

## VITAL-TRAC™ PRIVACY POLICY

**Last Updated: June 23, 2025**

**PLEASE READ THIS POLICY CAREFULLY BEFORE USING VITAL-TRAC.**

### Age Restrictions for Vital-Trac

**Vital-Trac SaMD:** You must be 22 years of age or older to use the prescription only version of the Vital-Trac application, Vital-Trac Software as a Medical Device (Vital-Trac SaMD). Vital-Trac SaMD has not been evaluated by the Food and Drug Administration (FDA) for people under 22 years of age. The prescription only version of Vital-Trac is not intended for persons under 22 years of age, and we do not knowingly collect information from them. If we learn we have collected or received information from someone under 22 through Vital-Trac SaMD, we will delete that information.

**Vital-Trac for General Wellness:** Eligible users of the General Wellness version of Vital-Trac are determined by the third-party administrator providing access to that version of the application.

### Your Privacy

Mindset Medical ("Mindset" or "We") respects your privacy and is committed to protecting it through our compliance with this Privacy Policy ("Policy"). This Policy describes how we collect your personal information when you access or use Vital-Trac. This Policy applies to the information we collect through the use of Vital-Trac, including date of birth, vital sign measurement results, and other electronic communications sent through or in connection with Vital-Trac.

Please read this document carefully to understand our policies and practices regarding your information and how we will treat it. Do not use Vital-Trac if you disagree with our policies and procedures. By using Vital-Trac, you agree to this Policy.

### Information We Collect and How We Collect It

We never collect or store video recordings or your facial image.

**Vital-Trac SaMD:** When you use Vital-Trac as prescribed by your healthcare provider, we automatically collect personal information including:

- Vital sign measurements (which may include pulse rate, respiratory rate, blood pressure, blood oxygen saturation, stress values, or heart rate variability)\*
- Date of Birth (as part of your provider's medical record)\*
- First and Last Name (as part of your provider's medical record)\*
- Email Address (as part of your provider's medical record)\*
- Phone Number (as part of your provider's medical record)\*
- Member ID (as part of your provider's medical record)\*
- Date and Timestamp of when you use the Vital-Trac
- The Operating System of the device used to run Vital-Trac (e.g., Android 13.0 or iOS 17.0)
- The model of the device used to run Vital-Trac (e.g., iPhone)
- The browser version used to run Vital-Trac
- The browser engine version to run Vital-Trac

*\*This information is considered "Protected Health Information" under specific state laws and federal laws such as HIPAA and HITECH (collectively, "PHI").*

**Vital-Trac for General Wellness:** When you use Vital-Trac as part of a third-party administrator providing you access to Vital-Trac, we can collect the personal information below. The third-party administrator determines what information is shared with Vital-Trac and its databases and may include the following:

- Vital sign measurements which may include pulse rate, respiratory rate, blood pressure, blood oxygen saturation, stress values, or heart rate variability
- Date of Birth
- First and Last Name
- Email Address
- Phone Number
- Member ID
- Date and Timestamp of when you use the Vital-Trac
- The Operating System of the device used to run Vital-Trac (e.g., Android 15.0 or iOS 18.0)
- The model of the device used to run Vital-Trac (e.g., iPhone)
- The browser version used to run Vital-Trac
- The browser engine version to run Vital-Trac

The third-party administrator can choose to anonymize the information collected by Vital-Trac, but the maximum information potentially collected about you by Vital-Trac is listed above.

## How We Use Your Information

We use information that we collect about you, including any PHI, to:

- Provide you with Vital-Trac and its contents
- Measure your vital signs and send the completed results to the specified database(s)

## Disclosure of Your Information

We may disclose PHI or other personal information that we collect or you provide:

- To your healthcare provider as part of your regular treatment and care plan when prescribed Vital-Trac SaMD
- To our subsidiaries and affiliates who are bound by contractual obligations to keep PHI and other personal information confidential and use it only for the purposes for which we disclose it to them
- To contractors, service providers, and other third parties we use to support our business who are bound by contractual obligations to keep PHI and other personal information confidential and use it only for the purposes we disclose to them
- To fulfill the purpose for which you have provided it
- With your consent
- To comply with any court order, law, or legal process, including to respond to any government or regulatory request
- Subject to applicable laws if we believe disclosure is necessary or appropriate to protect the rights, property, or safety of Mindset Medical, our customers, or others. This includes exchanging information with other companies and organizations for fraud protection purposes.

## Accessing and Correcting Your PHI and Other Personal Information

**Vital-Trac SaMD:** You have the right to request your patient record (containing relevant PHI) from your healthcare provider or ask that it be deleted. We cannot change your PHI or other information, nor can we delete parts of it except by also deleting your entire patient record. To initiate a request, please contact your healthcare provider.

**Vital-Trac for General Wellness:** Your information is maintained by the third-party administrator that provides you with access to Vital-Trac. Any requests for to have your information modified or deleted must be facilitated by the thir- party administrator partnering with Mindset Medical.

## Data Security

We have implemented technical, physical, administrative, and organizational measures to secure your PHI and other personal information from accidental loss and unauthorized access,

use, alteration, and disclosure. All information provided to Mindset Medical is stored on secure servers behind firewalls that follow the state and federal regulations.

**Important:** Your information's safety and security also depend on you. You are responsible for securing your device and not sharing it. Vital-Trac will open a web browser on your device. After you measure your vitals, you are responsible for closing your web browser. Although we do our best to protect your PHI and other personal data, we cannot guarantee the security of your PHI and other personal information transmitted through Vital-Trac by your selected Internet or mobile platform.

**Do not use the Vital-Trac on public, unsecured Wi-Fi or Internet networks. Any PHI and other personal information transmission in such unsecured environments is at your own risk.** We are not responsible if users circumvent any privacy settings or security measures we provide.

## Aggregated and De-identified Data

Subject to applicable state and federal law, including but not limited to our obligations under HIPAA and HITECH, we may license, sell, or otherwise share aggregated, de-identified versions of your PHI and other data ("De-identified Information") with our subsidiaries, affiliates, partners, customers, investors, and contractors for any purpose. You agree and acknowledge that Mindset Medical is the sole and exclusive owner of any De-identified Information created by Mindset Medical and that you have no ownership or other intellectual property rights in or to such De-identified Information.

Examples of De-identified Data include:

- Date and Timestamp of when you use Vital-Trac
- The Operating System of the device used to run Vital-Trac (i.e., Android 15.0 or iOS 18.0)
- The model of the device used to run the Vital-Trac (i.e., iPhone)
- The browser version used to run the Vital-Trac
- The browser engine version
- Any session codes generated during the use of the Vital-Trac

## Changes to Our Privacy Policy

We may update our Policy from time to time. If we make material changes to how we treat our user's PHI, we will post the new policy in Vital-Trac or on our website with the date the policy has been updated. Your continued use of the Vital-Trac, after we make changes, is deemed to be acceptance of those changes. Please check this Policy periodically for any changes.

## Your California Privacy Rights

California Civil Code Section 1798.83 permits California residents who use Vital-Trac to request certain information regarding our disclosure of information to third parties for their direct marketing purposes. To make such a request, please email [vtsupport@mindsetmedical.com](mailto:vtsupport@mindsetmedical.com).

## Contact Information

To ask questions or comment about this Policy and our privacy practices, please email [vtsupport@mindsetmedical.com](mailto:vtsupport@mindsetmedical.com).