

# PRIVACY POLICY

Dear client,

Name of healing professional or organization: \_\_\_\_\_

Address: \_\_\_\_\_

Phone number: \_\_\_\_\_

The above healing entity is the data controller of your personal information which is processed through the Upheal app during sessions.

## 1. DEFINITIONS

"consent" of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's (or, if applicable, of their parent or legal guardian) wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

## 2. WHAT PERSONAL DATA ARE PROCESSED THROUGH THE APP?

Your data:

CATEGORY	DATA ITEMS
<i>Identifying data</i>	<i>Name, last name, home address, gender, date of birth, email address, phone number</i>
<i>Personal details</i>	<i>Spoken language, country</i>
<i>Recording</i>	<i>Audio and video recording of the session</i>
<i>Usage data</i>	<i>Session date and time, length</i>
<i>Health data</i>	<i>Session transcript &amp; insights, audio and video of the session, clinical notes</i>

## 3. WHY IS YOUR DATA USED?

Your data is used for:

PURPOSE	DATA CATEGORY	LEGAL BASIS	ARE YOU OBLIGED TO PROVIDE THE DATA	HOW LONG DO I KEEP YOUR DATA

<i>Provision of the app service</i>	<i>Identifying data, personal details, usage data</i>	<i>The performance of the contract</i>	<i>Yes. Failure to provide such data will result in the inability to provide you with the service</i>	<i>For 6 years</i>
<i>Provision of the app service</i>	<i>Health data (therapy session transcript &amp; insights, medical notes)</i>	<i>Your consent</i>	<i>Yes. Failure to provide such data and the consent will result in the inability to provide you with the service</i>	<i>For 6 years</i>
<i>Provision of the app service</i>	<i>Recording of the audio and video</i>	<i>The performance of the contract and your consent for health data</i>	<i>Yes. Failure to provide such data and the consent will result in the inability to provide you with the service</i>	<i>The duration of the session</i>
<i>Storage of the audio and video recording</i>	<i>Audio and video recording</i>	<i>Your consent, which you will express specifically during the session in the app</i>	<i>No. It is always optional to provide the consent for the storage of the audio and video recording</i>	<i>For 6 years. But you can always withdraw your consent and the recording will be deleted immediately</i>

#### **4. HOW IS YOUR PERSONAL DATA USED?**

Upheal is an app which creates notes based on what's discussed during healing sessions. Using AI, the app transcribes the conversation and provides summaries and insights. As a result, your healing professional will not spend time writing notes and can focus on being there for you.

At the end of the session the generated transcript will be revised to get to final notes, therefore there is no decision based solely on automated processing – it is always by your healing professional's intervention. The recording of the session will not be stored unless you express consent before starting. For more about the Upheal app visit <https://www.upheal.io>.

## 5. WHO CAN ACCESS YOUR PERSONAL DATA ?

Your data can be accessed or disclosed to:

- Processors: hosting providers, suppliers of IT services and application software, or other public or private bodies to whom it might be necessary to disclose the data for the purpose of provision of the services to you.
- Law Enforcement: your personal data can be disclosed outside the scope of these provisions only as required to do so by law or compelled by court, government or administrative agency of competent jurisdiction. Personal data from users may be subject to federal and local laws that require the disclosure of data in certain circumstances.

Upon your request, your personal data, including medical and behavioral information, can be shared with other healthcare providers or any other individual or entity that you instruct me to inform.

## 6. WHERE IS YOUR DATA PROCESSED?

If you use our services from the EU, Switzerland or the UK, we inform you that your data is transferred to our suppliers outside the European Economic Area and the UK, in particular in the U.S.

In this case, we inform you that the data transfer will take place only in the presence of adequate safeguards provided for by the applicable law. In particular, for transfers from the EU and the UK, where an Adequacy Decision is not applicable, we rely on the Standard Contractual Clauses provided by the European Commission (art. 46 GDPR). For further information about the data transfer you can contact us at the email address indicated below.

## 7. HOW ARE YOU SUPPORTED IN DEALING WITH DATA SUBJECT RIGHTS?

**7.1. If you are from the European Union, Switzerland or UK** remember that you can: access and correct your data.

You can obtain the erasure of your personal data under certain circumstances.

You also have the right to restrict the processing of your personal data.

You can withdraw your consent at any time.

Moreover, you can receive a copy of your personal data or ask your healing professional or entity to transmit that data to another controller, where technically feasible.

You can lodge a complaint with the supervisory authority of your State or territory in case you think that your rights have been breached or you have concerns about our privacy practices or how your personal health information has been handled.

If you wish to exercise one of these rights, you can write to [support@upheal.io](mailto:support@upheal.io)

**7.2.** Remember that under **HIPAA** you can always request access and amendment of your data.

**7.3. If you are from California remember that** the CCPA provides California consumers with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

The Right to Know: You have the right to request the disclosure of the personal information collected, used, disclosed or sold about you in the previous twelve (12) months. You may also request a copy of the personal information collected on you over the past twelve (12) months.

The Right to Deletion: You have the right to request the deletion of any of your personal information collected from you and retained, subject to certain exceptions. Once your verifiable request is received and confirmed, your healing professional or entity will direct service providers to delete your personal information from any records, unless an exception applies.

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