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## AETNA BETTER HEALTH® PRIVACY POLICY

Aetna Better Health is concerned about privacy issues. We want you to know how we collect, use and give out information. This Privacy Policy describes our practice for collected information through software applications. This includes mobile applications and secure web portals located at [www.aetnabetterhealth.com](http://www.aetnabetterhealth.com). Any application or website (the "**Applications**") that we operate or link to is covered by this Privacy Policy. By downloading and using the Applications, or providing information in the Applications, you agree to the terms and conditions of this Privacy Policy.

This Privacy Policy does not address the privacy, information or other practices of any third party, including, any health care providers, any health benefits insurer, any accountable care organization, or plan (an "**Insurer**"), and, if applicable, Apple, Inc. Please note that the Applications may include the ability to access and submit certain information directly to third-party services such as Microsoft HealthVault or an Insurer. If you use another service or application, their privacy policy applies to your information, and not this Privacy Policy.

We may change this Privacy Policy at any time. Please take a look at the "LAST UPDATED" date to see when this Privacy Policy was last revised. If we change this policy, the changes apply to all of your information we have or will get after that "LAST UPDATED" date.

### Jurisdictional issues

The Applications are controlled by us from the United States. Our collection, use and disclosure of your personal information, Protected Health Information and additional health information, is governed by U.S. law. It is not governed by the laws of any country, territory or jurisdiction other than the United States. We do not represent or warrant that the Applications, or any functionality or feature thereof, are appropriate or available for use in any particular jurisdiction. Those who choose to access or use the Applications do so on their own initiative and at their own risk. They are responsible for complying with all local laws, rules and regulations. By using the Applications and submitting any Personal Information, Protected Health Information or Additional Health Information, users from outside the United States acknowledge that the Applications are subject to U.S. law and consent to the transfer of Personal Information, Protected Health Information and Additional Health Information to the United States, which may provide a different level of data security than in their country of residence, and waive any claims that may arise under their own national laws.

## Personal information

### Personal information we may collect

"**Personal Information**" is information that identifies you as an individual. We and our service providers may collect personal information from you, including but not limited to the following:

- Name
- Address
- Telephone number
- E-mail address
- Personal device information such as, physical location, IP address, battery information, application activity, data usage, accelerometer data, and malware information ("**Personal Device Information**")

Protected Health Information, additional health information and other information, as defined below may be collected in the Applications in addition to personal information. The collection, use and disclosure of such information are addressed separately below.

Personal Device Information may be collected by us and our third-party service providers automatically through your device for user authentication and security purposes, as described below. This may include collection of information through server logs, use of cookies, pixel tags and other similar technologies. We may also collect the physical location of your device using satellite, cell phone tower or WiFi signals. Device information that is not used to personally identify you will be treated by us as Other Information.

## **How we may use personal information**

We, and our third-party service providers, may use personal information:

- To answer questions you send to us
- To fulfill a request for a new ID card
- To send to you information regarding this Applications or changes to our terms, conditions and policies
- To send you appointment reminders
- To authenticate you and/or your personal device for purposes of Application security and to help prevent fraud and data loss.
- To verify your member effective date

For our business purposes, such as:

- Quality assessment
- Data analysis
- Audits
- Developing new products
- Enhancing the Application
- Improving our services
- Identifying usage trends

## **Other reasons we might share your information**

We also may share your information for these reasons:

- Under applicable law, including laws outside your country of residence
- To comply with legal process
- To respond to requests from public or government authorities, including public or government authorities outside your country of residence
- To enforce our terms and conditions
- To protect our operations or those of any of our affiliates
- To protect our rights, privacy, safety or property
- At our discretion under emergency circumstances, to notify emergency services or your family members, personal representative or other individuals involved in your care of your location and condition
- To allow us to pursue available remedies or limit the damages that we may sustain

## How personal information may be disclosed

Your personal information may be disclosed:

- To our third-party service providers that provide services such as hosting of the Applications, data analysis, IT services and infrastructure, customer service, e-mail delivery, auditing, user authentication and fraud detection, and other similar services. Please note that we may use cloud service providers (such as Amazon Web Services LLC) in connection with the hosting of the Applications and the storage of Personal Information. These service providers inform us that they apply security measures they consider adequate for the protection of information within their system.
- To health care professionals, to schedule and fulfill appointments and provide health care services.
- By you, on message boards, forums (including review forums), chat, profile pages and blogs and other pages and services to which you are able to post information and materials. Please note that any information and materials that you post or disclose through these services will become public information. It may be available to other users of the Applications and to the general public. We urge you to be very careful when deciding to disclose your personal information on the Applications.
- To a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceeding).
- As we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public or government authorities, including public or government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety or property, or that of our affiliates, you or others; (g) at our discretion under emergency circumstances, to notify emergency services or your family members, personal representative or other individuals involved in your care of your location and condition; or (h) to allow us to pursue available remedies or limit the damages that we may sustain.

If we combine any personal information and it meets the definition of Protected Health Information, then the combined information will be treated by us as Protected Health Information.

## Health information

**There are two categories of Health Information that we and our service providers may collect through the Applications: Protected Health Information and Additional Health Information.**

**"Protected Health Information (PHI)"** is individually identifiable health information which is created or received by a covered entity (for example, a health care provider or health plan) and which relates to the past, present or future physical or mental health or condition of an individual, the provision of health care to an individual, or the past, present or future payment for the provision of health care to an individual. Protected Health Information is further defined by the federal Health Insurance Portability and Accountability Act of 1996 (HIPAA) and is subject to the protections of HIPAA. We and our service providers may collect Protected Health Information in connection with the Applications.

**"Additional Health Information"** is information which does not fall within the category of Protected Health Information above (typically because it was not created or received by a provider or health plan), but which is the combination of personal information with information related to past, present or future physical or mental health or conditions. We and our service providers may collect Additional Health Information in connection with the Applications.

## How we may use Protected Health Information and additional health information

We and our third-party service providers may use PHI and Additional Health Information:

- To answer questions you send to us
- To send to you information regarding this Applications or changes to our terms, conditions and policies.
- To send to you appointment reminders.
- To provide you with health plan network information and access to other health plan information and tools.
- To send to you marketing-related communications that we believe may be of interest to you
- For our business purposes, such as:
  - Quality assessment
  - Data analysis
  - Audits
  - Developing new products
  - Enhancing our Applications
  - Improving our services
  - Identifying usage trends
  - Providing feedback to health care professionals
- As we believe to be necessary or appropriate:
  - Under applicable law, including laws outside your country of residence
  - To comply with legal process
  - To respond to requests from public or government authorities, including public or government authorities outside your country of residence
  - To enforce our terms and conditions
  - To protect our operations or those of any of our affiliates
  - To protect our rights, privacy, safety or property, or that of our affiliates, you or others
  - At our discretion under emergency circumstances, to notify emergency services or your family members, personal representative or other individuals involved in your care of your location and condition
  - To allow us to pursue available remedies or limit the damages that we may sustain.

## How Protected Health Information and additional health information may be disclosed

Your PHI and your Additional Health Information may be disclosed:

- To our third-party service providers that provide services such as hosting of the Applications, data analysis, IT services and infrastructure, customer service, e-mail delivery, auditing and other similar services. Please note that we may use cloud service providers (such as Amazon Web Services LLC) in connection with the hosting of the Applications and the storage of PHI and Additional Health Information. These service providers inform us that they apply security measures they consider adequate for the protection of information within their system.
- To health care professionals, to schedule and fulfill appointments and provide healthcare services.
- To our affiliates, for the purposes described for PHI and Additional Health Information in this Privacy Policy, including for marketing purposes in accordance with the choices provided by us to you hereunder.
- To third parties, to the extent that you authorize us to do so.
- By you, on message boards, forums (including review forums) chat, profile pages and blogs and other services to which you are able to post information and materials. Please note that any information and materials that you post or disclose through these services will become public information. It may be available to other users of the Applications and to the general public. We urge you to be very careful when deciding to disclose your PHI, or any other information, on the Applications.

- To a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer or other disposition of all or any portion of our business, assets or stock (including in connection with any bankruptcy or similar proceeding).
- As we believe to be necessary or appropriate:
  - Under applicable law, including laws outside your country of residence
  - To comply with legal process
  - To respond to requests from public or government authorities, including public or government authorities outside your country of residence
  - To enforce our terms and conditions
  - To protect our operations or those of any of our affiliates
  - To protect our rights, privacy, safety or property, or that of our affiliates, you or others
  - At our discretion under emergency circumstances, to notify emergency services or your family members, personal representative or other individuals involved in your care of your location and condition
  - To allow us to pursue available remedies or limit the damages that we may sustain.

As we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public or government authorities, including public or government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety or property, or that of our affiliates, you or others; (g) at our discretion under emergency circumstances, to notify emergency services or your family members, personal representative or other individuals involved in your care of your location and condition; or (h) to allow us to pursue available remedies or limit the damages that we may sustain.

## OTHER INFORMATION

### Other information we may collect

"Other Information" is any information that does not reveal your specific identity, such as:

- Browser information
- Server log files
- Information collected through cookies, pixel tags and other similar technologies
- Demographic information and other non-personally identifiable information provided by you
- Combined information

### How we collect other information

We and our third-party service providers may collect other information in a variety of ways, including:

- **Through your device:** Certain information is collected automatically through your device. This information includes your operating system name and version, device manufacturer and model, device identifier, language, the name and version of the software application you are using. We use this information to make sure the Applications works right and to understand usage of the Applications.
- **Through server log files:** Your "IP Address" is a number that is automatically assigned to the device that you are using by your Internet Service Provider (ISP). An IP Address is identified and logged automatically in our server log files whenever a user uses the Applications. The time of the use and the pages visited within the Applications are logged. We use IP Addresses to calculate Applications usage levels, find server problems and run the Applications.

- **Using cookies:** Cookies allow a server to transfer data to a device for recordkeeping. We use cookies to better serve you with more tailored information. It also makes it easier to access and use of the Applications. It is also used for online tracking purposes. If you do not want information collected through the use of cookies, you can decline the use of cookies. To learn more about cookies, please visit [www.allaboutcookies.org/](http://www.allaboutcookies.org/). If you choose to decline cookies, some or all of the features and functionality of the Applications may not be available to you.
- **Using pixel tags and other similar technologies:** Pixel tags (also known as web beacons and clear GIFs) may be used in connection with some Applications pages and HTML-formatted e-mail messages. They track the actions of Applications users and e-mail recipients. The information covers the Applications usage and response rates.
- **Physical location:** We may collect the physical location of your device. We may use your device's physical location to provide you with personalized location-based services and content. We may also collect this information to display usage trends. We may also share information about your device's physical location for any purpose not prohibited by applicable law. In some instances, you may not want us to share your device's location. If you choose not to share, we may not be able to provide you with personalized services and content.

**From you:** We may collect demographic information such as your location and your preferred means of communication. You need to allow us to get such information. Unless it is combined with Personal Information, this information does not personally identify you.

**By collecting information:** Collected personal information, PHI and Additional Health Information does not personally identify users of the Applications. For example, we may collect personal information to calculate the percentage of our users who have a particular telephone area code. We may collect PHI and Additional Health Information to calculate the percentage of our users with particular medical conditions.

## How we use and disclose other information

Please note that we may use and disclose other information for any purpose under applicable law. If we decide to treat Other Information as Personal Information, we must follow the applicable law. In addition to the uses listed above, we may use and give out Other Information for all the purposes for which we may use and give out Personal Information.

In some instances, we may combine Other Information with Personal Information, PHI and Additional Health Information. An example is combining your zip code with your name, or with your name together with a medical condition. If we combine any Other Information with Personal Information, PHI or Additional Health Information, then the combined information will be treated by us as Personal Information, PHI or Additional Health Information, as applicable, as long as it is so combined.

## Third parties

This Privacy Policy does not address, and we are not responsible for, the privacy, information or other practices of any third parties, including our third-party service providers (including cloud service providers such as Amazon Web Services LLC), any healthcare providers, Insurers, employers, and, if applicable, Apple Inc., and any other third party operating any software application or website to which the Applications contain a link. The inclusion of a link on the Applications does not imply endorsement of the linked software application or website by us or by our affiliates.

## SECURITY

### Security

We seek to use within Aetna reasonable physical, technical and administrative measures to protect Personal Information, PHI and Additional Health Information under our control. Unfortunately, no data transmission over the Internet or data storage system is guaranteed to be 100% secure. Please also be aware that we may use third-party cloud service providers (such as Amazon Web Services LLC) that provide hosting, data storage and other services pursuant to standard terms and conditions that are generally non-negotiable. These service providers inform us that they apply security measures they consider adequate for the protection of information within their system.

If you have reason to believe that your interaction with us is no longer secure. If you feel that the security of any account you might have with us has been compromised; please notify us of the problem. See "Contacting Us" section below.

## CHOICES AND ACCESS

### Your choices regarding our use and disclosure of your Personal Information, Protected Health Information and Additional Health Information

We give you choices regarding our use and disclosure of your Personal Information, Protected Health Information and Additional Health Information for marketing purposes. We will use and share your Personal Information, Protected Health Information and Additional Health Information for marketing purposes only in accordance with such choices. For example, we will not use or share your Protected Health Information for marketing purposes unless you opt-in. In addition, you may opt-out from certain uses and disclosures of Personal Information and Additional Health Information as set forth below. Further, if you have previously opted-in to the use and sharing of Protected Health Information for marketing purposes and wish to change such preferences, you may do so by following the opt-out instructions set forth below.

**Receiving marketing-related e-mails from us based upon your Personal Information, Protected Health Information or Additional Health Information:** If you would prefer that we do not send to you, on a going-forward basis, marketing-related e-mails based on your Personal Information, Protected Health Information or Additional Health Information, you may opt-out of receiving such marketing-related e-mails by sending an e-mail to [legal@AetnaHealth.com](mailto:legal@AetnaHealth.com). Please specify whether you are opting-out of receiving marketing-related e-mails based upon your Personal Information, your Protected Health Information, your Additional Health Information or all three.

- **Our sharing of your Personal Information, Protected Health Information or Additional Health Information with affiliates for their marketing purposes:** If you would prefer that we do not share your Personal Information, Protected Health Information or Additional Health Information on a going-forward basis with our affiliates for their marketing purposes, you may opt-out of such sharing by sending an e-mail to [legal@Aetnahealth.com](mailto:legal@Aetnahealth.com). Please specify whether you are opting-out of such sharing of your Personal Information, your Protected Health Information, your Additional Health Information or all three.
- **Our sharing of your Personal Information, Protected Health Information or Additional Health Information with unaffiliated third parties for their marketing purposes:** If you would prefer that we do not share your Personal Information, Protected Health Information or Additional Health Information on a going-forward basis with unaffiliated third parties for their marketing purposes, you may opt-out

of such sharing by sending an e-mail to [legal@Aetnahealth.com](mailto:legal@Aetnahealth.com). Please specify whether you are opting-out of such sharing of your Personal Information, your Protected Health Information, your Additional Health Information or all three.

We will try to comply with your request(s) as soon as reasonably practicable. Please note that if you opt-out as described above, we will not be able to remove your Personal Information, Protected Health Information or Additional Health Information from the databases of our affiliates or unaffiliated third parties with which we have already shared such information (i.e., to which we have already provided such information as of the date that we implement your opt-out request). Please also note that if you do opt-out of receiving marketing-related messages from us, we may still send administrative messages to you; you cannot opt-out from receiving administrative messages.

### **Use of applications by minors**

The Applications are not directed to individuals under the age of thirteen (13), and we request that such individuals do not provide Personal Information through the Applications.

### **YOUR CALIFORNIA PRIVACY RIGHTS**

California Civil Code Section 1798.83 permits customers of Aetna, LLC who are California residents to request certain information regarding its disclosure of personally identifiable information to third parties for their direct marketing purposes. To make such a request, please email us at [AetnaMedicaidContactUs@aetna.com](mailto:AetnaMedicaidContactUs@aetna.com).

Aetna does not serve advertising on [www.aetnabetterhealth.com](http://www.aetnabetterhealth.com). However, we do engage online advertising service providers to serve ads on other sites, based on web pages you may have visited or your search engine activity. Currently, Aetna does not respond to "Do Not Track" signals from browsers.

### **Contacting us**

If you have any questions about this Privacy Policy, please contact us by e-mail at [AetnaMedicaidContactUs@aetna.com](mailto:AetnaMedicaidContactUs@aetna.com).

Please note that e-mail communications are not always secure; so please do not include PHI, Additional Health Information, credit card information or other sensitive information in your e-mail messages to us.