

# WEBSITE PRIVACY POLICY

Effective Date: June 28, 2018

The Privacy Policy explains how Agendia. (“Agendia”, “we” or “us”) may collect, use, disclose and secure information we obtain from your visit to our website (www.agendia.com), (this “Site”). By accessing our website and providing Your Information, you consent to this Privacy Policy. If you are visiting from the European Union or other regions with laws governing data collection and use, you agree to the transfer of Your Information to the United States where it is determined to be necessary for the purposes identified below.

We have locations in the United States and in the Netherlands. If you are a US citizen, please refer to our Notice of Privacy Practices under HIPAA. If you are an EU citizen, please refer to our EU Privacy Notice.

PLEASE READ THIS INFORMATION CAREFULLY BEFORE ACCESSING ANY PART OF THIS SITE.

## INFORMATION COLLECTED BY AGENDIA

### Website Use Information

We collect information about you **automatically** when you browse this Site, such as:

- browser type
- browser language
- domain names
- referring and exit pages and URLs
- platform type
- pages viewed
- order of pages viewed
- amount of time spent on particular pages
- date and time of your requests on this Site
- your Internet Protocol (“IP”) address
- one or more cookies that may uniquely identify your browser

### Use of Cookies and Other Web Technologies

Cookies are pieces of information stored directly on your computer’s hard drive that remembers information about the site you have visited.

The Help portion of the tool bar on most Web browsers will tell you how to prevent your Web browser from accepting new cookies or notify you when you receive new cookies.

You may still use this Site even if you reject the cookies but you may not be able to access some tools and features offered on our Site.

Certain pages of this Site or html e-mail correspondence may use session cookies, persistent cookies or web beacons to track unique visitors, save site preferences and to allow us to recognize visits from the same computer and browser.

Cookies may be used by some of the sites that you can link to from our Site. Therefore, please review the Links section of this Policy below.

Because some of this information such as IP address, can link to you as an individual, it is classed as personal data.

### Client Account Information

We will collect information about you when you use the web portal to register for a client account.

Agendia collects personal data for your client account:

- Full name
- Email address
- Postal address
- User name
- Phone number
- Password
- Name of organization
- Demographic information

By creating your account, you are providing consent to Agendia to collect, store and use your data as described in this Privacy Policy and you conform that the information is accurate.

When you create and use a client account, the collection, use and disclosure of your personal information by us will be in accordance with the Terms & Conditions of Service.

## USE OF INFORMATION

Agendia is acting as a **Data Processor** on behalf of your health care provider who is the **Data Controller**. We will only process personal and sensitive personal data as instructed by your health care provider.

We may use your personal information in the following ways:

- To contact you and respond to any of your inquiries.
- To provide you with information that you have requested.
- To provide you with and maintain your client account.
- To provide you with technical support.
- To enforce our Terms & Conditions of Service and other policies governing use of the Site or Site Services.

We work hard to ensure that only the right people within Agendia have Your Information and that they are only given the information they need.

### Other Uses

We may combine Your Information with other information about you that is available to us, including information from other sources. Agendia will keep resumes confidential and will use them only for employment purposes. Along with activities related directly to cookies and maintaining your client account, we also use information in ways which allow us to check that the site is working and provide data for the improvement and planning of services.

- Provide, improve, test, and monitor the effectiveness of the Site or Site Services.
- Develop and test new products and features.
- Monitor metrics such as total number of visitors, traffic, and demographic patterns.
- Analyze trends, administer the Site and Site Services, and gather information regarding where visits to the Site originate, how often the Site is visited and what parts of the Site are visited most often.
- Diagnose or fix technology problems.

### Disclosure Information

Agendia works hard to ensure that only the right people have Your Information and that they are only given the information they need.

- Agendia will not sell or rent your Personal Information to any other person, company or organization.
- Agendia will share Your Information, where necessary, with third party service providers who perform marketing or other services on our behalf, but only if you have consented.
- If Agendia merges with another company or is sold to another company, Your Information will be transferred to that company but you will be given suitable opportunity to object.

Agendia uses other companies to help us deliver some of our services such as;

- Provision of systems and equipment
- Provision of connectivity and servers

We have contracts in place with these organizations that prevent them from using Your Information in any other way that how we tell them to. These contracts also require them to maintain good standards of security to ensure your confidentiality.

## **STORAGE, PROCESSING AND SECURITY OF YOUR INFORMATION**

### **Storage and Processing**

Your Information collected through the Site may be stored and processed in the United States or any other country in which we or our Service Providers maintain its facilities. The countries to which we transfer and store information are the United States and the Netherlands. By registering for and using the Site and Site Services you consent to the transfer of information to the U.S. and the Netherlands and the use and disclosure of information about you as described in this Policy.

### **Security of Your Information**

Information that you provide to us through the Site is encrypted using industry standard Secure Sockets Layer (SSL) technology. Your Client Account is also protected with certain user credentials (i.e., your User ID, as described in the Terms of Service).

You are responsible for taking all reasonable steps to ensure that no unauthorized person has access to your Client Account or User ID. It is your sole responsibility to authorize, monitor, and control access to and use of your User ID. Your Personal Information is processed and stored on controlled servers with restricted access. Unfortunately, we cannot ensure or warrant the security of any information you transmit to our Site, and you do so at your own risk.

While we use commercially reasonable effort to ensure the integrity and security of our network and systems, we cannot guarantee that such security measures will prevent third-party “hackers” from illegally obtaining access to Your Information. Agendia does not warrant or represent that Your Information will be protected against, loss, misuse, or alteration by third parties. Therefore, Agendia disclaims any warranties or representations relating to maintenance or non-disclosure of any private information, including your Personal Information.

### **Information Access, Updates and Choice**

You may choose to provide Personal Information to us by completing the Client Account registration form, sending us an e-mail or otherwise contacting us. In the registration form, you may have an opportunity to elect to receive certain communications from us. Email correspondences will include instructions on how to update certain Personal Information and how to unsubscribe from our emails and postal mail correspondence.

Please follow the instructions in the emails to notify us of changes to your name, email address and preference information. We will take reasonable steps, such as confirmation emails, to verify your identity before granting access to your Personal Information. If you choose to unsubscribe from our email and/or postal mail services, you will no longer receive this correspondence. However, we may retain your information for a period of time to resolve disputes, troubleshoot problems or for other valid business or legal reasons.

### **Third Party Information**

You agree that you have provided notice to, and obtained consent from, any third party whose Personal Information you supply to us, including with regard to:

- The purposes for which such third party's Personal Information has been collected.
- The intended recipients or categories of recipients of the third party's Personal Information.

- Which of the third party's information is obligatory and which information, if any, is voluntary
- How the third party can access and, if necessary, rectify the information held about them.

### Linked Third-Party Websites

On this Site, you may have the opportunity to follow a link from or to other sites maintained by third parties. Because these other sites are not maintained by us, we are not responsible for the privacy practices of those sites. This Policy only applies to information collected and maintained by us. Please refer to the specific privacy statements or policies posted on those sites.

### Use by Children

The Site is directed toward adults. If you are under the age of 18, you must obtain the authorization of a responsible adult (parent or legal custodian) before using or accessing our Site.

We will not knowingly collect, maintain or use any Personal Information from any children under the age of 18. If we become aware that we have collected any Personal Information from children under the age of 18, we will promptly remove such information from our databases.

### Personal and Sensitive Information

The Agendia Web Portal is used for the storage and sharing of Personal and Sensitive Information (PSI) between us and health care providers and their authorized representatives. PSI is used by Agendia and/or its service providers in accordance with the Health Information Portability and Accountability Act (HIPAA), as amended, and the General Data Protection Regulations (GDPR) governing privacy.

Personal and Sensitive Information available on or through the Web Portal will only be used or disclosed for the provision of testing services, payment, administration of records, treatment and other authorized purposes provided in any related Terms of Use or General Terms and Conditions of the Web Portal. We may use and disclose Personal and Sensitive Information to evaluate and process any requests for coverage and claims for benefits you may make or about other health-related benefits or services that may be of interest to you.

### GOVERNING LAW

Our Site is controlled and operated by us. By choosing to visit our Site or otherwise electronically provide information to us, you agree that any dispute over privacy or the terms contained in this Policy will be governed by applicable laws and regulations in the United States and the European Union. If you are accessing our Site from any location with applicable laws or regulations governing the collection, use or disclosure of personal data, which differ from United States and EU, please note that through your continued use of our Site, you are transferring personal information and you consent to that transfer and to the collection and processing of such information. You also expressly consent to the adjudication of any disputes arising in connection with our Site in the State of California, United States. You also agree to attempt to mediate any such disputes before an action is filed in a federal or state court.

### CONTACT US

If you have questions, please contact us at [customercare@agendia.com](mailto:customercare@agendia.com).