

CUE HEALTH MOBILE APPLICATION PRIVACY POLICY

What Does Our Privacy Policy Include?

This Policy describes how Cue Health Inc. (“Cue,” “our” “we” or “us”) collects, uses and shares information about you (if you are an individual) or your patients (if you are a health care provider) through the Cue Health Mobile Application (“Cue Health App”). The Cue Health App is used to provide you with test instructions and to display the results obtained from the Cue Health Monitoring System (the “Services”) used with a Cue test cartridge and a Cue Sample Wand for collection of the test specimen. (collectively called a “Cue Test”).

Our Policy focuses on Personal Information – information about you or your patients that is personally identifiable, such as contact information (e.g. , name, address, email address and any other non-public information that is associated with such information (collectively, “Personal Information”) and personally identifiable health or medical information (“Health Information”). When we use the term “De-Identified Information”, we mean information that is not individually identifiable. Please read this policy carefully to understand what we do. If you do not understand any aspects of our Privacy Policy, please feel free to contact us as described at the end of this Policy.

This Privacy Policy applies only to information we collect through the Cue Health App. Our Cue Health App may also contain links to third party sites that are not owned or controlled by Cue. We are not responsible for the privacy practices of such other sites. Cue does not share Personal Information or Health Information with those other sites or services. We encourage you to be aware when you leave the Cue Health App and to read the privacy statements of each and every website that collects personal information.

What Information Do We Collect?

We collect two types of information: (1) information we receive from you about you or your patients, and (2) information that we collect through your use of the Cue Health App.

Information You Provide To Us

When you create an account, we ask you to enter your email address. We also ask your permission to obtain your location information (latitude and longitude coordinates).

When you set up a profile in your account for your patients, or yourself, family members, or others, you provide us with their names and birthdates. If you are a health care provider, you may also provide us with a medical record number or other patient identifier.

When you use the Cue Health App to request information from us, contact customer support, or otherwise communicate with us, you provide additional information to us. This Privacy Policy applies to this and other information that you provide to us.

Information We Collect Through Your Use Of The Cue Health App

You also provide us information in other ways through technology. Some of this information may be linked to you personally.

- **Your Cue Test Results.** When you use the Cue Health App, test results are generated. If you have an account, Cue Test results may be stored under any profile that you have created under your account. In addition, the Cue Health App generates run time data (Cue Cartridge Reader Serial Number, Cue Cartridge Reader Status Data such as battery level, Cartridge Serial Number, and date and time of the Cue Test)
- **Device Information:** We collect technical information when you use our Cue Health App. This includes information such as the type of mobile device you use, your device operating characteristics, a unique device identifier, and other information about your session on the Cue Health App.
- **Browsing Information:** We use technologies such as mobile device identifiers to collect information about the use of our mobile services. We use these tools to improve the quality of our service, including for storing user preferences, tracking user trends, and providing relevant advertising to you.

A Special Note About Children And Minors. Cue does not allow individuals under the age of 18 to use the Services, but you may include a minor family member in your family account if you are over the age of 18.

How Do We Use And Share Personal Information Or Health Information?

We may be considered a Business Associate under the Health Insurance Portability and Accountability Act (“HIPAA”) and/or a “health care provider” under the California Confidentiality of Medical Information Act (“CMIA”), and we will protect Health Information in compliance with the applicable laws.

We will not sell, rent, or use for marketing purposes any information that you enter to register for an account or create a profile in the Cue Health App. We may share Personal Information or Health Information in limited circumstances, such as to conduct our business, when legally required, or with consent, as permitted under the terms of any Business Associate Agreement and or state and federal law.

We may use Personal Information or Health Information for the following purposes (subject to applicable legal restrictions):

- To provide you with the Services and support.
- To create De-Identified Information such as aggregate statistics relating to the use of the Services.
- To notify you when Service updates are available.

- For purposes described in a patient authorization (for health care providers) or your authorization (for individual account holders).

We may also disclose Personal Information or Health Information that we collect or you provide (subject to applicable legal restrictions) as follows:

- To subcontractors, service providers and other third parties we use to support our business and who are bound by contractual obligations (e.g., Business Associate Agreements) to keep Personal Information and Health Information confidential and use it only for the purposes for which we disclose it to them.
- As required by law, which can include providing information as required by statute, regulation, subpoena, court order, legal process, or government request.
- To report, either directly or indirectly, to the federal Food and Drug Administration adverse events related to medical device problems.
- As directed by your organization’s Business Associate Agreement (for health care providers) or for any other purpose disclosed by us when you provide the information (for consumers).
- As otherwise authorized by law.

De-Identified Information. We may use and share De-Identified Information created by us without restriction.

Other Uses With Your Consent. In addition to the sharing described elsewhere in this Policy, we will share Personal Information with companies, organizations, or individuals outside of Cue only when we have authorization to do so.

How Do You Access And Update Your Personal Information?

You can access and update certain information we have relating to your account (email, profile information, and preferences) by signing into your account and going to the “My Account” section of our Cue Health App.

How Is Your Information Protected?

We use industry standard physical, technical and administrative security measures and safeguards in compliance with HIPAA to protect the confidentiality and security of Personal Information. However, even with these safeguards, we cannot guarantee, ensure, or warrant the security of any information you transmit to us. There is no guarantee that information may not be accessed, disclosed, altered, or destroyed by breach of any of our physical, technical, or managerial safeguards. It is your responsibility to protect the security of your login information. You should report any security violations or breaches to us by contacting us at support@cuehealth.com or by calling us at 833.CUE.TEST (833-283-8378).

Where Will Your Information Be Maintained?

The Cue Health App is operated and managed on servers located and operated within the United States. By using and accessing our Services, you agree and consent to the transfer to and processing of Personal Information on servers located in the United States, even when you travel outside the United States. If you reside outside the United States, you recognize that the protection of such information may be different than required under the laws of any location where you reside.

How Will You Know If This Policy Changes?

We may change this Privacy Policy from time to time in the future. We will post any revised version of the Privacy Policy on this page and at other places we deem appropriate. Continued use of our Service will indicate your acknowledgement of such changes and agreement to be bound by the terms and conditions of such changes.

How Can I Contact You If I Have Questions?

If you have any questions, concerns, complaints or suggestions regarding our Privacy Policy or otherwise need to contact us, please email us at support@cuehealth.com or call us at 833.CUE.TEST (833-283-8378).