveys and questionnaires.**
- To provide you information about goods and services that may be of interest to you, including through newsletters.**

- **Any other purpose with your consent.**

How do we share your Personal Information?

We may share Personal Information with third parties in certain circumstances or for certain purposes, including:

- **Our business purposes. We may share your Personal Information with our affiliates, vendors, service providers, and business partners, including our data hosting and data storage partners, analytics and advertising providers, technology services and support, and data security advisors. We may also share your Personal Information with professional advisors, such as auditors, law firms, and accounting firms.**

Your healthcare providers or family. We may share your information, including information collected from your use of our Platform, with your health care providers and/or family members (e.g., immediate family or friends) that you designate to receive your information in accordance with this Privacy Policy and our Notice of Privacy Practices.

- **With your consent. We may share your Personal Information if you request or direct us to do so.**
- **Compliance with law. We may share your Personal Information to comply with applicable law or any obligations thereunder, including cooperation with law enforcement, judicial orders, and regulatory inquiries.**
- **Business Transfer. We may share your Personal Information to a buyer or other successor in the event of a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of a bankruptcy, liquidation, or similar proceeding, in which Personal Information held by us about our users are among the assets transferred.**

- **To enforce our rights. We may share your Personal Information to enforce any applicable terms and conditions and Terms of Use, and to ensure the safety and security of the Services and our users.**
- **De-identified information. We may also disclose de-identified information, so that it cannot be reasonably used to identify any individual, with third parties for marketing, advertising, research, or similar purposes.**
- **To improve our Platform. We may use your Personal Information for internal testing, research, analysis, and product development, including to develop and improve our website/application, and to develop, improve, or demonstrate our products and services.**
- **To market our products and services. We may share your Personal Information with affiliates and third parties to market our products and services.**
- **Third Party Analytics. We use Google Analytics to understand and evaluate how visitors interact with our Platform and/or the Services. These tools help us improve our Platform and/or the Services, performance, and your experience.**

Your choices about how we share your Personal Information.

This section of our Privacy Notice provides details and explains how to exercise your choices. We offer you choices on how you can opt out of our use of tracking technology, disclosure of your Personal Information for our advertising to you, and other targeted advertising. **We do not control the collection and use of your information collected by third parties.** These third parties may aggregate the information they collect with information from their other customers for their own purposes. You can opt out of third parties collecting your Personal Information for targeted advertising purposes in the United States by visiting the [National Advertising Initiative's \(NAI\) opt-out page](#) and the [Digital Advertising Alliance's \(DAA\) opt-out page](#).

Each type of web browser provides ways to restrict and delete cookies. Browser manufacturers provide resources to help you with managing cookies. Please see below for more information.

- [Google Chrome](#)
- [Internet Explorer](#)
- [Mozilla Firefox](#)
- [Safari \(Desktop\)](#)
- [Safari \(Mobile\)](#)

For other browsers, please consult the documentation that your browser manufacturer provides.

If you do not wish to have your e-mail address used by The Clinic to promote our own Products and the Services, you can opt-out at any time by clicking the unsubscribe link at the bottom of any e-mail or other marketing communications you receive from us or logging onto your Account Preferences page. This opt out does not apply to information provided to The Clinic as a result of a product purchase, or your use of our Platform and/or the Services. You may have other options with respect to marketing and communication preferences through our Platform.

You may also see certain ads on other websites because we participate in advertising networks. Ad networks allow us to target our messaging to users through demographic, interest-based, and contextual means. These networks track your online activities over time by collecting information through automated means, including through the use of cookies, web server logs, and web beacons. The networks use this information to show you advertisements that may be tailored to your individual interests.

How do I access and correct my Personal Information?

You can review and change your Personal Information by logging into our Platform and visiting either the profile sections of our Platform. You may also Contact Us to inform us of any changes or errors in any Personal Information we have about you to ensure that it is complete, accurate, and as current as possible or to delete your account. We cannot delete your Personal Information except by also deleting your account with us. We may also not be able to accommodate your request if we believe it would violate any law or legal requirement or cause the information to be incorrect.

IV. Who may use the Services?

The Clinic operates subject to state and federal regulations, and the Platform and/or the Services may not be available in your state. Our Platform is designed for use by individuals in the United States only. You represent that you are not a person barred from enrolling for or receiving the Services under the laws of the United States or other applicable jurisdictions in which you may be located. Access to and use of the Platform and/or the Services is limited exclusively to users located in states within the United States where the Platform and/or the Services is/are available. The Platform and/or the Services are not available to users located outside the United States. Accessing the Platform and/or obtaining the Services from jurisdictions where content is illegal, or where we do not offer the Platform and/or the Services, is prohibited.

V. Children's Privacy

The Clinic understands the importance of protecting children's privacy in the interactive online world. Our Platform is not designed for, or intentionally targeted at, individuals under the age of 18. It is

not our policy to intentionally collect or maintain information about anyone under the age of 18. No one under the age of 18 should submit any Personal Information to the Platform, and if we learn that we have collected or received Personal Information from a child under 18, we will delete that information. If you are the parent or guardian of an individual under 18 years of age whom you believe might have provided us with their Personal Information, you may Contact Us to request that the Personal Information be deleted.

VI. Does The Clinic respond to Do Not Track signals?

Some web browsers have a “Do Not Track” feature. This feature lets you tell websites you visit that you do not want to have your online activity tracked. These features are not yet uniform across browsers. Our Website will honor a Do Not Track signal if the signal is communicated to the Website.

VI. Data Security

We have taken steps and implemented administrative, technical, and physical safeguards designed to protect against the risk of accidental, intentional, unlawful, or unauthorized access, alteration, destruction, disclosure, or use. The Internet is not 100% secure and we cannot guarantee the security of information transmitted through the Internet. Where you have been given or you have chosen a password, it is your responsibility to keep this password confidential.

The sharing and disclosing of information via the internet is not completely secure. We strive to use best practices and industry standard security measures and tools to protect your data. However, we cannot guarantee the security of Personal Information transmitted to, on, or through our Services. Any transmission of Personal Information is at your own risk. We are not responsible for the circumvention of any privacy settings or security measures contained on our Platform, in your operating system, or mobile device.

VII. Text Messaging

You may have the opportunity to receive SMS or "text" messages, pre-recorded voice messages or auto-dialed phone calls from The Clinic, its affiliates and related entities as well as third parties. Such messaging may be used to authenticate your identity or mobile device, as well as provide you with informational updates about services or products you may have requested. In providing your mobile device number or cell phone number to the The Clinic, you knowingly consent to such communications from The Clinic or for the Clinic to use your cell phone number or mobile device number in accordance with The Clinic's Terms of Use. In providing your number, you represent that you have the authority to agree to receive text messages at the telephone number that you provide to The Clinic, or from which you sent the text message request to us. You further acknowledge that no purchase is required to opt into this service, and you may opt out of receiving such texts at any time by following the instructions from The Clinic. Care should always be taken to limit the Personal Information included in such messages. PHI should never be sent via text message and should only be sent and received through the Secure Portal. Any such communications you receive from us will be administered in accordance with your preferences and this Policy.

VIII. California's Shine the Light Law.

California Civil Code Section 1798.83 (California’s “Shine the Light” law) permits users of our Platform and/or the Services that are California residents and who provide Personal Information in obtaining products and services for personal, family, or household use to request certain information regarding our disclosure of Personal Information to third parties for their own direct marketing purposes. If applicable, this information would include the categories of Personal Information and the names and addresses of those businesses with which we shared your Personal Information with for the immediately prior calendar year (e.g., requests made in 2023 will receive information regarding such activities in 2022). You may request this information once per calendar year. To make such a request, please Contact Us using the information below.

IX. Changes to our Privacy Notice

We may update our Privacy Notice periodically to reflect changes in our privacy practices, laws, and best practices. We will post any changes we make to our Privacy Notice on this page with a notice that the Privacy Notice has been updated on our Website’s homepage. If we make material changes to our practices with regards to the Personal Information we collect from you, we will notify you by e-mail to the e-mail address specified in your account and/or through a notice on the Platform. The date this Privacy Notice was last revised is identified at the top of the page. You are responsible for ensuring we have an up-to-date active and deliverable e-mail address for you, and for periodically accessing the Platform and reviewing this Privacy Notice to check for any changes.

X. Contact Us

If you have any questions, concerns, complaints or suggestions regarding our Privacy Notice or otherwise need to contact us, you may contact us at the contact information below or through the “Contact Us” page on the Platform.

How to Contact Us:

The Clinic by Cleveland Clinic

10000 Cedar Avenue

Cleveland, OH 44016

Telephone: (216) 444-4357

E-mail: VSO@theclinic.io