Avaros Inc. - Privacy Policy
Updated: November 1, 2024

1. OVERVIEW

Avaros Inc. (“Avaros”, “we” or “us”) is committed to protecting and respecting the privacy rights of its Physician and Patient users (“you”). The Avaros Privacy Policy (“Privacy Policy”), as amended from time to time, applies to your access and use of our Electronic Medical Records application (“EMR”) as well as Avaros’ online patient engagement platform and booking service (together, the “Programs”) offered to you by us.

Our Privacy Policy explains how we collect, store and use information collected from you in connection with your access and use of the EMR and Programs.

By accepting this Privacy Policy you expressly consent to our use and disclosure of information you provide to us in the manner described in this Privacy Policy.

Due to the nature of Avaros’ Programs and Avaros’ information collection and information management practices Avaros’ Programs comply with all applicable Canadian privacy laws and regulations.

This Privacy Policy is incorporated into and subject to the terms of any other agreement between you and Avaros with respect to the EMR or Programs offered to you by Avaros.

This Privacy Policy will take effect on **November 1, 2024**

2. INFORMATION WE COLLECT & HOW WE USE IT

In this section of the Privacy Policy, we will describe the type of personal and non-personal information that may be collected and how that information may be used or disclosed.

Generally, Avaros’ application is a front-end user interface application ("Program") provided via Web and electronic device that collects PHI and stores it on cloud-hosted databases (“Back-end Infrastructure). The PHI is stored as part of Avaros’ electronic medical records software application ("EMR") that then processes such information to handle scheduling, appointments, reminders, alerts, changes and other functions associated with patient booking, care and treatment. Avaros’ EMR stores and administers your PHI and account information.

Avaros securely stores and retrieves your PHI so that it can not be accessed by unauthorized Avaros personnel whether it is inputted on the Program user interface or stored in our Back-end Infrastructure. All actions taken on your PHI, including during

data migration, and maintenance events is logged and audited to ensure your privacy is protected.

The type of information Avaros collects or displays via it's front-end Program and then sends to its back-end EMR Infrastructure is referred to as PHI and is as follows:

- Personal Health Number
- Date of birth
- Email
- Sex (as stated on patient care card)
- Allergies
- Medications
- Physician Notes
- Scanned Treatment documents
- Immunization History
- Messages between You and your Physician or Clinic
- Phone number
- Address
- Emergency contact information.
- Reason for visit

Your PHI is governed by privacy principles established by the Avaros as part of our ISO 13485 Quality Management System. Avaros ensures all PHI is encrypted at standard and rest using industry approved cryptographic methods like AES 256 and TLS 1.2/1.3. We maintain a vigorous Information Asset program that ensures least privileges access to all sensitive information, and logging and auditing of all PHI access.

2.1 PHI vs PII

For the purposes of this Policy, the term PHI reflects a particular jurisdiction's definition of "personal health information", "protected health information" or "health information" as set out in their respective privacy laws and regulations. PHI includes information relating to you, your physical or mental health, as well as your health history, to the degree that it can be directly related to you and the information specifically set out in section 1 above.

For the purposes of this Policy ("PII" or "Personal Information") means personally identifiable information as set out in a particular jurisdiction's definition of information relating to a particular person. To clarify any data that has been collected in which all personal identifiers have been removed, such that the information could not reasonably be used to identify the individual, is not considered Personal Information or PHI.

Both PHI and PII are collected and stored by Avaros as entered into our EMR by your Physician and you. This information is protected using our ISO 13485 certified Information Asset policies.

2.1.1 Contacting Us

When you choose to contact Avaros using the Programs' functionality, we may collect, store and use the PII that you provide to us, such as your name, email address and other information you choose to provide in the content of your message, so we can respond to your inquiry. We will also retain all related correspondence from us to you and all related records. We retain these records in order to measure and improve our customer service, or as required to comply with applicable law and/or regulation.

2.1.2 Other Purposes

Additionally, Avaros may collect, store, and use PII to solicit your feedback or to help improve the Program and other Avaros products, advise you about new products, notify you about changes to the Program or other Avaros products, and communicate with you for other commonly accepted purposes. You may opt-out of emails that you receive from us at any time.

2.1.3 Surveys

We may offer optional questionnaires and surveys to you for the purposes of assessing Program quality. If you give us permission, we may contact you for a follow-up in connection with survey results.

2.2 Non-PII

We may also collect, use and disclose non-PII that does not directly identify you as follows:

2.2.1 Aggregated Data

Avaros may collect, use and disclose de-personalized information generated from the Program for the purposes of statistical and demographic research, analysis, reporting and to further develop the Program and ancillary services. “Aggregated Data” means data Avaros collects about your use of the Programs, including Progress Reports, that

has been aggregated and de-personalized. All Aggregated Data is and will be, as between us and you, the property of Avaros and not considered to be PII.

2.2.2 Cookies

When you access or use the Programs, we may use “cookies” to track what you view and interact with on the Programs. Avaros treats information collected by cookies and similar technologies as non-PII. A “cookie” is a small bit of record-keeping information that is sent to your computer. The cookies that Avaros uses do not include PII and may be used to: (1) help you navigate around the Programs, (2) monitor how many people are using the Programs, and (3) track trends. This cookie is anonymized and deleted soon after creation.

2.2.3 Server Logs

Avaros’ servers may log non-PII about your use of the Programs, such as: (1) your search activity, pages viewed, the date and time of activity; and (2) any information provided by your computer or mobile device in connection with your use of the Programs, such as your browser type, browser language, IP address, mobile carrier, unique device identifier, location, and requested and referring URLs.

2.2.4 Trusted Partners and Sponsored Companies and Organizations

We may use and disclose to our affiliated companies, contractors, trusted partners or persons collected non-PII for the purpose of reporting aggregate and de-personalized Progress Reports, auditing, researching and analyzing usage of the Programs, ensuring the technical functionality of the Programs and further developing the Programs and other Avaros products.

2.2.5 Site Traffic Information

Due to the technical nature of web-browsing, when you visit our Website or use obtain Programs from us, we obtain the following information:

(a) the web address of the website that you came from or are going to;

(b) which pages of our Website and features of our Programs you visit or use;

(c) the type of browser you use;

(d) the times you access our Website or use our Programs;

(e) the type of device you use to access our Website or use our Programs;

(f) the content of any undeleted cookies that your browser previously accepted from us or delivered to your device via use of our Programs;

(g) technical information, including the address used to connect your device to the Internet, system and operating system type and version, browser or app version, time zone setting, operating system and platform, and your location (based on IP address);

(h) information about your visit, including Programs response times, interaction information (such as button presses) and functionality accessed.

We may use standard Internet technology, such as web beacons and other similar technologies, to track your use of our Website or use of our Programs. We may allow third-parties, including our authorized service providers, to access usage information regarding how you use our Programs or our Website. We use all this collected information only to try to understand your preferences better and to manage the load on our servers, so as to improve our service, analyze trends, optimize Programs performance, administer the Website, improve Website performance, and gather broad demographic information for aggregate use.

Finally, usage activity information is required to meet legal and regulatory requirements in order to ensure compliance with certain laws requiring medical-related applications to achieve certain performance standards. We do not track the websites that you visit before or after you leave our Website

3. DISCLOSURE OF PII

3.1 Need-to-know disclosure

Only those who “need to know” have access to PII and PHI. This includes relevant quality control personnel, and authorized technical support contacted by your Physician for support in your care. All PHI and PII is stored indefinitely on an encrypted server. All data is backed up daily and a copy is stored securely off-site.

Based on our legitimate interest in managing and planning our business, we may analyse data about your use of our products and services to, for example, troubleshoot bugs within the Website and/or Programs, forecast demand of service and to understand other trends in use, including which features users use the most and find most helpful, and what features users require from us. This does not involve making any decisions about you - it is only about improving our Website and/or Programs so that we can deliver better services to you. Strict confidentiality and data security provisions will apply at all times.

We limit access to all PHI and PII about you to those employees and agents who need to know the information to provide products and services to you. Avaros will not disclose your PHI or PII to anyone other than to our employees and those third parties that require such information in order to provide us those services that help administer our business. We will require that these parties agree to process such PHI or PII based on our instructions and in compliance with this Privacy Policy, any applicable law, and any other appropriate confidentiality and security measures.

3.2 Other disclosure

We will not disclose any of your PHI or PII to third parties except in the limited circumstances described below, or with your express permission. These third parties are limited by law or by contract from using the information for secondary purposes beyond the purposes for which the information is disclosed. We disclose information appropriate to the circumstances as determined in our sole unfettered discretion.

(a) We disclose information in response to a subpoena, warrant, court order, levy, attachment, order of a court-appointed receiver or other comparable legal process whether criminal or civil, including subpoenas from private parties in a civil action.

(b) If we merge or are acquired by another company then the successor company would have access to your information but would continue to be bound by this Privacy Policy.

(c) We may use a third party communication company to communicate with you. We will require such third party to only use your contact information for the purpose of our communications with you and will also require such third party to delete such contact information from their records following the termination of their retainer by Avaros.

(d) We may share your PII with our authorized service providers that perform certain services on our behalf. These services may include hosting, performing business and sales analysis, supporting our Website and/or Programs functionality, and supporting features offered through our Website and/or Programs. These service providers may have access to PII needed to perform their functions but are not permitted to share or use such information for any other purposes.

(e) We disclose information that we are required by applicable law to disclose to applicable parties including, without limitation, law enforcement authorities, regulators or auditors.

4. CHOICES FOR PHI OR PII

If Avaros proposes to collect, use or disclose PHI or PII for any purpose other than those described in this Privacy Policy, we will obtain your consent or offer you an effective way to opt out of the use of your PHI or PII for those other purposes. You may choose to withdraw your consent to the collection, use or disclosure of your PHI or PII as outlined in this Privacy Policy at any time. If you withdraw consent, then Avaros may

no longer be able to provide you with full or any access to the Programs. Users are also given the opportunity to “opt-out” of having their PHI or PII used for specific purposes. Withdrawals of consent will not have an effect on personal or other data that Avaros has used or disclosed in accordance with this Privacy Policy prior to such withdrawals.

5. DATA STORAGE

Unless otherwise permitted by applicable law, your PII will be stored and maintained on servers and databases located in Canada and is subject to regulation under the laws of Canada. We retain all records related to messages sent or received via Avaros. Once you terminate your relationship with the medical facility providing the Avaros Programs to you, subject to applicable laws requiring us to retain records, Avaros will delete any information you have provided to Avaros, including, without limitation, any PHI or PII. Depending on legal or regulatory requirements (which may require us to retain records for an indefinite period) we may retain PHI or PII you provided to us. You can see what PHI/PII of yours is deleted and which PHI/PII we continue to store by request to privacy@avaros.ca

6. ACCESSING YOUR INFORMATION AND EXPORTING IT

You have the ability to review and update your PII by contacting us by sending an email to privacy@avaros.ca. You can export a copy of any PHI or PII specific to you by also contacting us.

7. INFORMATION SECURITY MEASURES

7.1 Data Security

Information and data security is of paramount importance at Avaros. Avaros is committed to handling all of your information with applicable industry-standard information security practices. Avaros follows these basic principles with respect to data security and data ownership:

a) You own your private data, not us.

b) You can request deletion of your PHI or PII (which would mainly be cookies and/or any emails you send to Avaros) from Avaros anytime you want.

c) You can request access to the PHI or PII Avaros holds about you.

d) You can ask us to rectify or erase PHI or PII we hold about you subject only to regulatory record-keeping requirements that may be imposed by governments on us to store PHI or PII for prescribed periods of time.

e) We restrict access to your PHI and PII to employees who need to know that information in order to provide products or services to you or your Physician.

f) We maintain other physical, electronic and procedural safeguards that comply with applicable laws to guard your PHI or PII.

g) We use what we believe to be “best-of-class” hosting services and security technologies and services that we believe provide you with a secure and safe environment.

h) We encrypt data transmitted to and from the Website and/or Programs.

7.2 Your responsibilities

The security of the Avaros Programs also relies on your protection of any credentials you use to access our Programs. You may not share your password with anyone. Avaros will never ask you to send your credentials or other sensitive information to us in an email, though we may ask you to enter this type of information on Avaros websites, at the following URLs: www.avaros.ca, *.avaros.ca or any of our other sites.

Any email or other communication requesting your credentials, asking you to provide sensitive account information via email, or linking to a website with a URL other than those specified within this document should be treated as unauthorized and suspicious and should be reported to Avaros immediately.

If you do share your access credentials with a third party for any reason, you may be responsible for actions taken using your access credentials. If you believe someone else has obtained access to your access credentials, please contact us right away.

8. ACCURACY AND ACCESS/CONTROL OVER PHI ANDPII

You can review the PHI and PII you provided us and make changes to some information at any time by contacting us. If Avaros is satisfied on reasonable grounds that your request to update or correct your information should be implemented, we will correct your PHI or PII. We may retain an archived copy of your records as required or authorized by applicable law.

9. Complaints Process

If you are an Ontario Resident, and at anytime you feel Avaros has not upheld its privacy obligations, or that your PHI or PII has been accessed or used inappropriately, you may submit a complaint to the Office of the Information and Privacy Commissioner of Ontario (“IPC”). You can contact the IPC at info@ipc.on.ca or 416-326-3333.

10. CHANGES TO THIS POLICY

Avaros reserves the right to modify this Privacy Policy at any time. We may provide you with notice of such modifications, by sending you an e-mail message or otherwise bringing it to your attention in the Programs. Your continued use of the Programs will signify your acceptance of the modifications to this Policy. Any changes to the Privacy Policy will be effective immediately. If you do not agree to such changes then please contact us and we will not use your information in the new manner. We will only use information in the accordance with the privacy policy under which your information was collected and to which you agreed.

11. CONTACT INFORMATION

Should you have any questions relating to this Privacy Policy, please send correspondence to privacy@avaros.ca