Episode Solutions

Privacy Policy

Last Updated: January 2, 2019

Your privacy is important to us, and it is the policy of Episode Solutions and its affiliates (“Episode Solutions”) to respect your privacy regarding any information we may collect while operating our website at www.episodesolutions.com (the “Site”) and the Episode Solutions and My Surgery mobile applications (the “Mobile App”). The Site and the Mobile App shall be referred to collectively as the “Services.” This Privacy Policy discloses how we collect, use, communicate, disclose, and make use of personal information of Site visitors and users of our Services, whether through the Site or our Mobile App (collectively “Users”), and applies solely to the information that we collect through the Services, including through our Navigators (defined below). This Privacy Policy does not address personal information that you provide to us in other contexts (e.g., through a business relationship not handled through the Services).

Acceptance of Privacy Policy

By using the Services, you signify your acceptance of this Privacy Policy. If you do not agree to the terms of this Privacy Policy, please do not use the Services. Your continued use of the Services following the posting of changes to these terms will mean that you accept those changes.

How We Collect Your Personal Information

Episode Solutions may collect your personally identifiable information (“PII”) that you provide when you use the Mobile App, including, but not limited to, name, age, gender, email address, home or other addresses, and phone number, care plans, health and other medical information. We also may collect any files, data, images, photos, videos, sounds, links, works of authorship, or any other materials containing PII that you, or third parties with your authorization, provide to, post to, or share via the Services, including through discussion and other communications with an Episode Solutions care coordinator (“Navigator”).

Your Protected Health Information and HIPAA Compliance

If you are a patient with a relationship with a physician or other healthcare provider who is an Episode Solutions customer (“Physician”), then the information that you share with us through the Services is likely to be protected health information (“PHI”) subject to the privacy and security safeguards of the Health Insurance Portability and Accountability Act and its regulations (“HIPAA”). Episode Solutions is subject to applicable HIPAA privacy and security requirements in its capacity as a “business associate” acting on behalf of Physicians. If that is the case, Episode Solutions’ use and disclosure of your PHI will be governed by HIPAA and the applicable business associate agreement between Episode Solutions and the Physician, in addition to this Privacy Policy. HIPAA requires, among other things, that we not use or disclose more than the minimum amount of your information that is necessary to perform services for, or on behalf of, the Physicians with whom we have relationships. If there is a conflict between this Privacy Policy and HIPAA, HIPAA will control with respect to your PHI.

If you are a User and do not have a relationship with a Physician, then the terms of this Privacy Policy will govern Episode Solutions’ use and disclosure of your PII.

Use and Disclosure of Personal Information
Except as described in this Privacy Policy, Episode Solutions will use your PII only to operate, enhance, improve, maintain and update the Services, address your requests for information, products or services, and to develop web statistics and User profiles. Episode Solutions will not sell, rent, license, or trade your PII with third parties for their own direct marketing use unless we receive your express consent to do so. Unless you give us permission to do so, Episode Solutions will not share your PII other than as specified in this Privacy Policy.

**Disclosures to Third Parties Assisting In Our Operations.** Episode Solutions may share your PII under confidentiality agreements with other companies that work with, or on behalf of, Episode Solutions to provide products and services. These companies may use your PII to assist Episode Solutions in its operations. However, these companies do not have any independent right to share this information.

**Disclosures Under Special Circumstances.** We may provide information about you to respond to subpoenas, court orders, legal process or governmental regulations, or to establish or exercise our legal rights or defend against legal claims. We believe it is necessary to share information in order to investigate, prevent or take action regarding illegal activities, suspected fraud, situations involving potential threats to the physical safety of any person, or as otherwise required by law.

**Business Transfers.** We may share your PII with other business entities in connection with the sale, assignment, merger or other transfer of all or a portion of Episode Solutions’ business to such business entity. We will require any such successor business entity to honor the terms of this Privacy Policy.

**Security**

Episode Solutions understands that storing our data in a secure manner is essential. Episode Solutions stores PII using industry standard physical, technical and administrative safeguards to secure data against foreseeable risks, such as unauthorized use, access, disclosure, destruction or modification. Please note, however, that while Episode Solutions has endeavored to create secure and reliable Services for Users, the confidentiality of any communication or material transmitted to/from the Services or via e-mail cannot be guaranteed.

**Traffic Data, Analysis and Cookies**

Each time a User comes to the Site or uses the Mobile App, Episode Solutions collects some information to improve the overall quality of the visitor’s online experience.

**Aggregated Data.** Episode Solutions collects aggregate queries for internal reporting and also counts, tracks, and aggregates the visitor’s activity into Episode Solutions’ analysis of general traffic-flow at the Site. To these ends, Episode Solutions may merge information about you into aggregated group data. In some cases, Episode Solutions may remove personal identifiers from PII and maintain it in aggregate form that may later be combined with other information to generate anonymous, aggregated statistical information. Such anonymous, group data may be shared on an aggregated basis with Episode Solutions’ affiliates, business partners, service providers and/or vendors; if it does so, Episode Solutions will not disclose your individual identity.

**Web Server Logs and IP Addresses.** An Internet Protocol (“IP”) address is a number that automatically identifies the computer or device you have used to access the Internet. The IP address enables our server to send you the web pages that you want to visit, and it may disclose the server owned by your Internet Service Provider. Episode Solutions may use IP addresses to conduct analyses and performance reviews and to administer the Site.

**Cookies and Web Beacons.** Cookies are pieces of information that a website transfers to a user’s computer for purposes of storing information about a user’s preferences. Cookies in and of themselves do not personally identify users, although they do identify a user’s computer. Many websites
use cookies as a standard practice to provide useful features when a user visits the website and most web browsers are set up to accept cookies. You can set your browser to refuse cookies, but some portions of the Site may not work properly if you refuse cookies. We also use cookies to retrieve certain information previously provided by you to Episode Solutions, so that you do not need to re-enter this information every time you visit the Site.

Some of the Site's web pages may use web beacons in conjunction with cookies to compile aggregate statistics about Site usage. A web beacon is an electronic image (also referred to as an "action tag," "single-pixel," or "clear GIF") that is commonly used to track the traffic patterns of users from one web page to another in order to maximize web traffic flow and to otherwise analyze the effectiveness of the Site. Some web beacons may be unusable if you elect to reject their associated cookies.

**Referrals/Links**

The Services may contain links to third-party websites that may offer information of interest. This Privacy Policy does not apply to those websites, and Episode Solutions recommends reviewing those websites' privacy policies individually.

**Response to “Do Not Track” Signals**

Some Internet browsers include the ability to transmit “Do Not Track” signals. Since uniform standards for “Do Not Track” signals have not yet been adopted, Episode Solutions does not process or respond to “Do Not Track” signals with respect to the Site.

**Children's Privacy Protection**

Episode Solutions understands the importance of protecting children's privacy in the interactive online world. The Services are not designed for, or intentionally targeted at, children under 13 years of age. It is not our policy to intentionally collect or maintain information about anyone under the age of 13. No one under the age of 13 should submit any PII to Episode Solutions through the Services. If we discover that any such information has been submitted through the Services, we will take reasonable measures to delete the information immediately and document our destruction efforts. For more information about the Children's Online Privacy Protection Act ("COPPA"), which applies to websites that direct their services to children under the age of 13, please visit the Federal Trade Commission's website: [https://www.ftc.gov/tips-advice/business-center/guidance/complying-coppa-frequently-asked-questions](https://www.ftc.gov/tips-advice/business-center/guidance/complying-coppa-frequently-asked-questions).

**Updates to Privacy Policy**

If we decide to change our Privacy Policy, we will post those changes on our homepage and, with respect to the Mobile App, in the relevant app stores, so our users are always aware of what information we collect, how we use it, and under what circumstances, if any, we disclose it. If at any point we decide to use personally identifiable information in a manner different from that stated at the time it was collected, we will notify users by way of an email or through the Mobile App. Users will have a choice as to whether or not we use their information in this different manner. We will use information in accordance with the Privacy Policy under which the information was collected.

**Passwords; Your Role in Protecting Your Personal Information.**

The Services allow access only to users with valid passwords. You must take all necessary steps to ensure that no unauthorized person has access to your password or account. It is your sole responsibility to: (A) control the dissemination and use of activation codes and passwords; (B) authorize, monitor, and control access to and use of your account and password; and (C) promptly inform us of any need to deactivate a password or account.
Changes to Your Personal Information; Opt-Out

You may review and request changes to your PII that Episode Solutions has collected, including the removal of your PII from Episode Solutions’ databases in order to prevent receipt of future communications using any of the following options:

You can send your request via e-mail to legal@episodesolutions.com.

You can mail your request to the following postal address:

Episode Solutions
102 Woodmont Blvd., Ste 350
Nashville, TN 37205
Attn: MD App Team

Questions? Comments?

We welcome your feedback. If you have questions or comments about our privacy policies, feel free to send us an e-mail at legal@episodesolutions.com or call us at 615.386.0064.