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# eCare Vault, Inc. Privacy Policy

**This document was last updated on February 12, 2018**

eCare Vault, Inc. owns and operates the website [www.ecarevault.com](http://www.ecarevault.com) (“the Site”). eCare Vault also develops, operates and distributes certain software applications (**Apps**), which include hosted applications and applications for mobile devices and related service software (the “Service Software”). Through the Service Software, eCare Vault, Inc. (eCare Vault, “we” or “us”) provides the tools for enhancing and streamlining communications between Authorized Users (as defined below). The Site, Apps and Service Software along with the communication tools, data collection and transmission, storage, analysis and reporting tools, functions and related services, are collectively referred to in this Privacy Policy as the **Service**.

eCare Vault understands how important the privacy of personal information is to our users. This Privacy Policy covers how eCare Vault collects, receives, uses, retains, and discloses Personally Identifiable Information (PII) and Protected Health Information (PHI) through the Service. PII includes information about you or the Care Recipient that is personally identifying such as, but not limited to your name, email address, date of birth and phone number and which is not otherwise publicly available. PHI includes information relating to your or the Student/Child’s health, for example, but not limited to medical history, test and laboratory results, insurance information and other data that a healthcare professional collects to identify an individual and determine appropriate care. PII and PHI may include other types of information depending on the legal definition that applies in your physical location. In some locations, health information is referred to as “sensitive data.” Only the definitions of PII, PHI, sensitive data or personal data that apply in your local jurisdiction will apply to you under this Privacy Policy. This Privacy Policy is not intended to, and should not be interpreted as, providing any greater privacy rights than the law that applies to you based on your physical location and residency. PII and PHI are referred to collectively in this Privacy Policy as “**Personal Data**.”

## **Agreement**

**By using the eCare Vault Service, and/or eCare Vault’s related products or services, you accept and hereby expressly consent to our collection, use, retention, processing, disclosure and transfer, including international transfer (together “Processing”) of your Personal Data as stated in this Privacy Policy. You agree that your consent is voluntary, explicit and unambiguous and is free and informed.**



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If you choose not to provide the requested information, you will not be able to access the Service.

**DISCLAIMER: ALL AUTHORIZED USERS ARE SOLELY RESPONSIBLE FOR PROVIDING OR OBTAINING ALL NECESSARY AUTHORIZATIONS AND CONSENTS FROM CARE RECIPIENTS/PARENTS/GUARDIANS REQUIRED UNDER APPLICABLE PRIVACY LAWS FOR THE COLLECTION, INTERNATIONAL TRANSFER (IF APPLICABLE) AND SUBSEQUENT DISCLOSURE OF A CARE RECIPIENT'S PERSONAL DATA PRIOR TO SHARING OR DISCLOSING SUCH INFORMATION TO ANY AUTHORIZED USERS AND TO ANY THIRD PARTIES THAT HAVE NOT BEEN IDENTIFIED AS AN AUTHORIZED USER. eCARE VAULT SHALL NOT BE RESPONSIBLE OR BE HELD LIABLE FOR ANY IMPROPER DISCLOSURES OF SUCH PERSONAL DATA MADE BY AN AUTHORIZED USER TO ANY THIRD PARTY OR ANY OTHER AUTHORIZED USER WITHOUT THE NECESSARY CONSENT.**

This Privacy Policy may change from time to time, so please check back periodically to check the most recent modification date to ensure that you are aware of any changes. Your continued use of the Service, or eCare Vault's related products or services after any such changes signifies your express, explicit, voluntary and unambiguous consent to any such changes. If you do not agree to such changes, you should immediately stop using the Service and delete your Personal Data. If we make any changes regarding the use or disclosure of Personal Data, we will inform all registered users by E-mail, and post a notice of the new Privacy Policy from the Privacy Policy link on our Web site. We will also prompt users to accept the new Privacy Policy at next log-in. Further use of the Service following any such change constitutes your agreement to follow and be bound by the amended Privacy Policy.

## Definitions

1. **Authorized User:** Any person who has properly registered for the Service; including, but not limited to: parents, educators, clinical providers, etc.
2. **Care Team (Team):** a collection of Authorized Users that have been specifically invited to receive and share health or education-related information about a specific Care Recipient.
3. **Personal Data:** Personally Identifiable Information (PII) and Protected Health Information (PHI) which eCare Vault collects, receives, uses, retains, and discloses through the Service. PII includes information that is personally identifying such as, but not limited to name, email address, date of birth and phone number and which is not otherwise publicly available. PHI includes information relating to a person, including but not limited to medical history, test and laboratory results, insurance information and other data that a healthcare professional collects to identify an individual and determine appropriate care. PII and PHI may include other types of information



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depending on the legal definition that applies in your physical location. Both the federal definitions of PII and PHI and the definitions that apply in your local jurisdiction will apply under this Privacy Policy.

4. **Care Recipient:** A person receiving health, education, and/or other care services. The Care Recipient is added to an Authorized User's profile for the purpose of storing and sharing information about such Care Recipient's health or education services with a Care Team and other Authorized Users.

## Information Collection and Use; Choice and Consent

### *Registration and Use of the Service*

**If you do not want your Personal Data used by eCare Vault as provided in this Privacy Policy, you should not register as a user of the Service or for any specific tool or application that collects Personal Data.** You may correct, update or review Personal Data you have submitted through registration, tools and applications by signing in and updating your registration information. If you have registered and no longer want eCare Vault to use your Personal Data, you should delete your information as described in this Policy.

If you choose to register with eCare Vault, update an existing user account with eCare Vault or access certain functionality in the Service, you will be required to submit Personal Data. You are responsible for ensuring the accuracy of the Personal Data that you submit to eCare Vault. Inaccurate information will affect your experience when using the eCare Vault Service. eCare Vault is not responsible for the accuracy of any Personal Data uploaded to the Service.

eCare Vault collects Personal Data when users register with eCare Vault through its Service, or when users use eCare Vault products or services. When registering with eCare Vault, we will ask you to provide us Personal Data including, but not limited to your name, address, e-mail address, phone number, name of care recipient(s), dates of birth, gender, and relation to Care Recipient (e.g. parent/guardian,etc.), profession, organization name, organization address and other related information that eCare Vault may ask of you from time to time, and you may submit additional information and comments throughout your use of the Service. When you subscribe to our blog or newsletter, we collect your email address. When you contact us through our website, we collect your first and last name, email address, and phone number.



It is always your choice whether or not to provide us with such Personal Data. If you do provide Personal Data to the Service, you are giving your express consent to the Processing of your Personal Data as described in this Privacy Policy. If you choose not to provide the requested information you may not be able to use certain features or functions of this Service, or eCare Vault's related products or services. eCare Vault collects and uses Personal Data you provide to:

1. administer your account and provide customer service;
2. create your account;
3. provide you with access to the Service and accompanying tools, including care coordination and other services that may involve sharing your Personal Data and the Personal Data of a Care Recipient with others whom you invite to be part of your Care Team on eCare Vault;
4. communicate with you, and your Authorized Users as applicable;
5. reply to your request for information or comments;
6. provide information about eCare Vault's related products and services to you and Authorized Users;
7. share your Personal Data with Authorized Users who you have identified to participate in the Service.
8. add you as a subscriber to our blog or newsletter, unless you choose to unsubscribe.

The Service allows you to log in using your Google, Facebook, or LinkedIn account ("Social Media Account") for initial registration and authentication. By associating the Service with your Social Media Account, you are granting permission for eCare Vault to use your Social Media Account provider for registration and authentication services using your Social Media Account information. At no point during registration or authentication, or during your use of the eCare Vault Service while logged in with your Social Media Account, will eCare Vault share any data about you or the use of the Service with your Social Media Account provider.

The Service's database is housed on Amazon Web Services ("AWS"). eCare Vault has full administrative control over this database, which is accessible only through eCare Vault's technical personnel's log-in credentials with AWS. Notwithstanding the foregoing, eCare Vault makes no warranties about where the encrypted Personal Data is physically located as this is solely determined by Amazon at its discretion. By consenting to this Privacy Policy, you consent to the Processing by AWS of your Personal Data.

### ***Analytics***

When you use the Service, we may collect de-identified information relating to your browser or device type, the time and date you use the Service, operating system, identification of website page views, use



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of particular Service features, geographic location and other statistical information relating to your use of the Service but which does not identify you. In addition, we may de-identify Personal Data that you have shared as part of the Service. This collection of de-identified information is referred to in this Privacy Policy as “**Analytics**.” We may use Analytics a) to develop, improve, extend and test the Service (and underlying technology platforms); b) to market and promote eCare Vault and the Service; and c) distribute Analytics to interested third parties.

### ***Withdrawing Consent***

You may withdraw or revoke your consent to further use of your Personal Data, and/or object to or block Processing of your Personal Data, by un-enrolling from the eCare Vault Service at any time by contacting eCare Vault Customer Support at **1-617-848-4558** or emailing customer service at **help@ecarevault.com**. We will respond to your request in accordance with the law that applies to you. Personal Data, including Protected Health Information which we have already shared with your authorization and Personal Data that we processed prior to your request may not be deleted from the Service system records but will be blocked from further processing without your express permission. A request to withdraw consent or block processing may not apply to information collected by cookies or other tracking technologies or information used internally to recognize you and/or facilitate your visits to the Service, or information we may retain to comply with legal requirements. Any such requests that relate to Protected Health Information will be addressed consistent with the requirements of the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rules or other applicable laws. **However, once Personal Data, including Protected Health Information, has been shared with any Authorized User, such information is no longer within eCare Vault’s control and thus eCare Vault shall not be held responsible for the further use or disclosure of such Personal Data to any third Parties by an Authorized User.**

## **Cookies and Other Technologies**

The Service uses a software technology called "cookies." Cookies are small text files that we place in visitors' computer browsers to store their preferences. Whenever you use the Service, eCare Vault also receives and records information on our server logs from your browser, including your IP address, eCare Vault's cookie information, and the pages you request, and may relate it to the Personal Data you provide.

"Web beacons" are small pieces of code placed on a web page to monitor the behavior and collect data about the visitors viewing a web page. For example, web beacons can be used to count the users who visit a web page or to deliver a cookie to the browser of a visitor viewing that page. We may use web



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beacons on the Service from time to time for this purpose.

Users who disable their web browsers' ability to accept cookies will be able to browse the Site, but will not be able to access or take advantage of all of the features and services on the Site. We therefore recommend you do not block or disable these cookies. To find out more about cookies, including how to see what cookies have been sent and how to manage, as well as delete them, visit: [www.allaboutcookies.org](http://www.allaboutcookies.org).

### **Protection of Your Information**

We will take appropriate technical and organizational safeguards to protect Personal Data from theft, other loss, misuse, and any unauthorized access, copying, collection, use, disclosure, alteration, forgery, destruction or technical errors. We follow generally accepted standards to protect the Personal Data submitted to us, both during transmission and once we receive it. No method of transmission over the Internet, or method of electronic storage, is 100% secure, however. Therefore, we cannot guarantee its absolute security.

For U.S. residents, certain health and medical information about you and/or Care Recipients is protected under the Health Insurance Portability and Accountability Act ("HIPAA") and applicable state law. This information may be provided by you online or offline, or may be collected by us from other methods such as through an Authorized User. Similarly, we may use your Personal Data as permitted by HIPAA and applicable federal or state law.

eCare Vault follows best-practice standards to protect your Personal Data including, but not limited to secure server software (SSL), firewalls, and encryption during transmission and at rest to protect your Personal Data from unauthorized access, disclosure, alteration, or destruction. All Personal Data is transmitted, stored, and processed in a secure environment in accordance with the Privacy and Security Rules, as applicable, under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and related guidance. However, no method of electronic transmission or method of electronic storage is 100% secure. Therefore, we cannot guarantee its absolute security.

We will retain Personal Data for as long as necessary to provide our Services and in accordance with applicable regulations, including HIPAA. We will also retain and use Personal Data as necessary to comply with our legal obligations, resolve disputes, and enforce our agreements. At no point in providing the Service does eCare Vault store or maintain unsecured ePHI.

**NOTE TO COVERED ENTITIES: The eCare Vault Service (Service) is not an Electronic Medical Record (EMR) service, nor does it provide for the storage and maintenance of medical records and should not be used as such by any clinical/healthcare providers using the Service. As a Covered Entity, you remain solely responsible for maintaining original medical records of any**



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Care Recipient, and to the extent applicable, agree to upload **ONLY** copies of any such medical records to the Service platform. In the event you create any new/original content through the “Discussions” module of the Service, you agree to incorporate such content into your existing EMR and shall not rely on the Service to store or maintain such content as an “original” record.

Moreover, if you are a Covered Entity under HIPAA and you are using the eCare Vault Service, you agree to also be bound by the Business Associate Agreement attached to and incorporated into the accompanying Terms of Service.

## Information Sharing and Disclosure

The Personal Data of Authorized Users, and the Personal Data (including PHI and/or sensitive data) of Care Recipients, will be disclosed to all Authorized Users on a Care Recipient's Team. Once an Authorized User obtains Personal Data of another Authorized User, or Personal Data including PHI or sensitive data of a Care Recipient, the Authorized User may further disclose that information to new Authorized Users. Authorized Users are required by this Privacy Policy and our Terms of Service to not disclose a Care Recipient's data to new Authorized Users or other third parties without the express and informed consent of the Care Recipient/parent/guardian.

eCare Vault does not rent, sell, or share your Personal Data with third parties for their direct marketing purposes. We may disclose your Personal Data and non-Personal data to third party vendors who help us operate the Service. These third parties are contractually obligated to maintain the confidentiality of your Personal Data consistent with the terms of this Policy and to comply with applicable data protection laws.. If you are a user of our paid subscription Service, we will use a third party payment processor to process payments made to us. In connection with the processing of such payments, we do not retain any personally identifiable information or any financial information such as credit card numbers. Rather, all such information is provided directly to our third party processor, Braintree, a service of PayPal, whose use of your personal information is governed by their privacy policy, which may be viewed at <https://www.paypal.com/webapps/mpp/ua/privacy-full>.

We will disclose your information in response to a valid legal process, for example, in response to a court order, a subpoena or other legal request for information, and/or to comply with its applicable legal and regulatory reporting requirements. We may also disclose your information in response to a law enforcement agency's request, or where we believe it is necessary to investigate, prevent, or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, violations of our Terms of Use, or to verify or enforce compliance with the policies governing



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our products and with applicable laws, or as otherwise required or permitted by law or consistent with legal requirements. In addition, we may transfer your information to an entity or individual that acquires, buys, or merges with ECare Vault, or our other business units. You acknowledge that such transfers may occur, and that any assets may continue to be used, including your Personal Data as set forth in this policy.

### **International or Cross-Border Transfer of Your Personal Data and Your Express Agreement**

Given that the Internet operates in a global environment and that transfer of your data is necessary to process your registration, to enable you to the Service, to provide updates, and to respond to your inquiries, using the Internet to collect and process Personal Data necessarily involves the transmission of data on an international, or cross-border, basis. By signing up for or using the Service, subscribing to our blogs or newsletters, and/or by communicating with us by email, you acknowledge and expressly, explicitly, voluntarily and unambiguously consent to our Processing of your Personal Data including international transfer of Personal Data. The Personal Data of users who are located outside the U.S. will be transferred outside of each eligible country to the United States, or to a location in the cloud, where the servers containing our data are located and where Personal Data will be processed and stored. The U.S. has not been recognized as providing an adequate level of protection according to the data protection requirements of certain other countries and territories (including countries and territories in which users may be located such as the European Union (EU)), but we will take all steps reasonably necessary to ensure that users' Personal Data is treated securely in respect of such transfer and as described in this Privacy Policy.

Notice to Swiss residents: It is also possible that U.S. authorities may access data that is transferred to the U.S. We will undertake best efforts to support affected data subjects to exercise their rights vis-à-vis U.S. authorities, to the extent required by applicable law.

**By registering for or using the Service, subscribing to our newsletter or blog, or by sending us email, you expressly agree to such Processing, including transfer, in countries outside of the country or territory in which you reside.** By accessing, signing up for or using the Service, sending us email, or by subscribing to our newsletter or blog, you provide your express, explicit, voluntary, unambiguous, free and informed consent to our disclosure of your Personal Data to our third party vendors for the purposes described in this Privacy Policy.

### **Links to Other Platforms; Transactions with Third Parties**

The Service may contain links to other sites that are not owned or controlled by eCare Vault. Please be aware that we are not responsible for the privacy practices of these other Sites. We encourage you to review the privacy policies and statements of such other sites to understand their information practices.





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Our Privacy Policy applies only to information collected by the Service.

You may be able to access the Service and/or communicate with the Service from, and you may be able to link or communicate from the Service to: applications, devices, distribution platforms and websites owned and operated by, Clinicians and/or by Apple, Google or other third party distribution platform operators (“*Channel Partners*”). These other applications, devices, platforms and websites belong to third parties and are not operated or controlled by eCare Vault. We are not responsible for and will not be party to any transactions between you and a third party provider of products, information or services. eCare Vault does not monitor such transactions to ensure the confidentiality of your Personal Data including credit card information. Additional or different terms and conditions (including without limitation, privacy and security practices) apply when you access and use third party applications, devices, platforms and websites, which are not the responsibility of eCare Vault. Any communications made or obligations you incur in your dealings with these third parties linked to eCare Vault’s Service are solely your responsibility.

## Children and Minors

Our service is not intended for users under the age of 13 in the U.S., or under the majority age in their jurisdiction of residence if outside the U.S., and we do not knowingly collect any Personal Data from children or minors. If we become aware that a person submitting Personal Data is under the required age, we will delete the information as soon as we become aware. According to our Terms of Service, all users represent that they are at least the age of majority in their jurisdiction of residence, or 13 years old if in the U.S. If you believe a user who is under the required age has provided Personal Data to the Service, please contact us at [help@ecarevault.com](mailto:help@ecarevault.com) or 617-848-4558.

## Accessing Your Information

You may access, review, change, correct, update or cancel or delete your Personal Data, oppose processing, request information about our collection, use and disclosure of such information, and request information on our policies and practices relating to the disclosure of information to our service providers, by contacting us at [help@ecarevault.com](mailto:help@ecarevault.com) or 617-848-4558. You may also withdraw your consent by emailing us to do so. We will respond to these requests in accordance with applicable law. You can help us maintain the accuracy of your information by notifying us of any changes to your information by emailing us at [help@ecarevault.com](mailto:help@ecarevault.com) or 617-848-4558.

## Your California Privacy Rights; California Do Not Track



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If you are a California resident, California Civil Code Section 1798.83 permits you to request information regarding the disclosure of your Personal Data by eCare Vault or its subsidiaries to a third party for the third party's direct marketing purposes. Since we do not make such disclosures, we are exempt from these reporting requirements.

Your browser may offer you a "Do Not Track" option, which allows you to signal to operators of websites and web applications and services (including behavioral advertising services) that you do not wish such operators to track certain of your online activities, over time and across different websites. We do not honor "Do Not Track" signals.

## **Contact Us About Any Questions, Complaints or Notices Relating to this Privacy Policy**

eCare Vault is committed to resolving questions or concerns about your privacy and our Processing of your Personal Data. If you believe your privacy rights have been violated or you disagree with any action eCare Vault has taken with regard to your Personal Data, you may contact us with any question or file a complaint by emailing us at [help@ecarevault.com](mailto:help@ecarevault.com).

If you have any questions or suggestions, or wish to correct your account information, please email us or call us at (617) 848-4558.

You may also contact us at:

### **Customer Support – Privacy Officer**

eCare Vault, Inc.  
75 Arlington Street, Suite 500  
Boston MA 02116  
Phone: 617-848-4558  
Fax: 617-830-0666  
Email: [help@ecarevault.com](mailto:help@ecarevault.com)

### **Terms of Service**

Please also visit our [Terms of Service](#) establishing the use, disclaimers, and limitations of liability governing the use of our website and Service here.