

myNEXUS, Inc.
Privacy Notice for California Residents

Effective Date: [DATE]

Last Updated: August 14, 2020

Introduction

This Privacy Notice for California Residents (the “Notice”) supplements the information contained in the myNEXUS, Inc. (“myNEXUS,” “we,” “us,” “our”) [Privacy Policy](#) (the “Privacy Policy”) and applies solely to all visitors, users, and others who reside in the State of California (“user(s),” “you,” or “your”). We adopt this Notice to comply with the California Consumer Privacy Act of 2018 (“CCPA”) and any terms defined in the CCPA have the same meaning when used in this Notice. This Notice governs our Site and Services, as those terms are defined in the Privacy Policy.

1. Information We Collect

Our Services collect information that identifies, relates to, describes, references, is capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular consumer or device (“Personal Information”). Below, we have provided a list of categories of Personal Information and examples of the types of Personal Information that may fall within those categories. For clarity, even where we indicate that we collect a category of Personal Information, we may not collect *all* types of Personal Information described in that category.

Within the last twelve (12) months, our Services have collected the following categories of Personal Information from consumers:

Category	Examples	Collected
A. Identifiers.	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver’s license number, passport number, or other similar identifiers. Specifically, myNEXUS collects first and last name, email address, and permitted social media account information.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver’s license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Specifically, myNEXUS collects information contained in a job application.	YES
C. Protected classification characteristics under	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender	NO

California or federal law.	identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	NO
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	NO
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	NO
G. Geolocation data.	Physical location or movements.	NO
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	NO
I. Professional or employment-related information.	Current or past job history or performance evaluations; specifically as disclosed or permitted to be disclosed in connection with a job application.	YES
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records. Specifically, educational records are collected only as disclosed or permitted to be disclosed in connection with a job application.	YES
K. Inferences drawn from other Personal Information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	NO

myNEXUS obtains the categories of Personal Information listed above from the following categories of sources:

- Directly from you. For example, from information you provide through the Site and Services and through any correspondences, such as when you request to receive information or support.

- Indirectly from you. For example, from observing your actions on our Site through the use of automated data collection tools.

2. Use of Personal Information

We may use or disclose the Personal Information we collect for one or more of the following purposes:

- To fulfill or meet the reason you provided the Personal Information. For example, if you share your name and contact information to ask a question about our Site or on social media, we will use that Personal Information to respond to your inquiry.
- To provide, support, personalize, and develop our Services, including without limitation, to conduct aggregate or research analysis and develop business intelligence that helps us to enhance, improve, evaluate, operate, protect, make informed decisions about, and report on the performance of our Services.
- To communicate information and promotional materials to you, where you have not expressed a preference otherwise, and to send you information and updates about the Services.
- To notify you of any changes to relevant agreements, policies, or other terms, and to enforce such terms.
- To work with our service providers, who perform certain business functions or services on our behalf.
- To prevent or investigate fraud, or for risk management purposes, and to help maintain the safety, security, and integrity of our Site, databases and other technology assets, and business.
- To comply with legal obligations, court orders, or in order to exercise any legal claim or to defend against any legal claim.
- To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which Personal Information held by us about our consumers is among the assets transferred.
- As otherwise described to you when collecting your Personal Information or as set forth in the CCPA.

We will not collect additional categories of Personal Information or use the Personal Information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

3. Sharing Personal Information

We may disclose your Personal Information to a third party for a business purpose. We will not sell your Personal Information. When we disclose Personal Information for a business purpose, we enter a contract that describes the purpose and requires the recipient to both keep that Personal Information confidential and not use it for any purpose except performing the contract.

We share your Personal Information with the following categories of third parties:

- Corporate affiliates, including corporate parents, subsidiaries, other affiliated entities, and associated entities for the purposes described in this Notice which are required to treat the information in accordance with this Notice.

- Service providers and other third parties that help us administer and provide the Site and Services (for example, a web hosting company whose services we use to host our platform). These third parties have access to your Personal Information only for the purpose of performing services on our behalf.
- Third parties 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 proceedings), in which case we will require the recipient to use such information in accordance with this Privacy Policy;

4. Disclosures of Personal Information for a Business Purpose

In the preceding twelve (12) months, myNEXUS has disclosed the following categories of Personal Information for a business purpose, further described above:

Category A: Identifiers

Category B: California Customer Records Personal Information categories.

Category J: Non-public education information.

We may disclose your Personal Information for a business purpose to the following categories of third parties:

- Corporate affiliates, including corporate parents, subsidiaries, other affiliated entities, and associated entities for the purposes described in this Notice which are required to treat the information in accordance with this Notice;
- Service providers and other third parties that help us administer and provide the Site and Services (for example, a web hosting company whose services we use to host our platform);
- As applicable, third parties 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 proceedings).

5. Your Rights and Choices

The CCPA provides consumers (i.e., California residents) with specific rights regarding their Personal Information. The following sections describe your CCPA rights and explains how to exercise those rights.

6. Access to Specific Information and Data Portability Rights

You have the right to request that we disclose certain information to you about our collection and use of your Personal Information as described in this Notice over the past twelve (12) months. Once we receive and confirm your verifiable consumer request (see *Exercising Access, Data Portability, and Deletion Rights*, below), we will disclose to you:

- The categories of Personal Information we collected about you.
- The categories of sources for the Personal Information we collected about you.
- Our business or commercial purpose for collecting that Personal Information.
- The categories of third parties with whom we share that Personal Information.

- The specific pieces of Personal Information we collected about you (also called a data portability request).

7. Deletion Request Rights

You have the right to request that we delete any of your Personal Information that we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request (see *Exercising Access, Data Portability, and Deletion Rights*, below), we will delete (and direct our service providers to delete) your Personal Information from our records, unless an exception applies.

We may deny your deletion request if retaining the information is necessary for us or our service provider(s) to:

1. Complete the transaction for which we collected the Personal Information, provide a service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 *et. seq.*).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

8. Exercising Access, Data Portability, and Deletion Rights

To exercise the access, data portability, and deletion rights described above, please submit a verifiable consumer request to us by either:

- Calling us at 866-828-0337
- Visiting mynexuscare.com (mynexus.health).

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your Personal Information. To authorize an agent to act on your behalf with respect to the rights contained in this Notice, we may require proof from the agent that you have provided the authorized agent written permission to do so, and we may require that you verify your own identity directly with us.

You may only make a verifiable consumer request for access or data portability twice within a twelve (12) month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected Personal Information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

We cannot respond to your request or provide you with Personal Information if we cannot verify your identity or authority to make the request and confirm the Personal Information relates to you. To verify your requests, we ask that you provide information required to match the request with the consumer about whom information has been collected. We verify requests by matching information you provide to information that we maintain in our records. We will only use Personal Information provided in a verifiable consumer request to verify the requestor's identity or authority to make the request.

9. Response Timing and Format

As mandated by applicable regulations, we endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time to respond (up to an additional forty-five (45) days) or will not fulfill the request, we will inform you of the reason and applicable extension period in writing.

We will deliver our written response by mail or electronically, at your option. Any disclosures we provide will only cover the twelve (12) month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your Personal Information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

We do not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

10. Non-Discrimination

We will not discriminate against you for exercising any of your CCPA rights, but please do note processes above and some requests may not be honored as set forth in this Notice and in compliance with applicable laws and regulations.

11. Other California Privacy Rights

California Civil Code Section 1798.83 permits California residents to request and obtain a list of what Personal Information (if any) we disclosed to third parties for direct marketing purposes in the preceding calendar year and the names and addresses of those third parties. Requests may be made only once a year and are free of charge. Under Section 1798.83, California residents are entitled to request and obtain such information, by e-mailing a request to privacy@myNexuscare.com.

12. Changes to Our Privacy Notice

myNEXUS reserves the right to amend this Notice at our discretion and at any time. When we make changes to this Notice, we will post the updated notice on the Site and update the Notice's effective date. **Your continued use of our Site following the posting of changes constitutes your acceptance of such changes.**

13. Contact Information

If you have any questions or comments about this notice, the ways in which myNEXUS collects and uses your information described above and in the Privacy Policy, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at the following:

By e-mail:	privacy@myexuscare.com
By telephone:	866-828-0337